

1 TOWN OF RIVERHEAD JUSTICE COURT  
2 STATE OF NEW YORK: COUNTY OF SUFFOLK

3 -----X

4 Transcription of the minutes of the  
5 recorded Town Board Meeting held by  
6 the Town Board of the Town of Riverhead on  
7 September 15, 2009, at the Wading River  
8 Congregational Church, recorded on a DVD.

9 -----X  
10 North Wading River Road  
11 Wading River, New York

12 PRESENT:

- 13 Philip Cardinale Supervisor
- 14 Barbara Blass Councilwoman
- 15 John Dunleavy Councilman
- 16 James Wooten Councilman

18 ALSO PRESENT:

- 19 Diane M. Wilhelm Town Clerk
- 20 Dawn Thomas Town Attorney

21  
22  
23  
24  
25

1 (Pledge of Allegiance.)

2 SUPERVISOR CARDINALE: We have  
3 some applications. We have some Town Hall  
4 reports and correspondence. Could you give us  
5 those, please, Diane?

6 MS. WILHELM: Sure. Under  
7 applications, Schenck Gas Services, a special  
8 permit petition for construction of an office  
9 garage.

10 The Riverhead Foundation for Marine  
11 Research and Preservation, has a special event  
12 application for a 5k run/walk for October 24th.

13 Riverhead Republican Committee has a  
14 Halloween party and haunted display attraction  
15 for October 23, 24, 25, 30th and 31st.

16 Under Town Hall Reports, the Police  
17 Department submitted their monthly report for  
18 July and August.

19 The Tax Receiver Utilities Collection  
20 Report for August was submitted. The total  
21 collections were \$420,114.43.

22 The Building Department's total monies  
23 received for August was \$89,471.00.

24 Under Correspondence, Janet Griffin of  
25 Riverhead submitted a letter regarding Riverside

1 Drive traffic issues.

2 Edward Broidy, of Boom Development  
3 Corporation submitted a letter regarding  
4 sub-division of Boom Development Corporation.

5 Julius Klein, of Jul-Bet Enterprises,  
6 submitted a letter regarding a special permit  
7 petition of Maryann Diliberto, Bed and Breakfast.

8 Jonathan Brown, Esq., a letter regarding  
9 demolition of structures owned by Riverhead Fire  
10 District.

11 Residents of Deep Hole Road sent in a  
12 petition to the Town Board for Riverhead Water  
13 District services.

14 Wading River Fire District Board of Fire  
15 Commissioners, sent in a letter regarding  
16 potential safety hazards pertaining to special  
17 events held on Route 25 and Route 25A in Wading  
18 River.

19 As a reminder, our next Town Board Meeting  
20 is Tuesday, October 6th at 2:00 p.m., at Town  
21 Hall.

22 SUPERVISOR CARDINALE: Thank you  
23 very much.

24 We have the 7:05 hearing, and then we're  
25 going to jump to the 7:25, 7:30 and 7:35. One of

1 the resolutions we are going to consider, I would  
2 like to take out of turn because it will allow a  
3 weary board family member not to have to sit  
4 through the whole meeting, Mr. Blass.

5 We would like to take comment on Resolution  
6 855. Resolution 855 appoints a deputy supervisor  
7 by the Board. The Town places the appointment of  
8 Barbara Blass as deputy supervisor.

9 Barbara has served this Town for eight  
10 years on the Town Board and how many on the  
11 Planning Board?

12 COUNCILWOMAN BLASS: Almost 20.

13 SUPERVISOR CARDINALE: Almost 20  
14 on the Planning Board. She will be leaving us,  
15 which I regret -- although I may be leaving you  
16 too, you don't know that. I will regret that. I  
17 may be leaving you as well, but she will be  
18 leaving December 31st. And I have served with  
19 her for six years. She was the individual who  
20 defeated me in 2001. And the Town did very well  
21 in that choice.

22 She has been a great champion of the  
23 environment, and I have not seen anyone who has  
24 worked harder on the Board. Anyone who is  
25 supervisor, anyone who has the pleasure after me,

1 hopefully she will be volunteering, if I have  
2 anything to say about it, some of her time --  
3 more of her time.

4 So if anyone wants to make a comment on  
5 this can make a comment now. I just did. And  
6 then I would like to pass it, swear Barbara in as  
7 my deputy for the balance of my term which goes  
8 through 12/31, and her term as councilperson.  
9 And then get on with the meeting and hearings.

10 Does anybody have a comment? Yes, Jodi?

11 MS. GIGLIO: I would just like  
12 to say, Barbara, thank you for your service. I  
13 think that you have been a wonderful thing for  
14 the Town of Riverhead in a lot of ways. We don't  
15 always agree, but I hope that you will be there  
16 always for any Town Board member who is sitting  
17 on there, with your knowledge, and your wisdom  
18 and your experience that you have with the Town.  
19 And I know that you have always had the best  
20 intentions for all the residents of the Town of  
21 Riverhead in your heart.

22 COUNCILWOMAN BLASS: Thank you.

23 SUPERVISOR CARDINALE: That's a  
24 very good point. Very well stated. That is  
25 something I'm glad Jodi said, because I had meant

1 to say something similar, that over the years we  
2 have not always agreed on everything, but I've  
3 always known that every position that Barbara  
4 took, she took because she thought it was in the  
5 best interest of the Town. And that's all any of  
6 you should be asking of any of us up here.

7 We're not always going to be right, but we  
8 could always be right if we're always seeking to  
9 do what we believe is best for the Town.

10 Yes?

11 MS. MENDEZ: Hi. I'm Domenique  
12 Mendez of Riverhead. I just want to say that I  
13 was very happy to hear that Barbara was staying.  
14 I was disheartened that she wouldn't be running  
15 again....(inaudible). I hope that you will stay  
16 in that capacity for a long time to come.

17 SUPERVISOR CARDINALE: I know  
18 she's going to stay on until 12/31. I would like  
19 to keep her on longer. That's one of the things  
20 I think we will be discussing. Thank you.

21 MS. MENDEZ: Thank you, Barbara.

22 COUNCILWOMAN BLASS: Thank you.

23 SUPERVISOR CARDINALE: Any  
24 other comments on this particular issue? If not,  
25 I would like Diane to call it, we'll consider it

1 and if it passes, swear in Barbara.

2 MS. WILHELM: Do you want me to  
3 take that resolution?

4 SUPERVISOR CARDINALE: Yes,  
5 take that resolution, and then we'll go back to  
6 the ordinary formula.

7 MS. WILHELM: That is Resolution  
8 855.

9 COUNCILMAN DUNLEAVY: Appoints  
10 deputy supervisor. So moved.

11 COUNCILMAN WOOTEN: I'll second  
12 it.

13 SUPERVISOR CARDINALE: Moved and  
14 seconded. Vote, please.

15 MS. WILHELM: Wooten.

16 COUNCILMAN WOOTEN: I will tell  
17 you that in the short time that I have been a  
18 Councilman in this Town, Barbara has  
19 institutional knowledge that goes back many,  
20 many, many years. I have tapped her knowledge. I  
21 don't always agree with her, but you know what,  
22 she has that knowledge of how things got to be  
23 the way they are, which is very important when  
24 you make decisions. You have to look at the  
25 history. So, I definitely vote yes.

1 MS. WILHELM: Dunleavy.

2 MS. DUNLEAVY: Yes. I've worked  
3 with Barbara for the past four years, and she has  
4 unbelievable knowledge especially with zoning and  
5 open space. So, I vote yes.

6 MS. WILHELM: Should I say  
7 "Blass"?

8 SUPERVISOR CARDINALE: She could  
9 abstain.

10 MS. WILHELM: Okay. Abstain.  
11 Cardinale.

12 SUPERVISOR CARDINALE: In fact,  
13 we would have done this two weeks earlier where  
14 Barbara didn't want to be in a position to vote  
15 for herself. So, she is abstaining. I am, of  
16 course, voting yes.

17 Thanking Barbara for her service, asking  
18 her to continue it with equal vigor and more  
19 through the end of the year, which is a service  
20 in itself.

21 I wish you were continuing to serve. I  
22 made it clear that I would have preferred that.  
23 But, I can certainly understand her decision. I  
24 wouldn't try to make her work beyond December.  
25 So, I vote yes.

1 MS. WILHELM: Resolution is  
2 adopted.

3 SUPERVISOR CARDINALE: With the  
4 resolution being adopted we can swear Barbara in.  
5 I'm told that she would like me to swear her in  
6 because, I guess because you need a Notary, and I  
7 am one. And also Greg is here, so why don't  
8 we -- does anyone have a Bible so that we  
9 can -- all right. Very good.

10 Okay, Barbara raise your right hand and put  
11 your left hand on the Bible -- he knows because  
12 he is a Judge (laughter). Repeat after me,  
13 please, Barbara -- -- I, Barbara Blass.

14 COUNCILWOMAN BLASS: I, Barbara  
15 Blass.

16 SUPERVISOR CARDINALE: Do  
17 solemnly swear.

18 COUNCILWOMAN BLASS: Do solemnly  
19 swear.

20 SUPERVISOR CARDINALE: That I  
21 will support the Constitution of the United  
22 States.

23 COUNCILWOMAN BLASS: That I will  
24 support the Constitution of the United States.

25 SUPERVISOR CARDINALE: The

1 Constitution of the State of New York.

2 COUNCILWOMAN BLASS: The  
3 Constitution of the State of New York.

4 SUPERVISOR CARDINALE: And I  
5 will faithfully discharge the duties of Deputy  
6 Supervisor to the best of my abilities, so help  
7 me God.

8 COUNCILWOMAN BLASS: I will  
9 faithfully discharge the duties of Deputy  
10 Supervisor to the best of my abilities, so help  
11 me God.

12 SUPERVISOR CARDINALE: You are  
13 now a Deputy Supervisor (applause). This might be  
14 an appropriate time to mention, Barbara, I will  
15 be leaving for California on Thursday (laughter).

16 COUNCILWOMAN BLASS: I do want  
17 to take a moment to thank the Supervisor, my  
18 colleagues, Councilman Wooten and Councilman  
19 Dunleavy for their votes of confidence. I look  
20 forward to further serving our community with  
21 the additional responsibilities as Deputy  
22 Supervisor. You guys could have thrown in a few  
23 bucks. (Laughter.)

24 Seriously, it's never been about a title,  
25 and it's never been about money. It's always

1       been about public service. And I'm honored to  
2       accept the position and do so with renewed  
3       enthusiasm and energy. Thank you. (Applause.)

4                   SUPERVISOR CARDINALE: Thank  
5       you. I actually did ask, do you want this to be  
6       functional or honorary, and she said "I want to  
7       work". And that's a good indication of her  
8       character.

9                   We are ready to do the five hearings --

10                   COUNCILMAN DUNLEAVY: No. The  
11       minutes.

12                   SUPERVISOR CARDINALE: Oh, yes.  
13       We have to accept the minutes first. Thank you,  
14       John. Someone move the minutes of September 1st  
15       and the special Board Meeting of September 11th.

16                   COUNCILMAN DUNLEAVY: I move to  
17       approve the minutes of September 1st and the  
18       special Board Meeting of September 11, 2009. So  
19       moved.

20                   COUNCILWOMAN BLASS: And  
21       seconded.

22                   SUPERVISOR CARDINALE: Moved and  
23       seconded. May we have a vote, please?

24                   MS. WILHELM: Wooten.

25                   COUNCILMAN WOOTEN: Yes.

1 MS. WILHELM: Dunleavy.

2 COUNCILMAN DUNLEAVY: Yes.

3 MS. WILHELM: Blass.

4 COUNCILWOMAN BLASS: Yes.

5 MS. WILHELM: Cardinale.

6 SUPERVISOR CARDINALE: Yes.

7 MS. WILHELM: The minutes are  
8 approved.

9 SUPERVISOR CARDINALE: Thank  
10 you. We have four hearings this evening. The  
11 first is scheduled for 7:05, but being it is 7:20  
12 we can commence.

13 It is for the consideration of a Special  
14 Permit Petition of Maryann Diliberto for a Bed  
15 and Breakfast Facility.

16 This is a matter that the applicant, I  
17 believe, is here. Yes, Mr. Diliberto is here.  
18 You may want to initiate the hearing by  
19 presenting your application.

20 MR. DILIBERTO: Sal Diliberto,  
21 250 Manor Lane, Jamesport, on behalf of my wife  
22 Maryann Diliberto, who also owns the property.  
23 We've owned the property since 1991.

24 MS. THOMAS: Mr. Diliberto, you  
25 need to be sworn. Can you spell your name for

1 the record, please.

2 MR. DILIBERTO: The last name?

3 MS. THOMAS: Yes.

4 MR. DILIBERTO: D-i-l-i-b-e-r-t-o

5 MS. THOMAS: Do you swear the  
6 testimony you are about to give is the truth, the  
7 whole truth and nothing but the truth, so help  
8 you God?

9 MR. DILIBERTO: I do.

10 MS. THOMAS: Thank you.

11 MR. DILIBERTO: We've owned the  
12 property since 1991. We have had the dwelling on  
13 the property since 1997. In 2007 we added on an  
14 additional structure which is used both as a  
15 tasting room and also as professional offices on  
16 the second floor of that structure.

17 Our petition at this time is to connect  
18 these two structures with a breezeway, a  
19 structural connection between the two roofs of  
20 the separate buildings, thereby creating under  
21 the code, one building.

22 And within that building on the second floor  
23 in the space that is now used as professional  
24 offices, to create a Bed and Breakfast, either a  
25 one or two room Bed and Breakfast.

1           That is our application.

2                       SUPERVISOR CARDINALE: Thank  
3 you. Okay. The location again is?

4                       MR. DILIBERTO: 250 Manor Lane.  
5 In the Agricultural Protection Zone. And just to  
6 say that under the zoning that there is only one  
7 zoning district, I believe, in which part of the  
8 expressed purpose of the zoning is in fact to  
9 encourage agri-tourism. And that is in the  
10 Agricultural Protection Zone where we are.

11                      SUPERVISOR CARDINALE: Thank  
12 you. Is there anyone who would like to make a  
13 comment on this application? Yes, Mr. Barbato.  
14 Can you please indicate your name. Do you need  
15 everyone sworn in?

17           applicant.

18                      SUPERVISOR CARDINALE: Just the  
19 applicant must be sworn, but everyone else can  
20 simply make a comment.

21                      MR. BARBATO: My name is Phil  
22 Barbato. I live at 211 Manor Lane. I live  
23 across the street from Sal and Maryann. I've  
24 known them for ten years now. They are nice

25           people. We enjoy each other.

1 I basically have a number of questions.  
2 As you know Manor Lane has been the subject of  
3 several hearings before this Board, and before  
4 the Zoning Board, and subject to a court case.  
5 And I'm concerned about the limits on this type  
6 of thing.

7 First of all, what does the Board consider  
8 allowable in the APZ, a lot this size? Mr.  
9 Diliberto was talking about a one or two bedroom  
10 B & B now. But, how far can that go? What is  
11 the limit?

12 SUPERVISOR CARDINALE: Dawn --  
13 do you have several questions?

14 MR. BARBATO: Yes.

15 SUPERVISOR CARDINALE: Why don't  
16 you ask them all, and Dawn would you take them  
17 down? You could either answer them in writing or  
18 verbally as you prefer.

19 MR. BARBATO: Thank you very  
20 much. That would be very helpful. And I'm  
21 talking about the number of rooms or number of  
22 bathrooms or parking spaces, whatever the  
23 criteria are for this size lot. This is not the  
24 largest winery on Long Island as you know. This  
25 is one of the best, but not one of the largest.

1           And then assume that the environmental  
2           impact, or the environmental assessment form is  
3           submitted, and I wonder if the Board has  
4           considered what the total eventual build out of  
5           this will be required in the...(inaudible).  
6           Where is it going? The Planning Board reviews  
7           this application. I'm curious what their  
8           recommendations were.

9           I think the Dilibertos's own a number of  
10          parcels on this property. What is the status of  
11          those? Are they turning into B & B's? What is  
12          the plans for that subset in question? As I  
13          said, it's across the street from my organic  
14          farm.

15          In regards to outdoor events. That's a  
16          touchy subject in Jamesport. What are the  
17          limitations for a piece of property that's now a  
18          winery and that's going to have a B & B or not  
19          have a B & B, holding events? There was one held  
20          July 18th of this year, which kept me awake with  
21          the noise well past 11:00. And I called Sal and  
22          I complained to him, and he said "We're only  
23          going to do this once in a while".

24          Again, what's the boundary on something like  
25          this? Can they do it every weekend, twice a

1 week, six times a week? I know that the noise  
2 ordinance is nearly impossible to enforce. So  
3 what determines the size of the party, the number  
4 of parties, the type of parties? Does it have to  
5 be related to agri-tourism, or can it be if  
6 anybody wants to have a birthday or a wedding or  
7 an anniversary, or what have you?

8 Just to note, the owners of the Jamesport  
9 Manor Inn were also the caterers for this event  
10 on July 18th. So there's a way for Jamesport Inn  
11 to have catering, since they're a non-conforming  
12 use up the road, and this is an agricultural  
13 zoned property. And you know the definition of  
14 agricultural use is very wide and liberally  
15 interpreted. We're farmers and we're trying to  
16 have growth of farms and successful farms.

17 Again, what's the limit? What's the value?  
18 If we're not careful we're going to ruin  
19 neighborhoods. Neighborhoods will be ruined  
20 because business will be thriving, and nobody is  
21 going to want to live there. I just ask you all,  
22 would you want to live across the street from  
23 this? Thank you very much.

24 SUPERVISOR CARDINALE: Thank  
25 you. I would like to get answers to those

1 questions either verbally or just for  
2 informational purposes. I think the Town  
3 Attorney can answer them very easily for you.  
4 Many are not related to the application, but to  
5 the general use of the property, and we are  
6 working on that issue, without great success, but  
7 we are working on it. And we expect to do  
8 something in regard to legislation. In fact,  
9 some of that legislation is being looked at by  
10 the various committees now.

11 I don't know if you want to answer  
12 privately, publicly, in writing, verbal?

13 MS. THOMAS: Mr. Barbato has  
14 asked a lot of good questions. The application  
15 itself I don't have available to answer all of  
16 them. A lot of the answers could be contained on  
17 the site plan that was filed with the Planning  
18 Department.

19 In terms of what the property would allow,  
20 it's going to be governed by the Agricultural  
21 Protection Zone Use District within the dimension  
22 section of the code. The Planning Board would  
23 review this as a site plan only if the Town Board  
24 would grant the special permit.

25 I'm only answering questions that I can

1 answer right now. The others maybe would require  
2 a further written response. Some of the  
3 questions really should be addressed to Mr.  
4 Diliberto, I think, as the applicant.

5 In terms of outdoor events, the Supervisor  
6 is correct. We have been working for quite a  
7 while on some legislation that will govern  
8 outdoor events, different types of uses. We've  
9 had problems in a lot of different areas, some  
10 wineries, some restaurants, depending upon where  
11 they are located. Most particularly in  
12 residential neighborhoods, where the catered  
13 events go on where there is maybe outdoor or  
14 excessive noise, and we've had noise complaints.  
15 And we're dealing with that. So, the proposed  
16 legislation will hopefully resolve some of those  
17 problems.

18 MR. BARBATO: If you do issue a  
19 special permit, can some of those anticipated  
20 zoning requirements be placed as conditions  
21 in this permit? Because otherwise they'll issue  
22 the permit and will have to do it retroactively  
23 and that's difficult.

24 MS. THOMAS: That's correct.  
25 The special permit is -- the law is, if an

1 applicant can show that he meets the criteria and  
2 conditions to obtain the permit, it's as if this  
3 was a permitted use within the zoning. The Town  
4 Board, depending upon the application and the  
5 specific issues and environmental impact, can  
6 condition that permit and would have to address  
7 those issues.

8 MR. BARBATO: Then I would ask  
9 that you seriously consider specific permit  
10 conditions just so that-- well, so and so  
11 received this treatment, so I want it too. If  
12 you're thinking of limiting in the zoning code,  
13 please put in these conditions, so we don't have  
14 to go back and scream to you.

15 SUPERVISOR CARDINALE: Thank  
16 you.

17 MR. BARBATO: Thank you very  
18 much.

19 SUPERVISOR CARDINALE: The only  
20 question that I recollect that you may want to  
21 answer before the end of this, Sal, is what the  
22 ownership of these two parcels are, that you  
23 might know and she won't.

24 MR. DILIBERTO: Yes, in terms of  
25 we own two acre parcels to the north --

1 SUPERVISOR CARDINALE: At the  
2 end I'll have you come up.

3 MR. DILIBERTO: Okay. Fine.

4 SUPERVISOR CARDINALE: Yes?

5 MR. MASTROPOLO: My name is Sal  
6 Mastropolo, Calverton. It seems to me like  
7 you're really stretching the bounds of Bed and  
8 Breakfast in this situation. You're putting in  
9 place the building requirements for a B & B, and  
10 you were very specific about a one-family  
11 dwelling, located within the one-family dwelling.

12 And now you're tacking on an out building  
13 to a house with a breeze-way. The out building  
14 which has a tasting room and offices. And now  
15 all of a sudden that's going to be part of the  
16 one-family house.

17 I think that you are really trying to  
18 manipulate the definition of Bed and Breakfast to  
19 satisfy, if you're giving a special permit, to  
20 satisfy his wants for a B & B. I can see if he  
21 puts the B & B in his home, okay? But to tack on  
22 an out building to his main residence, sounds to  
23 me like you are really trying to stretch it.

24 SUPERVISOR CARDINALE: That's a  
25 very good point, and one that had been discussed

1 prior to this hearing. Dawn, that's really  
2 something you have to give us some guidance on  
3 when we consider this application, the impact of  
4 the definitions that will likely pass tonight on  
5 the application. And we had discussed whether we  
6 needed an interpretation of a single family  
7 residence and whether this fit in. There was one  
8 other issue, was there a legal issue that we  
9 discussed with Sal, and he brought it up to us?

10 MR. DILIBERTO: Can I just jump  
11 in to touch on the question of dwelling?

12 SUPERVISOR CARDINALE: Yes.

13 MR. DILIBERTO: Dwelling is  
14 defined under the code 108.3.

15 SUPERVISOR CARDINALE: Right.

16 MR. DILIBERTO: A dwelling is a  
17 building in which one or more people permanently  
18 reside.

19 Also under the same 108.3, a breezeway is  
20 defined as a structure that connects two  
21 buildings, and that once the breezeway is  
22 connected to the two buildings it becomes one  
23 building. So that one building where one or more  
24 people reside, my wife and I, in fact, and will  
25 be a dwelling. So, it meets the statutory

1 definition.

2 SUPERVISOR CARDINALE: You're  
3 right and I understand that argument. However,  
4 that case in which the Zoning Board of Appeals  
5 interpreted just what you said --

6 MR. DILIBERTO: That involved a  
7 two family --

8 SUPERVISOR CARDINALE: Right.

9 MR. DILIBERTO: You couldn't  
10 have it in the Agricultural Protection Zone  
11 anyway.

12 SUPERVISOR CARDINALE: It  
13 couldn't be. You're saying that it's analogous,  
14 it used to, but now it isn't, therefore, we  
15 should abide by their decision.

16 MR. DILIBERTO: Absolutely.

17 SUPERVISOR CARDINALE: Is there  
18 another issue, Dawn, in addition to that issue,  
19 legal issue, that's kicking around here  
20 somewhere?

21 MS. THOMAS: I know Ann Marie  
22 was working on --

23 SUPERVISOR CARDINALE: My  
24 recollection is that there were two, but I can't  
25 remember the other one. That's good comment

1 We're on top of that issue. Thank you, Sal.

2 Yes?

3 MS. MENDEZ: Dominique Mendez,  
4 Wading River. Just a quick thing. Just a general  
5 comment from a resident. When I read this I  
6 didn't have a great idea of the scope of this. I  
7 didn't know if it was a one bedroom ten bedroom B  
8 & B.

9 So, I'm here to suggest its that before you  
10 have a public hearing, that maybe have a little  
11 bit more of a description so that residents  
12 understand the hearing. Maybe that will bring  
13 more or less people that say nothing to worry  
14 about or maybe it would. Just that there be a  
15 little more of a description in here.

16 SUPERVISOR CARDINALE: How many  
17 room is it? Two bedrooms?

18 MR. DILIBERTO: Two.

19 MS. MENDEZ: Yeah, and I --

20 MR. DILIBERTO: It can't be more  
21 then five under the statute.

22 SUPERVISOR CARDINALE: Thank  
23 you. Yes, sir?

24 MR. HATAIER: I'm Joseph  
25 Hataier. I live at 294 Manor Lane. My two acres

1 where we reside is a diverse lot on a four acre  
2 subdivision. Mr. Diliberto's vineyard is in the  
3 fourth lot. It was all designed to be  
4 residential, the way it was written when the old  
5 farmer divided it.

6 This vineyard is very small, and there's  
7 very limited space there. And when he hosted that  
8 wedding the whole road was parked full, and it  
9 was terrible noise. He has entertainment in his  
10 vineyard and he has an amplification system. My  
11 borderline property where I live is 400 feet from  
12 the white house he owns which is the closest to  
13 his vineyard. And now he purchased the -- the  
14 old farmer died, he has that great big house  
15 that's being rebuilt.

16 He appears to be spreading where he doesn't  
17 really have the room to spread. And my most  
18 concern is, like my neighbor just said, the  
19 amount of noise and what is the limit to this  
20 spread? Because it is a beautiful residential  
21 area, and it's a quiet area, as it should be.  
22 But these things go on until ten, eleven o'clock  
23 at night, and it's getting to be like every  
24 weekend in the summertime.

25 And my fear is that a businessman, an

1 entrepreneur, they want to make money, that's the  
2 bottom line to a business, that this is going to  
3 be turned into some sort of special event  
4 catering hall. Like he had Mr. Carr (phonetic)  
5 from the Manor Lane, the catering, he has the  
6 Jamesport Country Kitchen, which is very close  
7 by, he has a catering truck and that, he catered  
8 the event at Mr. Diliberto's vineyard.

9 Now, the Planning Board just put down the  
10 extension of the Manor Lane Inn because it's such  
11 a sensitive area. And I just feel in my heart  
12 that this is a wonderful country, and I love this  
13 country. I love the whole system where you  
14 protect us, protects the citizens, and I believe  
15 that we should be protected.

16 So, this is growing into an eyesore and a  
17 cancer because of the limited amount of space  
18 around here, and there's an ambition for these  
19 parties and special events. And also, there's  
20 Corey Vineyards, the Jamesport Vineyard, Martha  
21 Clara Vineyard, Macari Vineyard, in a very closed  
22 area up there on the east end of Town. And  
23 they're competing with one another. And many of  
24 them are having these special events with live  
25 entertainment. They're flying flags. And now

1 they put this great big pole with like a sailboat  
2 on it. It really looks bad. It's just making  
3 the whole Town -- it's changing the condition of  
4 the whole Town.

5 Most of my family died from alcoholism and  
6 I was a police officer. I know about alcoholism.  
7 I served in the army during Viet Nam. I know  
8 about alcoholism and drugs. I devoted the last  
9 23 years of my life, which I have been sober, in  
10 helping alcoholics. And I really believe this  
11 whole promotion of vineyards and alcohol, and  
12 this whole type of -- yes, make money on the  
13 agriculture. But I do believe to protect the  
14 citizens living here, you have to clean it up a  
15 little bit. And you have to set some sort of  
16 limitations.

17 I mean, when they say "live  
18 entertainment", well, they have bands. They have  
19 very large tent parties and things like that. I  
20 don't want them to have tent parties. I wish you  
21 would do something about that. If he intends to  
22 do that, I don't know. But I know that the  
23 Jamesport -- the Paumanok Vineyard and the  
24 Martha Clara Vineyard, sometimes on the weekend,  
25 across the flat lands, you could hear the noise

1 coming from all different directions. And it  
2 goes on pretty long. And when they advertise  
3 their live entertainment. How far does it got to  
4 go? Are they going to have exotic dancers?  
5 (laughter.) There's got to be a limit to this.

6 That's my concern. You know, a Bed and  
7 Breakfast is one thing. But I really am fearful  
8 that this is going to turn into a monster. He's  
9 a nice man. A nice gentleman. He's a good  
10 neighbor. I don't really know him except to see  
11 him and say hello. I have nothing against him.  
12 But I'm fearful about the way this whole Town is  
13 going with all these vineyards and stuff.

14 My neighbor, Dr. Gary Rosenbaum. He lives  
15 closer to the vineyard than I do. He's a  
16 physician and he's on call. He wanted to be here  
17 to express the same comments that I'm expressing

---

18 right now. Mainly about the parties and the  
19 noise. And I'm just wondering should he send a  
20 letter or just take my word for it or what?

21 SUPERVISOR CARDINALE: Ask him  
22 to send a brief letter confirming to the Town  
23 Clerk, 200 Howell Avenue, Riverhead.

24 MR. HATAIER: Gary Rosenbaum --

25 SUPERVISOR CARDINALE: If you

1       could ask him to send it to the Clerk. I'm going  
2       to leave this open for ten days for written  
3       stuff. That would be very helpful.

4                       MR. HATAIER: Thank you.

5                       SUPERVISOR CARDINALE: Anybody  
6       else have a comment? Mr. Diliberto, if you would  
7       like to come up and tell us about how much  
8       property you own--- and anything else you want to  
9       say.

10                      MR. DILIBERTO: Just a couple  
11       of brief comments. First of all a lot of the  
12       things that have been said tonight have  
13       absolutely nothing to do with my application for  
14       a Bed and Breakfast. Discussions regarding  
15       Jamesport, Paumanok or Martha Clara or Jamesport  
16       Manor Inn, court cases, have absolutely nothing  
17       to do with this.

18                      As we all know, under the code, if I didn't  
19       have a vineyard, if I didn't have a winery, if I  
20       didn't have a house on two acres. If I had a  
21       house on a quarter of an acre that was there for  
22       a long period of time, I would still have the  
23       right to make this application for a special  
24       permit for a B & B.

25                      Some of the questions people are covered in

1 the code in terms of the number of rooms I have.  
2 Talking about special events at a Bed & Breakfast  
3 doesn't make any sense at all. This all brings me  
4 back to the people talking about property I've  
5 added onto.

6 I bought the house in front of me that was  
7 owned by Ken Williams for very long period of  
8 time. Ken Williams died in February at 98 years  
9 old. And he had been a good neighbor to me all  
10 those years that I had been there.

11 We talked many times. And when I was  
12 building the tasting room, he loved to watch the  
13 construction because he was a builder -- a  
14 carpenter before. And I would stop at his house  
15 from time to time and apologize for the mess we  
16 were making. And I had to take off the fence  
17 because we had broken parts of the fence, and I  
18 went back to his house one time and said, "Mr.  
19 Williams, I want to put up a new fence, but I  
20 want to put up a fence that you like." And he  
21 said to me, "Sal, you put up anything you want."  
22 Because he said, "you know what, you live here  
23 now. And I know that you will do the right  
24 thing."

25 And I think that's what people should feel

1 about anything I do or anyone else does who lives  
2 at a vineyard. A lot of the vineyards that were  
3 mentioned are not vineyards where people live.  
4 Most of the 35 or 40 vineyards on Long Island, I  
5 think there are probably 3, myself included,  
6 where the owner actually lives there and is the  
7 wine maker and vineyard manager.

8 I live there. I care about Manor Lane as  
9 much, if not more, than anybody else. And I would  
10 never want to do anything in my own backyard to  
11 create any kind of adverse situation.

12 In two and half years that we've had the  
13 tasting room, we have had three small parties. In  
14 two and a half years. That's a hundred --  
15 whatever, and twenty-five weeks that we had  
16 three. We have live music. I have one man who  
17 plays guitar on the patio three hours on a  
18 Saturday and three hours on a Sunday. Not that  
19 that has anything to do with my application for a  
20 Bed and Breakfast. But I just wanted to respond  
21 to that. I think things are blown out of  
22 proportion. I love Manor Lane. I think I've  
23 been on Manor Lane and owned the property on  
24 Manor Lane longer than several of the people who  
25 spoke here today. In fact, only two of the

1 people who spoke here actually live on Manor  
2 Lane.

3 In terms of the property I own in addition  
4 to the property where I'm making the application  
5 on. We own a two acre parcel to the north of my  
6 property, which adjoins my property. And we also  
7 have purchased two-thirds of an acre of property  
8 in front of my property.

9 That property that I purchased in front of  
10 my property is intended to be a home for my  
11 daughter and my son-in-law and my granddaughter,  
12 who are presently living with me. So, I'm trying  
13 to finish it as quickly as possible so that they  
14 could move in.

15 I have no intention of doing anything  
16 extraordinary. People love to come out here.  
17 People love to visit the vineyards. There are  
18 very few places for people to stay right within  
19 the heart of wine country. Shinn Estate Vineyard  
20 out in the Town of Southold has a B & B, and  
21 people truly enjoy being there so they can be  
22 part of the experience.

23 I don't know if anyone has heard about wine  
24 camp, but people come from all over. I had a  
25 group of people who visited who were here for

1 wine camp, who had flown in from Minneapolis,  
2 Minnesota to be here last year. And what they do  
3 is, they stay at a B & B, and they go to various  
4 vineyards and wineries and become a part of the  
5 whole operation. And they find that interesting  
6 to do, so they come from so far away to do it.

7 All we intend to do with the B & B is to  
8 give people the opportunity to have that kind of  
9 an experience.

10 SUPERVISOR CARDINALE: Thank  
11 you, Sal.

12 MR. DILIBERTO: Thank you.

13 SUPERVISOR CARDINALE: Wine  
14 camp? They didn't have that when I was a kid  
15 (laughter).

16 COUNCILWOMAN BLASS: Mr.  
17 Diliberto, may I ask you a question?

18 MR. DILIBERTO: Yes.

19 COUNCILWOMAN BLASS: How large  
20 is your single family residence?

21 MR. DILIBERTO: It is -- in  
22 terms of square footage?

23 COUNCILWOMAN BLASS: Yes.

24 MR. DILIBERTO: Presently?  
25 Without the addition?

1 COUNCILWOMAN BLASS: Without the  
2 addition.

3 MR. DILIBERTO: At this point  
4 it's probably maybe 1700 square feet, 16 or 17  
5 hundred square feet. The portion which is being  
6 used as a professional office now in the other  
7 structure is approximately 700 square feet. So  
8 it would be put us over 2,000 square feet. It  
9 would make it about 23, 2400 square feet total.

10 COUNCILWOMAN BLASS: How many  
11 bedrooms in the main structure.

12 MR. DILIBERTO: Two.

13 COUNCILWOMAN BLASS: Just to go  
14 on record, we have to do some housekeeping on the  
15 prior resolution that granted you approval on  
16 your site plan for the wine tasting facility.  
17 You probably know that the site plan itself  
18 called out an accessory apartment at the time.  
19 And we did not have the accessory apartment  
20 ordinance, and that site plan was supposed to  
21 have been modified to remove it. And I know  
22 there is reference to it in the use permit that's  
23 at the Building Department.

24 MR. DILIBERTO: Correct.

25 COUNCILWOMAN BLASS: You should

1 not take it to mean that there is a legal  
2 accessory apartment --

3 MR. DILIBERTO: No, definitely  
4 not --

5 COUNCILWOMAN BLASS: I just have  
6 to mention that we have to actually take that  
7 step to --

8 MR. DILIBERTO: At a certain  
9 point I believe that the final plans were amended  
10 to provide -- and Marty Sendlewski is  
11 here -- the final plans were amended to provide  
12 that that was professional office.

13 COUNCILWOMAN BLASS: There is a  
14 reference to it in the use permit within your  
15 file that acknowledges that the site plan, as was  
16 approved by the Town Board at the time, contains  
17 an accessory apartment. So, we just want to make  
18 sure that clears up, and I guess it's next year  
19 when you would have had three years of. . .  
20 (inaudible.)

21 MR. DILIBERTO: Yes.

22 COUNCILWOMAN BLASS: Would it be  
23 your intention to continue in the event you were

1 Breakfast, or then make an application --

2 MR. DILIBERTO: Yes. I have no  
3 desire to have any space with a kitchen. I  
4 really have no desire to have anybody cooking you  
5 know, in certain parts of the structure. So, no,  
6 I definitely would not pursue an accessory  
7 apartment.

8 COUNCILWOMAN BLASS: Okay.  
9 Thank you.

10 MR. DILIBERTO: As a point of  
11 interest, because I pulled out the old  
12 Certificate of Occupancy, it does refer to the  
13 whole thing as an addition and alteration for  
14 building a tasting house and related  
15 improvements. It's kind of non-specific, but I  
16 know...(inaudible).

17 COUNCILWOMAN BLASS: There is  
18 another on the use permit.

19 MR. DILIBERTO: Right, on the  
20 use permit.

21 SUPERVISOR CARDINALE: Thank  
22 you.

23 MR. DILIBERTO: Thank you.

24 SUPERVISOR CARDINALE: Is there  
25 anything anyone else wishes to say? If there is

1 not, I will keep this open for ten days, which  
2 will be through Friday, the 25th at 4:30 p.m.,  
3 for written comment to the Clerk, Diane Wilhelm.  
4 And I going to close one hearing, being 7:45.

5 The second hearing scheduled for 7:25, the  
6 consideration of Local Law Amending Chapter 52,  
7 entitled "Building Construction Enforcement",  
8 Article I, entitled "Administration and  
9 Enforcement", Section 52-6, "Application for  
10 Building Permit".

11 This Article defines what the Code Revision  
12 Committee hopes to clear the matter of the  
13 application for a building permit and what  
14 triggers it. It reads as follows:

15 "No person, firm or corporation shall  
16 commence the erection, construction, enlargement,  
17 alteration, removal, demolition, conversion or  
18 change in the nature of the occupancy of any  
19 building or structure, or cause the same to be  
20 done, without first obtaining a building permit,  
21 separate and distinct from that required by the  
22 Zoning Ordinance, from the Building Inspector for  
23 each such building or structure, except that no  
24 building permit shall be required for the  
25 installation for -- this seeks to delineate

1 where you don't have to get a building permit, so  
2 it's clear -- "Installation of fences which are  
3 not part of an enclosure to a swimming pool; no  
4 building permit is required. Installation of  
5 window awnings supported by an exterior wall of a  
6 one or two family dwelling; installation of  
7 swings around the playground associated with a  
8 one or two family dwelling; installation of one  
9 story detached structures associated with one or  
10 two family dwellings which are used for tools and  
11 storage sheds, playhouses or similar type uses  
12 provided the gross floor area does not exceed 100  
13 square feet. A person, firm or corporation may  
14 obtain a waiver for building permit for  
15 construction, change, replacement or alteration  
16 to an existing building or structure which do not  
17 materially affect the structural elements and  
18 cost less than \$500.00, provided that the changes  
19 or alterations do not involve changes to a load  
20 bearing element or otherwise materially affect  
21 structural components, removal of or changes to  
22 any means of egress, or enlargement, change or  
23 replacement of any building system or portion  
24 thereof, including plumbing, heating, ventilation  
25 or fire protection systems."

1           So that's the concept. This is supposed  
2           to make clear when you're supposed to and when  
3           you don't have to obtain a building permit. So I  
4           will take comment on anybody who would like to  
5           make it.

6                           MR. SENDLEWSKI: Good evening.  
7           Martin Sendlewski, architect, Riverhead. I'm  
8           going to give each member a copy of this to refer  
9           to (handing). The information that I just handed  
10          up to you, I printed from the New York State  
11          Department of State website, division of code  
12          enforcement and administration.

13                         Under Title 19, under minimum standards for  
14          administration and enforcement of the code. This  
15          is the actual -- you know, the whole text is on  
16          the website and Dawn has it in her office. This  
17          is the actual text from the State of New York,  
18          what's regulated for building permits and  
19          non-building permits.

20                         I made a copy of that and gave it to you.  
21          I would think that the Town should simply adopt  
22          what the State says the rules are. What you  
23          have in your code being exempt includes four of  
24          the items that are noted here. You do not note  
25          some things such as retaining walls, temporary

1 motion picture and television stage sets, if  
2 somebody was to have an event, the replacement of  
3 certain building systems, repairs and renovations  
4 provided, they don't include structural changes.

5 There's a number of things that the State  
6 code enforces. If you would simply put this in  
7 your zoning ordinance, you would have the same  
8 exact verbiage of the State code so if a question  
9 came up and somebody needed to reach out to  
10 Richard Smith, the New York State Architect and  
11 Codes person in Hauppauge, he can interpret it  
12 very quickly because he would refer to what the  
13 State Law is. I just don't see any logic in not  
14 simply adopting what the Sate Law is.

15 Secondly, just as a side to that, they do  
16 allow up to 144 square feet on a shed, 12 by 12,  
17 which I think the Town might consider that. And  
18 also, aside from the exemptions, the other thing  
19 that I'm really concerned about both as a  
20 resident and being a part of the RBA, and as an  
21 architect, is that the area where requirements of  
22 the code for, you know, for work exceeding  
23 \$500.00. Essentially what that means is, if  
24 somebody is going to put a roof on their house,  
25 you're telling them they have to pay a building

1 permit fee, and file for a building permit.

2 Realistically, you've seen the prices and  
3 if you've done any renovation work on your house,  
4 if you pay someone to replace a toilet bowl in  
5 your house -- if you bought an American Standard  
6 toilet down in Home Depot and have someone put it  
7 in, that's going to cost you more than \$500.00.  
8 That's specifically exempt from the code from the  
9 State's end. The Town of Riverhead is saying,  
10 you've got to go pay for a building permit to do  
11 that. That's just way over the top  
12 of...(inaudible).

13 I don't think that there should be a dollar  
14 figure in there for a permit. If you buy a house  
15 that's old and you want to rip off and replace  
16 all the siding, you want to replace the roof, you  
17 want to replace the windows, without changing  
18 headers. You want to do all that work, as long as  
19 it's not electrical work or plumbing that clearly  
20 requires a permit, you should be allowed to do it  
21 without applying for a permit.

22 So, I would really like you to take that  
23 into consideration and instead of doing this,  
24 insert the text from the Department of State  
25 directly into the code. Thank you.

1 COUNCILWOMAN BLASS: Martin,  
2 can I ask you a question about what you handed  
3 up. The verbiage actually reads the way it looks  
4 as though it existed prior to you crossing it  
5 out. "That the following categories of work may  
6 be excluded with discretion.

7 MR. SENDLEWSKI: That's correct.

8 COUNCILWOMAN BLASS: And you  
9 crossed it out to say "are". The way it is  
10 currently is that there's discretion on all of  
11 these.

12 MR. SENDLEWSKI: There are  
13 discretions. But I don't see why many towns  
14 would -- why would you use discretion to say  
15 somebody couldn't change the siding on their  
16 house? I would not use discretion beyond what  
17 the State says. I think that's what the Town of  
18 Riverhead should do -- I actually changed it so  
19 that the way it should be, the verbiage if you  
20 put it into the zoning Code. I was trying to be  
21 helpful.

22 But I think what would happen is, I would  
23 ~~like to see a township and the legislatives of~~

---

24 the township, which is this Town Board, not  
25 invoke more restrictions than the State does,

1 when it comes to a code.

2 SUPERVISOR CARDINALE: But  
3 that's not the question she asked. In the State  
4 Code, Marty, according to...(inaudible), it says  
5 "May exempt the following": That the government  
6 or an agency in the administration and  
7 enforcement of the uniformed code may exempt from  
8 the requirements of permits, the categories of  
9 work.

10 MR. SENDLEWSKI: Yeah, you may.  
11 And what I'm saying --

12 SUPERVISOR CARDINALE: That's  
13 what the State Code says now.

14 MR. SENDLEWSKI: Right.

15 SUPERVISOR CARDINALE: So if we  
16 did the State now, we would be giving us the  
17 opportunity to exempt it or not exempt it in our  
18 discretion. They're not making a decision.  
19 They're not saying this is exempt. They're  
20 saying w make it exempt if we wish.

21 MR. SENDLEWSKI: Right. So if  
22 the State says you can make it exempt, why don't  
23 you make it exempt?

24 MS. THOMAS: This proposal is  
25 more liberal...(inaudible). It says it

1 automatically exempts certain things.

2 MR. SENDLEWSKI: Right. And I  
3 don't understand why you wouldn't automatically  
4 exempt all of this.

5 MS. THOMAS: We did. Most of it  
6 is automatically exempt.

7 COUNCILWOMAN BLASS: We have  
8 waiver opportunities in here.

9 MS. THOMAS: I just want to  
10 clarify. This isn't the New York State Building  
11 Code. This is from the model code and the  
12 Department of State website. It's just a model  
13 code. It's a suggestion?

14 MR. SENDLEWSKI: That's correct.

15 MS. THOMAS: This isn't adopted  
16 law any where. This is just a suggestion the  
17 State gives the local government as an  
18 opportunity to look at a model?

19 MR. SENDLEWSKI: That's correct.

20 It's the rules and regulations of the State,  
21 and they do give you the opportunity to enforce  
22 more provisions. In other words, you can make it  
23 more restrictive, but why would any township want  
24 to place more restrictions on property owners?

25 MS. THOMAS: We're not. The way

1 we proposed it is more liberal then what the  
2 model suggests. The way we proposed it here, "No  
3 building permit should be required for fences,  
4 swimming pools". So what they are saying here is  
5 very similar.

6 MR. SENDLEWSKI: Right.

7 MS. THOMAS: The Board could do  
8 what you suggested, I'm just saying that what you  
9 are proposing is not more liberal then what we  
10 adopted.

11 MR. SENDLEWSKI: They list are a  
12 lot more items in here that if you wanted to you  
13 could take all these items and meet the State's  
14 guidelines, and say look, for all of these items  
15 we're telling you in our code, you don't need a  
16 permit. That's what I think would be a very good  
17 thing for the Town to consider. It takes all the  
18 guess work out. It's less restrictive on  
19 property owners.

20 So, you know, if they want to do a repair  
21 right now, if you want to put a storm door on,  
22 for a double wide door on front of your house,  
23 not only with the text of this, but the \$500.00  
24 rule, you'll have to require a building permit  
25 for everything.

1 SUPERVISOR CARDINALE: Let me  
2 ask you a question, you're an architect and  
3 you're standing there. I don't have any dog in  
4 the fight here and this was produced by the  
5 Revision Committee. But this waiver concept is  
6 an interesting one, that you have to apply and  
7 then we waive it in certain instances. Because  
8 for example, you can replace a window in your  
9 house without a permit; right?

10 MR. SENDLEWSKI: Correct.

11 SUPERVISOR CARDINALE: But then  
12 people replace it with a little wider window --

13 MR. SENDLEWSKI: That's illegal.

14 SUPERVISOR CARDINALE: I know,  
15 but then people don't put a header. And if you  
16 say to people you can replace anything as long as  
17 it doesn't affect a low bearing wall. And if  
18 people don't know, like me, what a low bearing  
19 wall is, they may have a real problem unless they  
20 have to come in and seek a waiver. And that's  
21 one of the things that's not in the State Code.

22 And I asked Ann Marie, who put this  
23 together. I said, "What's this waiver crap? I  
24 don't want to go in and tell people I want  
25 something and please give me a waiver, oh

1 glorious government."

2 But there's a legitimate purpose for it.  
3 I don't know what a low bearing -- as I've  
4 established -- I don't know what a low bearing  
5 wall is. And I would easily say "Put in two  
6 windows, I would like a broader window". And  
7 not have headers there.

8 My question is, do you think the waiver  
9 idea is necessary? Because that's not in the  
10 State Code.

11 MR. SENDLEWSKI: I don't like  
12 the waiver idea. I would rather you just  
13 clarify -- if you're going to require permits  
14 for certain things, just say you need a permit  
15 for this, and you don't need a permit for  
16 this. Requesting a waiver and all that, it's just  
17 more paperwork. I don't know how you're even  
18 going to do that. I'm actually talking myself  
19 out of work by presenting this.

20 SUPERVISOR CARDINALE: You know  
21 a little trick -- this is a government trick.  
22 If I prefer government to tell me, you've got to  
23 get a permit for A,B,C,D, all the way down. But  
24 they don't do that. They say you've got to get a  
25 permit for everything and I'll exclude A,B,C,D.

1           That's what's better for government and  
2           probably arguably, for public safety. But it's an  
3           inconvenience for the public because the rule is  
4           you've got to get a permit, unless you fit into  
5           the exemption.

6           I think what you're suggesting is, you've  
7           got to put in -- you don't have to get a permit  
8           unless we tell you what you have to get a permit  
9           for, and here it is. You know how long that  
10          would be?

11                         MR. SENDLEWSKI: No. Just the  
12          opposite. I'm just saying list anything that  
13          falls under this category, these categories that  
14          are in the State rule book, you don't require  
15          permits. That's all. Be very clear. Say, if  
16          you're doing these items, you know, one through  
17          twelve, or whatever they are, the roman numerals  
18          here, if your work falls under any of these  
19          categories you're exempt from the Code.

20                         A good example, actually, is Mr. Diliberto.  
21          He was working on --

22                                 SUPERVISOR CARDINALE: How about  
23          this one? Look at the one you gave me, twelve,  
24          the first one. "Repair, provided that repairs --  
25          they're exempt repairs -- provided the repairs

1 do not involve the removal or the cutting away of  
2 a low bearing wall".

3 So, I'm happily making my repair. And since  
4 I do not know what a low bearing wall is, how  
5 would I be able to tell what does not affect a  
6 low bearing wall, unless we ask the brilliance of  
7 Leroy over there our inspector, and say, "Yeah,  
8 that doesn't take a permit because it's not a low  
9 bearing wall."

10 MR. SENDLEWSKI: It's just  
11 sounds like you're trying to legislate people  
12 being responsible. It doesn't have to be that  
13 overdone. I would rather you list you don't need  
14 a permit for any of these items. The Code says  
15 you don't need it. Code enforcement will drive  
16 around. If they see someone doing something that  
17 they see it structural, they would, I'm sure,  
18 bring it up.

19 SUPERVISOR CARDINALE: The  
20 operating rule in the real world is you don't  
21 need a permit for anything inside, because the  
22 code guy isn't going to see that. So, that's the  
23 real problem. You take the position I don't need  
24 anything for anything inside. If you cut away a  
25 low bearing wall, I think it would be helpful for

1 me to be able to go down and say "I'd like to get  
2 that waiver, please tell me if that's a low  
3 bearing wall."

4 MR. SENDLEWSKI: When Mr.  
5 Diliberto was doing renovations on the house he  
6 purchased, which were not structural renovations,  
7 the code enforcement official stopped by and gave  
8 him stop work order and said "You need a permit".  
9 He called me and I said "You do not need a  
10 permit." According to this you should be exempt  
11 from a permit. It fell under these categories  
12 some stuff he was going to do, and he had  
13 actually filed for permits for electrical work  
14 and other stuff.

15 But, that's an example. Right now  
16 especially with the \$500.00 thing, if somebody's  
17 putting a roof on their house and code  
18 enforcement can come up and say "Here's a stop  
19 work order, you have to go get a building permit,  
20 pay extra, you know, money, to get a building  
21 permit to finish the roof on your house."

22 To me it seems overly restrictive. I would  
23 rather you had a lot of clarity in terms of what  
24 doesn't require a permit.

25 SUPERVISOR CARDINALE: I would



1 new law.

2 MS. THOMAS: I don't think so

3 MR. DILIBERTO: The prior law  
4 did not, and the prior law provided that there  
5 would be a waiver possibility in the event that  
6 the cost of the work was going to be more than  
7 \$3,000.00, which was the old figure, if there was  
8 not going to be any structural alterations. So  
9 you had the opportunity to obtain a waiver of the  
10 necessity of a permit if the work was going to  
11 cost over \$3,000.00, but was not structural.

12 Now, you only have an opportunity to obtain  
13 a waiver if it's going to cost less than \$500.00.  
14 This is not just restrictive, this really makes  
15 no sense. This means if you are going to put in  
16 toilet seats, you're supposed to get a permit  
17 from the Town of Riverhead, because it costs  
18 \$20.00?

19 COUNCILMAN WOOTEN: In Phil's  
20 case, it could be a low bearing wall (laughter.)

21 MR. DILIBERTO: The language,  
22 when you compare it to the prior, the language  
23 makes no sense. Because it requires you to obtain  
24 a permit no matter what the cost of the work.  
25 It's an oversight in draft. By the way, there's

1 no mention of the \$500.00 here.

2 COUNCILMAN WOOTEN: Under the  
3 waiver part.

4 MR. DILIBERTO: It says "That you  
5 may obtain a waiver if the cost of the work is  
6 less than \$500.00." The way it's written it's  
7 going to require everyone in the Town of  
8 Riverhead to obtain a permit. I think the minimum  
9 cost of a permit is a hundred and something  
10 dollars -- a hundred dollars. So anyone who is  
11 going to do anything on their house, if they're  
12 going to put new leaders and gutters --

13 COUNCILMAN WOOTEN: Prior to the  
14 waiver there's a whole list of things that  
15 you don't need --

16 MR. DILIBERTO: Yeah, but the  
17 minimal -- it has nothing to do with the  
18 alterations you do inside your house. It's  
19 really egregious in terms of how it could  
20 possibly be applied to people.

21 SUPERVISOR CARDINALE: Well, you  
22 know how Leroy is too.

23 MR. DILIBERTO: Well, Leroy I  
24 trust. It's the other people that may come along  
25 after Leroy. They may not exercise their

1 discretion.

2 SUPERVISOR CARDINALE: Let's be  
3 evenhanded across the board, the letter of the  
4 law. I'm going to get the law right.

5 MR. DILIBERTO: I wasn't sure  
6 why it was reduced from \$3,000.00, which was ten  
7 years ago, to \$500.00.

8 SUPERVISOR CARDINALE: That's a  
9 good point, actually. And you are a lawyer,  
10 right?

11 MR. DILIBERTO: Yes, I am.

12 SUPERVISOR CARDINALE: The truth  
13 is that there's only four -- if you look at this  
14 statute that is proposed after "Installation of  
15 one story detached structures of 100 square



1                   MR. OXMAN: Good evening. Larry  
2 Oxman, member of the Riverhead Business Alliance.  
3 I'm also a commercial real estate broker.

4                   Mr. Diliberto brought up some good points. I  
5 believe, he is also correct that the way this  
6 reads right now for just a few exemptions that's  
7 at the end of the sentence. And then you start a  
8 new concept talking about where you may get a  
9 waiver. Also there's a process getting the  
10 waiver, and that was addresses. Is there a  
11 process and? It may be a lengthy and time  
12 consuming process.

13                   The cost of less than \$500.00 seems out of  
14 touch. Some of the samples Mr. Sendlewski had  
15 given with regard to new siding, a roof, a  
16 commercial establishment where their awning blows  
17 off or is ripped in a storm. All of these would  
18 be fine in excess of \$500.00.

19                   SUPERVISOR CARDINALE: Not to  
20 mention that I don't see the relevance of the  
21 dollar figure in regard to whether or not you  
22 should or shouldn't get a permit. It shouldn't  
23 have to do with the money as much as the act of  
24 the work.

25                   MR. OXMAN: Correct. So I would

1 say that any true replacements should not require  
2 a permit. The example you were concerned with  
3 that if someone changed their windows, changed  
4 their size -- that's not replacement.

5 Let me remind the Board, some of you may  
6 have been on the Board at the time, some of you  
7 were not. There was a building downtown in  
8 Riverhead where the owner wanted to replace the  
9 windows. Innocent enough. And went about to  
10 replace them. He was issued a stop work order.  
11 It wasn't a different location. It wasn't a  
12 different window. It was a replacement in the  
13 same openings. And that building had remained  
14 bordered up downtown, an eyesore, I think it may  
15 have been six months or better.

16 SUPERVISOR CARDINALE: What were  
17 they saying you needed?

18 MR. OXMAN: You needed to apply  
19 and receive a permit.

20 SUPERVISOR CARDINALE: Even  
21 though it was the same window?

22 MR. OXMAN: Yes. Nonetheless it  
23 happened and you had a bordered up building  
24 for a long period of time.

25 SUPERVISOR CARDINALE:

1 (Inaudible)....fault.

2 MR. OXMAN: I'm not saying it's  
3 anyone's fault. Had the owner replaced each  
4 windows individually one at a time, it wouldn't  
5 have been triggered by the \$3,000.00, but because  
6 he was replacing all of them --

7 SUPERVISOR CARDINALE: Which  
8 reestablishes why you shouldn't use a dollar  
9 figure. Even if it's a million dollars. It's not  
10 relevant.

11 MR. OXMAN: Thank you.

12 SUPERVISOR CARDINALE: We'll  
13 take a look at this. If anyone wants to make  
14 comment, make it in writing. We'll leave it open  
15 for ten days.

16 MR. CALDERONE: Good evening.  
17 My name is Chris Calderone, I live in Bating  
18 Hollow. I was just wondering, maybe you could  
19 tell me, maybe I'm being naive, but why are we  
20 still filling out paperwork to get a permit? I  
21 need to replace the gutters on the house. Do we  
22 need a permit for that?

23 SUPERVISOR CARDINALE: No.

24 MR. CALDERONE: I need new  
25 siding on the exterior of my house, because of

1 damage. The wind blew it off or whatever the  
2 case may be. All of that is exempt?

3 SUPERVISOR CARDINALE: All of  
4 those are okay with me, if that's what you're  
5 asking.

6 MR. CALDERONE: That's the whole  
7 point though. This isn't very clear. That's the  
8 reason I'm asking.

9 SUPERVISOR CARDINALE: That's  
10 why we're going to have to go back to Code  
11 Revision Committee.

12 MR. CALDERONE: So what you're  
13 proposing right now is. . . (inaudible).

14 SUPERVISOR CARDINALE: No, I'm  
15 not proposing it. The Code Revision Committee  
16 is proposing these.

17 COUNCILMAN WOOTEN: The whole  
18 thing of a public hearing is to get public  
19 comment.

20 SUPERVISOR CARDINALE: The  
21 Board Members will see this the Thursday before  
22 it goes before a Public Hearing. And the Code  
23 Revision Committee with their legal staff say  
24 "This statute is giving us a lot of problems".  
25 They make some changes and they make a proposal,

1 and that's the proposal.

2 This is actually, as Jim has pointed  
3 out -- if you look at the one we have now,  
4 hopefully it's better than that.

5 MR. CALDERONE: So let's just say  
6 this gets reenacted for whatever reason.

7 COUNCILMAN WOOTEN: It's not  
8 going to get reenacted until all the public  
9 comment is in.

10 MR. CALDERONE: I understand  
11 that. I'm saying right now.

12 SUPERVISOR CARDINALE: Never.  
13 Unless it's going to be changed dramatically.

14 MR. CALDERONE: Is there going to  
15 be a procedure for that? Is the Building  
16 Department going to have an inspector look at it?  
17 Who is going to determine whether I get a waiver  
18 or I don't get a waiver?

19 SUPERVISOR CARDINALE: The  
20 zoning officer I think is what's being  
21 contemplated. I'll take that as a comment. It  
22 should be made clear who the reviewing officer  
23 is. It's not clear if it's the zoning officer,  
24 which is at the moment, Leroy.

25 MR. CALDERONE: Leroy has enough

1 time to do this? I mean you're adding more work  
2 to the department?

3 COUNCILWOMAN BLASS: He's on the  
4 committee. We have agreed that we will take a  
5 look at it, but he and some of the others were  
6 aware of some of the implications of this. So we  
7 thought it was a first step.

8 MR. CALDERONE: So if the roof  
9 blows off my house and I have to replace the  
10 roof, I need a waiver, I need a permit.

11 COUNCILWOMAN BLASS: We got your  
12 point.

13 MR. CALDERONE: I just don't  
14 understand it.

15 COUNCILWOMAN BLASS: We will  
16 take another shot of making it clear. All of the  
17 comments that were presented this evening are  
18 significant and substantive, and we'll take it  
19 back to the drawing board.

20 MR. CALDERONE: One of the other  
21 things you should consider in talking about  
22 exempting an awning on an exterior of a  
23 building -- once the State went to a new wind  
24 code -- we're in a wind zone. I'm sure Marty  
25 could tell you better, I haven't seen a map

1 lately. But if you're within a mile of the water,  
2 you're in 120 mile wind zone. Most of the Town  
3 is 110 mile wind zone.

4 So if I'm going to put an awning on the  
5 exterior of my house and that's exempt, that's  
6 something that might need a permit, because it's  
7 structural on the exterior of your house. If the  
8 wind picks up and blows it into your neighbors  
9 front window, that presents a problem.

10 SUPERVISOR CARDINALE: Good  
11 point.

12 MR. CALDERONE: There's some  
13 things that maybe you guys are overlooking.

14 SUPERVISOR CARDINALE: Yes,  
15 that's clear.

16 MR. CALDERONE: You should also  
17 consider the economy that we're in now you know  
18 the cost of building material has not gone down.  
19 Anyone in the industry can tell you that. It's  
20 expensive to do repairs. So if you're trying to  
21 protect the public, one thing you might consider,  
22 if they need a permit, put a minimal fee. If  
23 somebody is doing five or six hundred dollars  
24 worth of work and a hundred dollars for a permit.

25 They have to wait for the Building

1 Department to come out and tell them whether it's  
2 required or not. This is just becoming another  
3 procedure that the Town has to put in for and  
4 creating more work. It may be a budgetary issue  
5 for you as well. We're making more work for  
6 ourselves for things that legitimately seems like  
7 a waste of time to me. Like putting new gutters  
8 on my house, and putting a new roof, all  
9 maintenance things that everyone has to do to  
10 their homes. I'm sure you've done to yours as  
11 well. That's all I wanted to say.

12 SUPERVISOR CARDINALE: Thank  
13 you. Okay. Does anyone have any other comments?  
14 If not, I would like to have any written comments  
15 over the next ten days commencing now and  
16 continuing to the 25th, because obviously this is  
17 going back to the Code Revision Committee from  
18 whence. Usually we do this at least once, and  
19 have a second hearing. This is no exception.  
20 We'll look to redraft most of these sections.

21 We have a third hearing today, which is  
22 scheduled for 7:30, it being 8:15 we can move  
23 forward.

24 It is a public hearing to be held to  
25 consider a local law amending Chapter 108,

1 Zoning, Article XIII, "Supplemental Use  
2 Regulations", "Signs", of the Riverhead Town  
3 Code.

4 It addresses temporary special event  
5 signs."It permits no more than two of them at  
6 locations other than at the event, and they shall  
7 be posted no more than 14 days prior to the  
8 event. And it shall be constructed with light  
9 material; cloth, canvas, fabric, plywood or  
10 designed such that the sign is not required to be  
11 affixed to real property, and is readily  
12 removable. And shall be removed within five days  
13 of the event."

14 So that is also another Code Revision  
15 Committee suggestion because of problems that had  
16 evolved. Would anybody like to make comment?  
17 Yes, Larry.

18 MR. OXMAN: Paragraph A,  
19 number 2, "Attached to real property". That's  
20 what it says. It can't be attached to the  
21 ground?

22 COUNCILWOMAN BLASS: It's not  
23 required.

24 SUPERVISOR CARDINALE: We want  
25 to allow for banners. It can be, but it doesn't

1 have to be.

2 MR. OXMAN: You're talking about  
3 "Shall be constructed of light material, such as  
4 cloth, fabric, canvas, plywood or designed such  
5 that the sign is not required to be affixed to  
6 real property". So, it's allowed to be affixed?

7 SUPERVISOR CARDINALE: Right,  
8 but it doesn't have to be.

9 COUNCILMAN WOOTEN: Very  
10 confusing isn't it?

11 MR. OXMAN: It is.

12 SUPERVISOR CARDINALE: Any other  
13 comments to this proposed amendment? I would like  
14 to give everyone the opportunity to comment in  
15 writing so, again, we'll leave it open until the  
16 25th at 4:30. Please forward comments to Diane  
17 Wilhelm, Town Clerk..

18 It is 8:17 and the next and final hearing  
19 is for a public hearing to be held tonight at  
20 7:35, so we can open it. It's to consider a  
21 local law amending Chapter 108 "Zoning", 108-3  
22 "Definitions" of the Town Code regarding bar or  
23 tavern, bistro, restaurant fast food, restaurant  
24 take-out.

25 This is an example of a hearing we had

1 once before. It didn't get great reviews, the  
2 proposals. So we went back to the drawing board  
3 and invited the Business Alliance and others that  
4 were affected. I hope this is acceptable. I'm  
5 told it is, that everyone got together and agreed  
6 these are good definitions.

7 Does anybody want to comment on it?

8 Marty?

9 MR. SENDLEWSKI: Martin

10 Sendlewski of Riverhead. The definitions that  
11 you have seem to work a lot better. I do think  
12 that there's a lot -- some of the verbiage  
13 really doesn't need to be there.

14 For example, the bar and tavern. They talk  
15 about a number of things about cover charges,  
16 listening to music, etc. Bars, you go on further  
17 to say there can be ancillaries elsewhere, and I  
18 guess maybe it's good to list some of those uses  
19 but it just seems like -- it just doesn't seem  
20 like a very clear definition.

21 I think the verbiage has a little too much  
22 involved there. I mean, it's pretty liberal  
23 though. So, I guess that's probably a good thing.

24 Going down to the bistro definition.

25 SUPERVISOR CARDINALE: Yes.



1 restricted with whatever power they have with the  
2 site plan.

3 COUNCILMAN WOOTEN: I agree with  
4 you, I'm just trying to say that's why they did  
5 it.

6 SUPERVISOR CARDINALE: Okay,  
7 maybe we'll. . . (inaudible) that, make you feel  
8 better.

9 MR. SENDLEWSKI: And then under  
10 the restaurant definition. The one thing that  
11 concerns the number of people that we've spoken  
12 to who couldn't be here tonight. They used an  
13 example, say you take Digger O'Dell, Diggers.  
14 They have the restaurant. In the evening they  
15 move out the tables and have live music.

16 Some of the definitions in here -- it  
17 seems like a little too much. There's a way to  
18 simplify it which is bar, you know, bistro,  
19 restaurant. And then on the fast food and the  
20 take-out, I don't see why you need the take-out  
21 definition in there at all.

22 SUPERVISOR CARDINALE: I have a  
23 question about this whole restaurant definition  
24 thing, which are pretty long. Still, even though  
25 they're all approved and we spent hours getting

1 together with the different interests, why need  
2 to define it at all? Why couldn't we simply say  
3 they have their natural dictionary meaning, end  
4 of story.

5 I know what a restaurant is. I know what a  
6 fast-food restaurant is. I also know what a  
7 take-out restaurant is, and I also know what a  
8 bistro is. And I know what a bar is.

9 And to tell you the truth, some of the  
10 stuff that you say is right, and some of it is  
11 not so right, in my view of it. There are normal  
12 definitions of these things. Why do we need to  
13 have a definition, I guess my question is, at  
14 all?

15 MR. SENDLEWSKI: For example, in  
16 the restaurant where it say, "The facility will  
17 have permanent seating facilities with counters  
18 and tables adequate to accommodate all  
19 customers." And it will be the size sufficient,  
20 the tables have to be big enough so that people  
21 have full culinary services. That sort of  
22 thing. I don't think you need to... (inaudible).

23 There's just a lot of verbiage.

24 SUPERVISOR CARDINALE: We've got  
25 to count seats by the Health Department.

1 MR. SENDLEWSKI: Yeah, seats is  
2 regulated by the Health Department and parking.  
3 That's already regulated under other areas of the  
4 code. Some of the people I've spoken to,  
5 Jonathan Cooperidge (phonetic) and others --  
6 what we'll do is, in the comment period, we'll  
7 give you written comment on this. And I think  
8 what we'll try to do is give you their version of  
9 something and have another hearing or whatever.

10 SUPERVISOR CARDINALE: Very  
11 good. Part of the philosophical problem here is,  
12 when you try to define anything, you never catch  
13 the essence. You always miss something. No  
14 matter what definition or what object or concept,  
15 you will never get it exactly right. Why try,  
16 says the ordinary man.

17 Anyone else have a comment? Yes?

18 MS. MENDEZ: Dominique Mendz,  
19 Wading River. I just want to understand  
20 something. It says a special permit shall be  
21 required for seasonal outside seating and music  
22 and entertainment. Is that special permit  
23 something that the Building Department enforces?  
24 Something that needs a public hearing?

25 SUPERVISOR CARDINALE: That line

1 is in what definition?

2 MS. MENDEZ: Oh, restaurants.

3 SUPERVISOR CARDINALE: That's  
4 true because our code requires that a special  
5 permit be required for seasonal outdoor seating  
6 and outside music or entertainment. But that has  
7 absolutely no place in a definition of a  
8 restaurant. It has nothing to do with the  
9 definition of a restaurant. It's a recitation  
10 of what our code says.

11 So I don't -- I mean I don't know who went  
12 to graduate school in English here, or anything,  
13 but you didn't have to.

14 A definition defines what a thing is. This  
15 simply restates what is part of our code. You'll  
16 have to have a special permit under our code for  
17 seasonal outdoor seating and outside music  
18 grandstand and restaurant. But we would have to  
19 know that without putting it in here, because  
20 it's in the other part of the code. So, I'm  
21 still not too happy with the definitions.

22 MS. MENDEZ: Then that special  
23 permit is the one that will go to the public  
24 hearing?

25 SUPERVISOR CARDINALE: Yes. If

1 someone has a restaurant and wants to do that,  
2 they have to come in and ask for permission. And  
3 we say, "Yeah, you can do it, but don't do it  
4 after like four in the morning."

5 MS. MENDZ: We had outdoor  
6 entertainment and music right next to my home.  
7 No special permit.

8 SUPERVISOR CARDINALE: No  
9 special permit?

10 MS. MENDZ: No special permit.  
11 Great Rock Golf Course. There was no special  
12 permit. No public hearing.

13 SUPERVISOR CARDINALE: Didn't we  
14 have that with the guy next to the Christian Book  
15 Store? Michaels. What's the name of it now?  
16 Casa Rica. I understand if a restaurant seeks to  
17 do that, which is, if you wanted to go outdoors  
18 and sit for outside music -- for example, the  
19 only hearing that I remember -- that may not be  
20 accurate for all I know at this point -- but  
21 when they wanted to do outside music at Michaels,  
22 on that bar outside, we heard it from all the  
23 Christian Book Store people. But then when we  
24 heard from all the people who wanted to party --  
25 we said, "You can do it but no later than 11:00".

1           Do we still have that in the code? But  
2 whatever it is, it has nothing to do with  
3 restaurants. So, what's it there for?

4           COUNCILWOMAN BLASS: Actually  
5 this didn't come back to us after the attorneys  
6 met with the group, the RBA. It didn't come back  
7 to submit it.

8           MS. MENDEZ: Maybe someone can  
9 follow up on that?

10          COUNCILWOMAN BLASS: Absolutely.

11          MR. KOZAKIEWICZ: Good evening.

12          Bob Kozakiewicz, 431 Griffing Avenue. I know  
13 this is something that's been passed back and  
14 forth, and I kind of wanted to sit back and see  
15 what the RBA had to say.

16          I somewhat agree with the Supervisor. I  
17 think less legislation is probably better than  
18 more legislation, and is easier. The definition  
19 that's presently in the book for restaurants  
20 eliminates what we used to have in Riverhead,  
21 Rickys. That would not fall into the definition  
22 of restaurants. That excludes that type of use.

23          So saying that if you have a Rickys or  
24 Grace's Place, or something like that. If  
25 that's something that's acceptable to the Board,

1 it needs to be further defined, further  
2 clarified, which I think you're trying to do with  
3 drive-in or take-out.

4 I hope, Marty, when you send comments, send  
5 me along the comments so that I can take a look  
6 and if I could make it a little more easily  
7 discernible. . . (inaudible).

8 SUPERVISOR CARDINALE: Thank you  
9 very much, Bob.

10 Mr. Calderone?

11 MR. CALDERONE: Only thing I  
12 want to say is when I read that I was kind of  
13 confused myself because the language was all over  
14 the place.

15 Again, the environment that we're in, we're  
16 trying to attract business to Riverhead. I think  
17 we have to try -- in the spirit of that, you  
18 know, be careful of what you're doing with this  
19 because you're going to start chasing businesses  
20 away, because if it becomes too restrictive, or  
21 telling people how to run their businesses. So,  
22 you have to be careful in the fact that you're  
23 going to start micro-managing someone's business.

24 Obviously, the Health Department  
25 tells you how many people are allowed in a

1 building. But there's probably a half a dozen  
2 restaurants, bistros, bars around town that  
3 wouldn't meet the requirements you have now.

4 Then it becomes an unfair situation where  
5 there's an operating business that was  
6 grandfatherd in, let's say. Now I want to open a  
7 business in another part of town, but I'm not  
8 able to do that because of the restrictions.  
9 That I could see happen by reading through this.  
10 Which, again was somewhat difficult to  
11 understand.

12 SUPERVISOR CARDINALE: Why do we  
13 care?

14 MR. CALDERONE: Exactly. Thank  
15 you very much for answering my question.

16 SUPERVISOR CARDINALE: Why do we  
17 care -- for example, somebody might have the  
18 concept of the restaurant is a place where you're  
19 served on roller skates. You do it inside, but  
20 you're served on roller skates. In most cases  
21 that might not meet this definition because it  
22 doesn't say you can serve on roller skates.

23 Why do we care? It's still a restaurant if  
24 they serve you food when you go there. It's  
25 still a bar if they serve you only liquor and not

1 much food. And it's still a take-out if they  
2 won't let you eat there. And it's still a  
3 fast-food place if -- well, it's got a lot of  
4 calories, but it tastes good. (Laughter.)

5 COUNCILMAN WOOTEN: I think this  
6 was all generated at a time when we felt the  
7 definitions had to come in because there was  
8 some...(inaudible) going in that scared people.

9 SUPERVISOR CARDINALE: Where was  
10 that, I forgot?

11 COUNCILMAN WOOTEN: Jamesport.

12 We wanted to make sure Bistro was defined.  
13 We can't just say define Bistro, let's define all  
14 restaurants.

15 SUPERVISOR CARDINALE: I thought  
16 they were places where you wear a beret  
17 (laughter).

18 COUNCILMAN WOOTEN: They don't  
19 wear berets, but I think that's what sparked the  
20 whole thing.

21 SUPERVISOR CARDINALE: All  
22 right. I do recall that.

23 Does anyone else have comment? Yes?

24 MR. OXMAN: Why is it a  
25 necessity to define a restaurant as fifty seats

1 more or less. To me that should be a function of  
2 the size of the property.

3 So if you have a restaurant that's  
4 established and doing very well, and is a Bistro  
5 with room to expand on their property, they would  
6 not be legally able to expand on their property.  
7 So the point is to restrict restaurants to a  
8 certain size in certain parts of Town. Is that a  
9 function of a site plan approval?

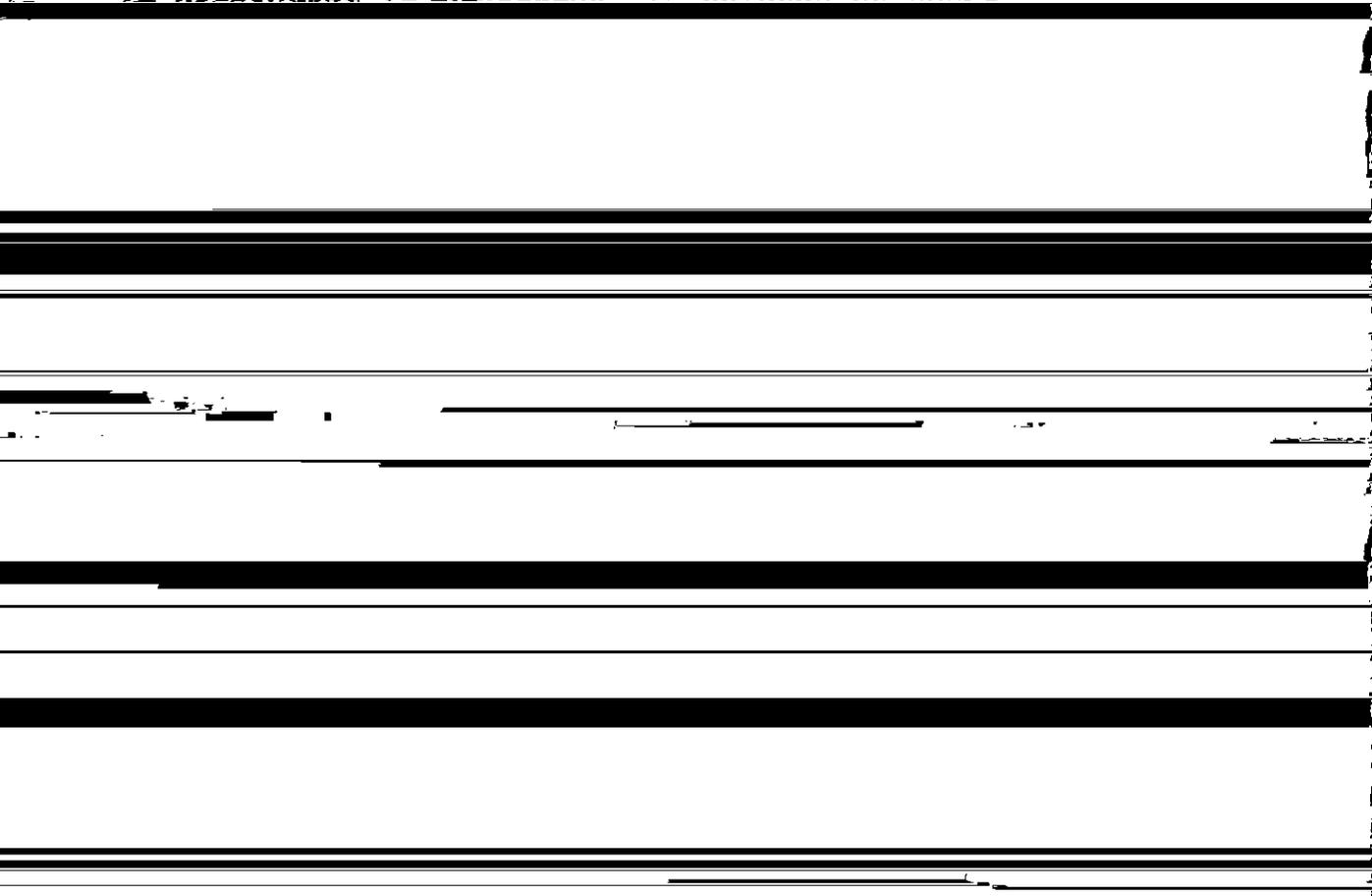
10 If you go into Patchogue's downtown, you  
11 have quite a collection of different food  
12 establishments, ranging from some establishments  
13 where you walk in and order at the counter, and  
14 take the food to your seat. There are some that  
15 are similar but the food is delivered to your  
16 table. And they have restaurants with linen  
17 tablecloths and full service.

18 Again, it seems to me there's an attempt to  
19 micro-manage or to get too involved in  
20 definitions and too specific. Again, you have a  
21 site plan which controls the size. You have the  
22 coverage which controls the size of what you can  
23 do on your property. Thank you.

24 SUPERVISOR CARDINALE: Thank  
25 you.

1 COUNCILWOMAN BLASS: I have to  
2 say to some degree there is some thought to  
3 insuring that some of our outer hamlets not start  
4 to look like Route 58. And that can easily  
5 happen when an outer hamlet has permission for a  
6 restaurant, all of a sudden puts in a large  
7 family restaurant in the middle of the Hamlet of  
8 Laural. It doesn't necessarily fit the concept  
9 of smart growth and how we define our hamlets.

10 It took great pains to identify the Route  
11 58 commercial corridor in a certain way, and I  
12 think that was one of the reasons why a Bistro  
13 needed to be defined was because we wanted  
14 limited eating establishments in the hamlet. But  
15 we did not necessarily want the Applebee's type  
16 of restaurant in Applebee's. It belongs on Route



1 don't want it to be more than fifty people. But  
2 we don't care how you define Bistro beyond that.  
3 We'll keep working on that.

4 MR. OXMAN: You have to remember  
5 that Route 58 has the sewerage, and they can  
6 support those establishments and Hamlets  
7 generally do not, because when it comes to the  
8 Board of Health they may regulate the size of the  
9 restaurant. It very often specifically has to do  
10 with the waste water flow.

11 COUNCILWOMAN BLASS: It always  
12 has to do with the waste water flow. But the  
13 waste water zones that were in some of our  
14 hamlets, you can get significant size  
15 restaurants. The Health Department does allow  
16 it. The idea is, does the community want a  
17 restaurant of that size in those areas.

18 SUPERVISOR CARDINALE: We  
19 certainly need to define Bistro. You have to  
20 understand Bistro -- fast-food with windows --  
21 I don't know. I think we're getting a little too  
22 carried away here.

23 MR. CALDERONE: When the master  
24 plan was done, Barbara, and I sat through quite a  
25 few of those meetings, the zoning doesn't exist

1 in most of those hamlets for a Applebee's or any  
2 large scale operator to come in, because there  
3 isn't any property that's zoned commercially in  
4 most of those places that would accommodate that.  
5 Is that correct?

6 COUNCILWOMAN BLASS: Not  
7 necessarily, no.

8 MR. CALDERONE: So, say in the  
9 Hamlet of Laural or downtown here in Wading  
10 River, the zoning, as far as I know, and I've  
11 looked at the zoning pretty closely, I don't see  
12 a place where that would ever happen.

13 COUNCILWOMAN BLASS: That is  
14 exactly the point. We start with a Bistro, which  
15 can be allowed, and the comment was, well, why  
16 couldn't the Bistro get larger because the size  
17 of the property can accommodate a restaurant of  
18 150 seats. Then why not allow it?

19 MR. CALDERONE: I'm not trying  
20 to fight you on this. I happen to think that you  
21 guys are right in the sense that if there is a  
22 character of the community that we all want to  
23 protect. And I think that's something that we  
24 should be considering. What I was trying to  
25 bring up before, we have to be careful when it

1 comes to trying to manage somebody else's  
2 business.

3 I mean, look where the Birchwood is today.  
4 I would be surprised with these definitions that  
5 the Birchwood would be built today. I bet I can  
6 find fifteen other places that wouldn't meet  
7 these requirements, given that they would someday  
8 become part of the code.

9 So, it's just something you have to be  
10 careful of because it can deter people from  
11 bringing their money here and opening a business.

12 And I agree with you. I don't want the  
13 Hamlet of Laural or Meeting House Creek Road or  
14 Aquebogue to look like Route 58. I'm not  
15 disagreeing with what you're saying. You have to  
16 protect the community, but at the same time we  
17 have to try to protect the business community  
18 because we need their business here.

19 COUNCILWOMAN BLASS: I agree  
20 with you, and I encourage you to participate more  
21 in some of these discussions.

22 MR. CALDERONE: Thank you.

23 SUPERVISOR CARDINALE: Well  
24 stated. We need the business in this community.  
25 We need taxes. We need the money. We need the

1 restaurants. I get hungry. In fact, I'm hungry  
2 right now. I didn't have any dinner. (laughter).

3 Okay. We will leave this open for comment  
4 through September 25th at 4:30, to Diane Wilhelm.

5

6 We're going to consider the resolutions.  
7 We're going to take comment on those resolutions.

8 Sal has some.

9 MR. MASTROPOLO: The resolution  
10 is 856. I thought we weren't hiring any more  
11 people?

12 SUPERVISOR CARDINALE: It  
13 certainly looks like we are.

14 MR. MASTROPOLO: Yeah, at  
15 \$85,000.00. We've been without a principal  
16 accountant for a long time.

17 SUPERVISOR CARDINALE: This is a  
18 hire that we prefer not to make, however we will  
19 make. Because, I don't know, maybe we were set  
20 up --

21 MR. MASTROPOLO: Is he a CPA?

22 SUPERVISOR CARDINALE: Yes.  
23 He's a CPA, and allegedly we need two CPA's. I  
24 just wish that Jack was still alive, because Jack  
25 Hansen was doing three or four jobs, and we

1 didn't appreciate him enough.

2 MR. MASTROPOLO: We've now  
3 replaced him with how many people?

4 SUPERVISOR CARDINALE: Three or  
5 four -- well, actually three. The personnel  
6 director and Rothar, at a high salary, I might  
7 add . And now he needs a deputy. Why does he  
8 need a deputy? Because the auditors are saying  
9 he needs a deputy. We can't deprive him of a  
10 deputy, or our records will be all screwed up.

11 MR. MASTROPOLO: Have our  
12 records been screwed up in the last five years?

13 SUPERVISOR CARDINALE: Well,  
14 it's not so much that it's screwed up, but they  
15 don't get their paperwork out.

16 I did use the argument, well, maybe if you  
17 were at the office more frequently, worked  
18 harder, skipped a few lunches, maybe you would  
19 get the stuff done. But they didn't buy that.  
20 They said you actually need another person who is  
21 an accountant. The Town is growing to the point  
22 where we need two accountants. So I guess we're  
23 going to do it, as much as it pains me.

24 MR. MASTROPOLO: 862. First of  
25 all, there's no schedule attached to it. What's

1 the deliverable? I mean, in all the papers that  
2 I have, I don't see what the subcontractor is  
3 delivering. All I see is a New York State DOT  
4 project titled "Safe Routes to Schools". And  
5 we're spending \$32,000.00 for the Dunn  
6 Engineering Associates.

7 SUPERVISOR CARDINALE: This will  
8 make you feel better, but it won't answer your  
9 question. I would hope that it's in the  
10 contract. What will make you happy is that it's  
11 grant money not, it's not...(inaudible).

12 MR. MASTROPOLO: That was my  
13 third question, is it grant money? So it's a  
14 moot point.

15 SUPERVISOR CARDINALE: It is  
16 grant money. But we should still know what we're  
17 paying for. He wants to know what they are  
18 delivering for the \$32,000.00.

19 MR. MASTROPOLO: Are they he  
20 designing the bicycle routes through Town?

21 COUNCILMAN WOOTEN: This is  
22 actually Griffing School Street, they call it.  
23 Griffing Path, which goes from Pulaski down  
24 around the school, that entire roadway. It's  
25 drainage, sidewalks, there's no sidewalks there,

1 speed bumps, stop signs.

2 MR. MASTROPOLO: That's my  
3 point, there was no deliverable attached here.  
4 In the paperwork it says currently attached  
5 sketches.

6 SUPERVISOR CARDINALE: Outlined  
7 in their proposal and annexed there too. But  
8 it's not very clear. This is not a proposal,  
9 that's the problem. Somebody doesn't know the  
10 difference between a proposal and a professional  
11 services agreement. If they would had attached  
12 what they said they attached, you would have  
13 known. So, I guess I'll ask them to attach it.

14 MR. MASTROPOLO: 864. That's  
15 another one, Dunn Associates. But this time it's  
16 \$457,000.00. And again, there's nothing annexed  
17 to it, so it's impossible to tell what the  
18 deliverable is. What are we spending a quarter  
19 of a million dollars on?

20 SUPERVISOR CARDINALE: This is,  
21 again, grant money. And this is for -- yeah,  
22 remember the 3.1 million dollars we got from  
23 Obama for a bike path, but we're really going to  
24 use it for redoing a few million dollars worth of  
25 roads. And there's going to be a bike path from

1 Wading River all the way to the Jamesport State  
2 Park, way on the other side of Town near Laural.

3 So, there's going to be a bike path. We're  
4 going to have 3.1 million dollars -- we have to  
5 use it within a special time frame, and we have  
6 to do the design of it now. Because if we don't,  
7 we're going to be out of time, and we're not  
8 going to get the money back.

9 MR. MASTROPOLO: A bike path on  
10 the road or through the country side?

11 SUPERVISOR CARDINALE: It's on  
12 the road through the country side.

13 MR. MASTROPOLO: As long as  
14 you're not coming down Sound Avenue.

15 SUPERVISOR CARDINALE: Actually  
16 we're coming up Herricks, I think. Herricks Lane  
17 and then over to the park.

18 COUNCILMAN WOOTEN: I wouldn't  
19 ride on Sound Avenue.

20 SUPERVISOR CARDINALE: It's  
21 coming down the boulevard though.

22 MR. MASTROPOLO: 870. The second  
23 whereas. The first sentence has actual words in  
24 it.

25 COUNCILMAN WOOTEN: (Inaudible.)

1 MR. MASTROPOLO: It sounds like  
2 somebody was stuttering on the transfer of twenty  
3 acres.. Are we really transferring twenty acres  
4 to the Town of Huntington? Or are we  
5 transferring the zone credits for twenty acres?  
6 Because it's not clear in the resolution.

7 SUPERVISOR CARDINALE: We're  
8 not transferring twenty acres.

9 MR. MASTROPOLO: That's what it  
10 says in the second whereas. "The Town Board has  
11 determined the transfer of twenty acres of  
12 undeveloped land. Will not impact redeveloped  
13 land."

14 COUNCILWOMAN BLASS: It's  
15 Twenty acres of Empire Zone credits.

16 MR. MASTROPOLO: It doesn't say  
17 credits.

18 COUNCILWOMAN BLASS: It does In  
19 the first one.

20 MR. MASTROPOLO: Well, then the  
21 second whereas should probably come out; right?

22 MS. THOMAS: It could say twenty  
23 acres of Empire Zone credits.

24 SUPERVISOR CARDINALE: Yeah,  
25 we're not giving them any land.

1                   MR. MASTROPOLO: Well, it wasn't  
2 clear the way it was written.

3                   874. There was an earlier resolution in  
4 here, the Town went out to bid on the disposal of  
5 yard waste. Somebody would come in a haul it  
6 out. And now 874 is an on site yard waste debris  
7 grinding. Are we going to do both?

8                   SUPERVISOR CARDINALE: No,  
9 either. But we want to find out which is  
10 cheaper. We're not sure if it's cheaper to tell  
11 them " There is the yard waste, carry it away,  
12 and don't ever come back", or grind it on site  
13 and carry it away. I think it's better to do it  
14 that way.

15                   MR. MASTROPOLO: So, we're going  
16 to go out to bid on both of them?

17                   SUPERVISOR CARDINALE: Right.

18                   MR. MASTROPOLO: 875. Is that  
19 all grant money?

20                   SUPERVISOR CARDINALE: Is it all  
21 grant money? No. In order to get Grangebelle  
22 Park -- to get the million and a half grant  
23 money, we have to do the two spillways first. We  
24 have grants for them, but I think our total  
25 investment is about two hundred or three hundred

1 thousand dollars. But, we would have fixed them  
2 anyway, because they are falling apart. So, I  
3 think we're doing pretty good.

4 MR. MASTROPOLO: 890. I think  
5 it says 3.1 mil for that bicycle path at the  
6 other end of town.

7 SUPERVISOR CARDINALE: What was  
8 the question you were asking about?

9 MR. MASTROPOLO: I said, I think  
10 it said 3.1 mil from Transportation aid is for  
11 that bicycle path.

12 SUPERVISOR CARDINALE: Imagine,  
13 for all the things we applied for, they give us a  
14 bicycle path. The good news is that it's  
15 actually mostly to do roadwork. So that the  
16 bicycle stripe could be put on it.

17 MR. MASTROPOLO: Here's another  
18 question. Are we going to use any of that money  
19 to put that eight foot wide blacktop around EPCAL  
20 that was proposed a long time ago?

21 SUPERVISOR CARDINALE: We still  
22 want to do that. We have some money to do that  
23 with.

24 MR. MASTROPOLO: 891. Can you  
25 tell me what the Town is involved in in this?

1 SUPERVISOR CARDINALE: Yes.

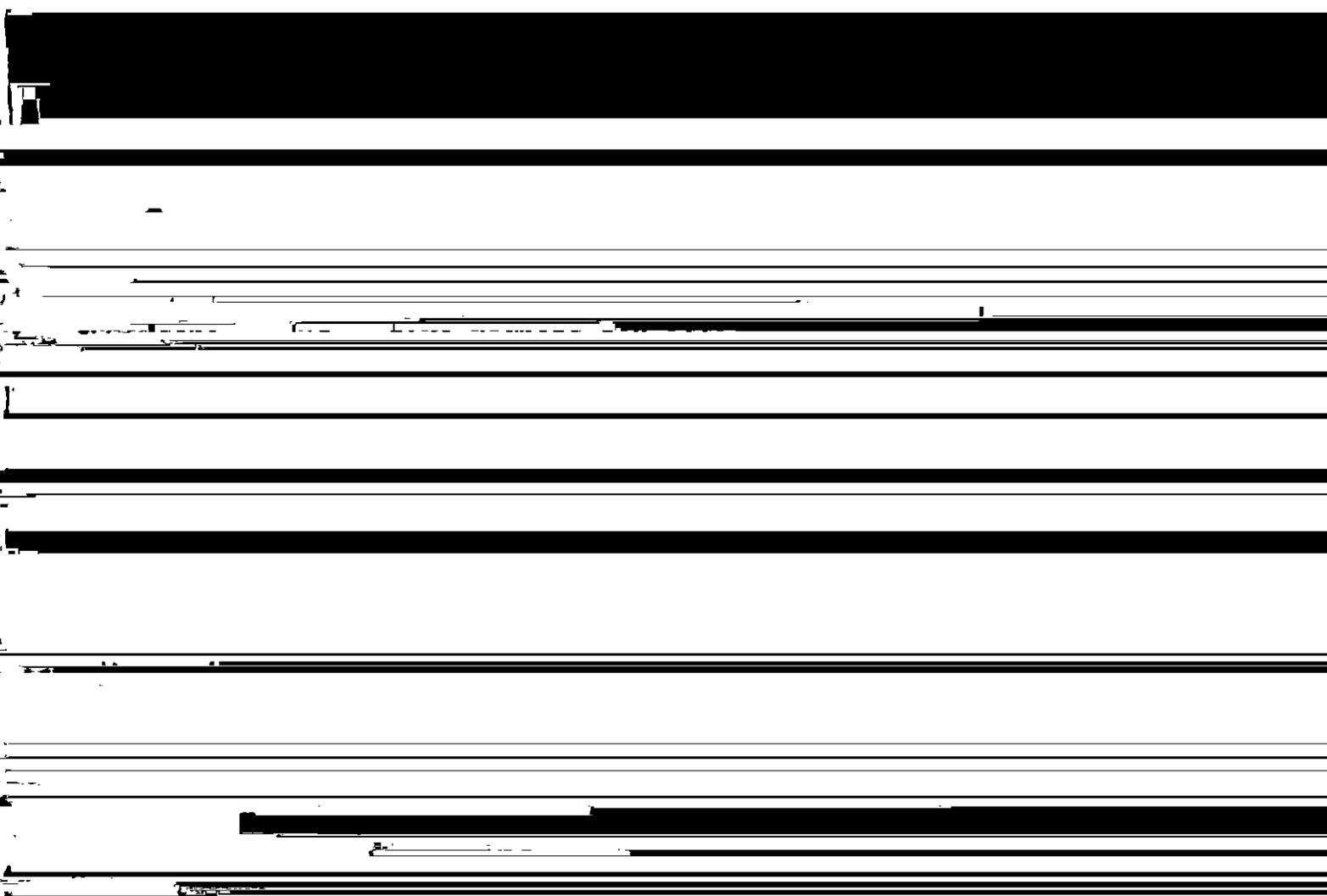
2 Gordon Danby is here that you will note. It's a  
3 project which is a transportation investment to  
4 generate economic recovery, a grant program.  
5 Transportation has been generating the economic  
6 recovery. It's an Obama program, and to get the  
7 economy moving, it inspires grants or asks for  
8 grant applications between twenty million and  
9 three hundred million dollars that have regional  
10 significance.

11 And you'll see more of this I'm sure  
12 through the press. But this particular grant is  
13 explained most clearly in the whereas clauses.  
14 And I want to acknowledge Gordon's presence  
15 further, because in the 4th whereas, " The  
16 proposed TIGER project will demonstrate and  
17 certify the second generation subconducting  
18 magnetic levitation transport system, the  
19 Maglev-2000 system, invented on Long Island by  
20 Doctors James Drs. James Powell, and Gordon  
21 Danby, the inventors of the original first  
22 generation system, now operational in Japan..  
23 The new system is designed to work with MTA's  
24 existing infrastructure; and

25 Whereas, in 2000, Ganby and Powell were

1 awarded the Benjamin Franklin Medal in and Powell  
2 were awarded the Benjamin Franklin medal in  
3 Engineering by The Franklin Institute for their  
4 invention on Maglev trains (fellow awardees  
5 include Albert Einstein and Tesla); and;

6           Whereas, Dr. Ganby is a Wading River  
7 resident and was awarded the distinction of  
8 Fellow by the American Association of the  
9 Advancement of Science (AAAS) cited for "seminal



1 James Powell and Gordon Danby, who were  
2 discovered by Senator Moynihan in the late 1980s;  
3 and

4 Whereas, Powell and Danby have continued to  
5 work and have a 2nd generation transport system  
6 which is lower cost and of greater capability  
7 than the 1st generation system exploited by the  
8 Japanese that President Obama has cited as a goal  
9 for U.S. High Speed Rail, and is lower cost to  
10 build and operate than the European High Speed  
11 Rail (HSR) systems proposed by HSR advocates; and

12 Whereas, by developing a U.S. based 2nd  
13 generation Maglev transport system, America has  
14 the opportunity to become the World leader in  
15 21st Century transport. An American Maglev  
16 manufacturing industry would generate hundreds of  
17 thousands of new jobs, and many billions of  
18 dollars in annual exports. The U.S. still has  
19 the opportunity to develop the 2nd generation  
20 Maglev transport system. If it does not act now  
21 to seize this opportunity, the advanced Maglev  
22 system will be developed abroad and exported to  
23 the U.S., adding to our trade deficit and the job  
24 loss resulting from a declining manufacturing  
25 industry; and

1           Whereas, this transformational project  
2 will create American sustainable jobs, improve  
3 commuter rail for Long Island and the New York  
4 region, substantially improve American transport  
5 productivity, and fulfill the promise of  
6 President Obama's vision for building a solid  
7 economic foundation for America's future; and

8           Now therefore be it resolved, that the Town  
9 of Riverhead Board authorizes the submission of a  
10 joint application with Maglev 2000 and  
11 Polytechnic Institute today, for the TIGER  
12 funding, I think it's 59 million, from the USDOT  
13 for a Maglev 2000 demonstration and certification  
14 project for the second generation superconducting  
15 magnetic levitation transport system".

16           This would occur, if granted, at the EPCAL  
17 site. And it would be used as a testing facility  
18 to a portion of the restored rail.

19           I don't do this justice by the wheras, but  
20 Gordon is here. We invite him to comment if he  
21 would like. What we're doing tonight is  
22 authorizing the application that was made earlier  
23 in the day. If we get it, then we're going to  
24 have a wild party.

25           But, it would be just the exact kind of

1 development that we would like to see in a high  
2 tech environment such as EPCAL. And we're  
3 hopeful that we will get it. Sixty million is  
4 the beginning, if you got it, and then you've got  
5 a lot more money to spend.

6 MR. MASTROPOLO: The reason I  
7 ask is that I don't understand how the Town of  
8 Riverhead can do something of this scope. I can  
9 see if Suffolk County put it in for mass  
10 transportation throughout Suffolk County.

11 I can see it if New York City put it in to  
12 replace subways with Maglev. We can't get  
13 softball fields opened up at EPCAL, and we're  
14 going to tackle something like Maglev?

15 SUPERVISOR CARDINALE: No. Dr.  
16 Danby and Dr. Powell have tackled that. All  
17 we're going to do is administer the money and  
18 maybe grab a.

19 MR. MASTROPOLO: That's what  
20 scares me.

21 SUPERVISOR CARDINALE: We made  
22 application last week for thirty million dollars  
23 for a regional project under the same grant, the  
24 transportation, for a regional project involving  
25 structured parking in Riverhead, which would,

1 with Southold, clean up the problem of all of the  
2 traffic that is mucking up the North Fork for the  
3 ferry, and the rest. And we would be an integral  
4 part, our downtown would be an integral part of  
5 picking up that traffic. Vintage (phonetic) is  
6 involved in it, the north side of Main Street,  
7 that structure is involved.

8 MR. MASTROPOLO: But that's  
9 something that's manageable by the Town of  
10 Riverhead.

11 SUPERVISOR CARDINALE: Yes.

12 MR. MASTROPOLO: Within the  
13 Town's border. I don't see something like this  
14 providing the Town, okay? What are you going to  
15 do put Maglev throughout the Town so you can --

16 SUPERVISOR CARDINALE: No, what  
17 we want to do is give thousands of jobs to EPCAL  
18 rather than going someplace else. Their concept  
19 would be to do the testing for the prototype of  
20 this second generation Maglev, which actually,  
21 you drive the truck --

22 MR. MASTROPOLO: It would be a  
23 testing facility, not implementing a Maglev  
24 throughout the Town?

25 SUPERVISOR CARDINALE: That's

1 correct. We would simply be the prototype. .  
2 (inaudible). We would host the prototype testing.

3 Would you like to say something, Gordon?  
4 Would love for you to. We'll bring the  
5 microphone to you. You can explain it a lot  
6 better than I can. We're very excited about it.  
7 I'll be more excited if we get the money.

8 MR. DANBY: You did a good job  
9 in describing. I will just short form comment on  
10 the particular benefits to Riverhead.

11 EPCAL is perfect this because we have the  
12 only advanced transportation system because of  
13 the uniqueness of the design that can share  
14 right-of-way with railroads, and we can put our  
15 production panel board of the rails, which are  
16 four feet eight a part, same with the Roman  
17 Chariots. And that's the perfect place to test  
18 that because you've got three miles there which  
19 I'm sure we can share.

20 And the Long Island Rail Road technical  
21 people in Jamaica, they're very interested.  
22 We've met with them several times. We were not  
23 only first to demonstrate our very high speed,  
24 say, three hundred miles an hour. And then we  
25 would demonstrate using the Rail Road without

1 putting it out of business. And then eventually,  
2 and the Rail Road liked this too, eventually at a  
3 later phase we could go from the road there  
4 Connecticut Avenue from the where it joins the  
5 Rail Road, we can go to, and then going to  
6 Ronkonkoma or we can go east. They were pretty  
7 interested in going to the east end.

8 But the point is we can do this, and this  
9 would be a great selling point because you would  
10 think any major metropolitan area, how the hell  
11 do you get any new transportation system inside  
12 when it's an enormous destruction of properties  
13 and so forth. And we can share the Long Island  
14 Rail Road, and then eventually I'm sure the Rail  
15 Roads will go away.

16 SUPERVISOR CARDINALE: This has  
17 been discussed. Congressman Bishop is well  
18 aware of this and supportive, and a lot of other  
19 powerful people.

20 And I don't want to misstate this, so  
21 correct me, Gordon. But, the implications are I  
22 think most easily understood by saying this, this  
23 levitation effect over a rail you will be able to  
24 when it works, that you could drive a truck, a  
25 big tractor trailer truck into the carrying

1 vehicle which would levitate over the rail. That  
2 truck would drive in and be transported at 300  
3 miles an hour on a regular track. And what kind  
4 of usage of fuel would that use as compared to  
5 gasoline?

6 MR. DANBY: Much less, because  
7 when you think of all moving transportation  
8 systems, they use a internal combustion engine  
9 which has a heat engine and a cold sink to  
10 extract power. And most of the power is wasted  
11 except in the winter time to keep you warm in the  
12 body. This is entirely electro magnetic  
13 interaction so it's much more efficient.

14 SUPERVISOR CARDINALE: With the  
15 vision thing, if you're able to put it on a  
16 track, any vehicle, a truck, a tractor trailer  
17 truck, and get it from here to California in ten  
18 hours, what is the normal truck milage, do you  
19 figure? As compared to what you would expect to  
20 do in transporting that same material by ordinary  
21 road, aside from all the environmental factors.  
22 The cost of it, as I understand it, would be less  
23 then one tenth on your system, as a system we  
24 use. We get a lot of our stuff from California  
25 on big trucks.

1                   MR. DANBY: That's right. And  
2 most importantly, you can build the system in  
3 stages across the continent. And if you've got  
4 initially just one fifth of the trucks it would  
5 pay for the thing in five years. So, it's  
6 because of the freight. Without freight, forget  
7 it, you know, it's just a bigger Amtrack, better  
8 Amtrack.

9                   And we may not get this money because  
10 you've got the very big forces that don't want  
11 this. They don't want to build a  
12 transcontinental railroad that would be nonsense  
13 because we have a level of crossing every mile  
14 and a half on average, and if you don't eliminate  
15 those and fence them off, you'd have to go a  
16 hundred miles to get across the street. You  
17 can't possibly send a train across that grade.

18                   By the way, the three hundred miles an hour  
19 includes the cost of a thirty or forty foot  
20 structure that you go over. Things like that.  
21 But it will happen, and let's hope it happens  
22 here.

23                   SUPERVISOR CARDINALE: Let's hope  
24 it happens here, exactly. I'm glad that you  
25 brought that up, because I wanted to acknowledge

1 Gordon and acknowledge the significance of what  
2 could happen and we hope will happen. We'll  
3 keep our fingers crossed.

4 I'm sure the press -- we anticipate having  
5 a more complete presentation of what we are  
6 hoping to get funded for in about ten days. I  
7 hope at that time Gordon will have  
8 a ...(inaudible).

9 MR. DANBY: I'll come and do a  
10 lecture.

11 SUPERVISOR CARDINALE: Good.  
12 That sounds good. Well, thank you for explaining  
13 to us.

14 Come up, any comment on any resolution?

15 MR. SENDLEWSKI: Resolution 851,  
16 that has to do with the B & B definition. The  
17 word dwelling should be underlined. That's part  
18 or what's being added. It's not part of the  
19 original definition.

20 With that being said, both 851 and 853 have  
21 to do with B & B's. On 853 it still says you  
22 need a minimum of 2,000 square feet structure  
23 residence for a B & B. I just don't really  
24 understand because a B & B is from one to five  
25 bedrooms. I don't understand why there would be

1 a minimum footage required for a B & B. If  
2 somebody wanted to have one room in a small --

3 COUNCILMAN WOOTEN: Well, they  
4 have to live there too, so it's got to be two.

5 MR. SENDLEWSKI: Right. I mean  
6 exactly. I just don't understand why you would  
7 have a restriction on footage, a minimum square  
8 footage for a B & B. It just doesn't make sense.

9 Also, and this is strictly a real policy  
10 decision for the Board as a legislature, has to  
11 be clear about. In both resolutions, you have in  
12 853, it talks about being in the residence, and  
13 in the definition it says "located within a one  
14 family residence".

15 It's a real policy decision, and it can go  
16 one way or the other. But, you know, some people  
17 may have small out buildings. Some of the B &  
18 B's upstate are actually in little cottage  
19 structures behind the structures. It's just  
20 something you want to be real clear about that,  
21 that you definitely want it restricted within a  
22 house.

23 If that's the decision, you legislate it  
24 that way, fine. But it may cut out some  
25 opportunities for people that have an out

1 building, or something that could convert nicely  
2 into that, that would preclude them from doing  
3 it.

4 SUPERVISOR CARDINALE: That  
5 2,000 was there previously, but it good point..

6 Does anybody else have a comment?

7 MR. CALDERONE: This twenty  
8 acres of the common zone; is that correct?

9 SUPERVISOR CARDINALE: Yes.  
10 Development credits associated with twenty acres  
11 of 1137 at EPCAL.

12 MR. CALDERONE: We actually  
13 transferred some of those to the Town of  
14 Southampton as well at some point?

15 SUPERVISOR CARDINALE: In 2003  
16 before I came into office, we did, yes.

17 MR. CALDERONE: How much of it  
18 was transferred then, do you remember?

19 SUPERVISOR CARDINALE: About 60  
20 acres.

21 MR. CALDERONE: So that went  
22 into the property that's around Gabreski  
23 (phonetic) Airport ?

24 SUPERVISOR CARDINALE: Yes.

25 MR. CALDERONE: Which -- I

1 understand you weren't in office then, but your  
2 in office now. And we just took an additional  
3 twenty acres of those rights and sent those to  
4 the Town of Huntington?

5 SUPERVISOR CARDINALE: We didn't  
6 do it yet, we're going to do it. And why we're  
7 doing it is your question. Well, a couple of  
8 things.

9 MR. CALDERONE: Yeah, what's the  
10 benefit to us is my question.

11 SUPERVISOR CARDINALE: Well, you  
12 have to watch the last work session because the  
13 Chief Deputy and County Executive came in and  
14 laid out the benefits that he was going to  
15 provide in consideration of our cooperation  
16 with...(inaudible) Suffolk County with it's  
17 thousand new jobs.

18 MR. CALDERONE: That benefits us  
19 how?

20 SUPERVISOR CARDINALE: That  
21 benefits us as people of Suffolk County helping  
22 the County of Suffolk being better economically.

23 MR. CALDERONE: Why is that our  
24 responsibility?

25 SUPERVISOR CARDINALE: It isn't

1 our responsibility, but certainly under that  
2 theory, to tell you the truth, I wouldn't  
3 develop Route 58. Because once Route 58  
4 develops and we pick up all the Tanger sales tax,  
5 and all of the car dealership's sales tax, it's  
6 the County of Suffolk. I won't get a dime from  
7 that. But the truth is, Riverhead is part of the  
8 County.

9 So the only way that they can entice Cannon  
10 (phonetic) to come to Suffolk County --  
11 initially they were going to make it regional  
12 development under the existing Empire Zone, but  
13 they couldn't get benefits to them in that way.

14 In other words, you don't have to take  
15 acreage from some where else, you can just create

1 something else. And that we would never be able  
2 to use 1137 acres that we have.

3 MR. CALDERONE: So the  
4 opportunities that we had there, as of this  
5 coming June, they will no longer exist.

6 SUPERVISOR CARDINALE: That's  
7 the bigger issue --

8 MR. CALDERONE: All the  
9 time --

10 SUPERVISOR CARDINALE: First of  
11 all, we don't control this, the State of New  
12 York.

13 MR. CALDERONE: So, they took it  
14 from us?

15 SUPERVISOR CARDINALE: No, they  
16 didn't take it from us. There's doing the whole  
17 program over. There's been a lot of abuse of this  
18 program, apparently upstate. We are the best  
19 zone. We got the most money because we are the  
20 best zone. But there's a lot of abuse, and they  
21 are going to change the program.

22 So one of the reasons we were cooperating  
23 with the County is because twenty acres we're not  
24 going to miss, we couldn't have used it anyway.  
25 And besides which, there is going to be a whole

1 new program in June.

2 MR. CALDERONE: So, we didn't  
3 take advantage of it ourselves, so we're giving  
4 it away.

5 SUPERVISOR CARDINALE: Well, no,  
6 we didn't. You may have noticed --

7 MR. CALDERONE: No, we did.

8 SUPERVISOR CARDINALE: Well,  
9 Berman's there, and he's taking advantage of it.  
10 And Recklers (phonetic) wants to take advantage  
11 of it.

12 MR. CALDERONE: It's going to be  
13 a long time.

14 SUPERVISOR CARDINALE: It's  
15 going to be a long time. They have plenty of  
16 acres. There's only 300 acres and Recklers only  
17 got 1200 acres of credit.

18 So the decision was made by the Board that  
19 for very good reasons laid out in work session,  
20 that made sense not to stand in the way.

21 MR. CALDERONE: You said very  
22 good reasons, but I haven't heard anything yet  
23 that makes sense to me. I don't listen to the  
24 work session.

25 SUPERVISOR CARDINALE; well, you

1 should.

2 MR. CALDERONE: I don't have  
3 time to sit and watch TV. You need to tell me.

4 SUPERVISOR CARDINALE: Okay.  
5 You want an answer?

6 MR. CALDERONE: Yeah.

7 SUPERVISOR CARDINALE: The  
8 complete answer is laid out in the benefits of  
9 the County in the work session. They included  
10 hundreds of thousands of dollars of grant  
11 money -- and if anyone wants to remember the  
12 rest of the stuff he told us, because I don't.

13 MR. CALDERONE: Well, it seems  
14 to me that we gave something away.

15 SUPERVISOR CARDINALE: If you  
16 understood the entire background here you would  
17 understand that you're not giving anything away  
18 is the point. Because you have 1137 acres that  
19 you're never going to use and you're not going to  
20 be able to use as of next June.

21 So, if you think that we should stand in  
22 the way of County coming to --

23 MR. CALDERONE: I'm not  
24 suggesting that at all.

25 SUPERVISOR CARDINALE: Yes, you

1 are.

2 MR. CALDERONE: No, I'm not  
3 suggesting that we stand in the way of the County  
4 and the thousand or so jobs it will bring to  
5 Suffolk County. That would be a stupid thing for  
6 me to stand here and say that. Please don't put  
7 the words in my mouth. I can speak for myself.  
8 Okay. I don't need you to tell me what I'm  
9 thinking.

10 SUPERVISOR CARDINALE: Why are  
11 you asking me the question?

12 MR. CALDERONE: I'm asking you  
13 the question because I'm disappointed by the lack  
14 of progress I've seen on the... (inaudible)  
15 there, and then we transfer some in 2003 to the  
16 Town of Southhampton, which I think they have  
17 been able to utilize some of it. And we haven't  
18 been able to utilize much of it, although Mr.  
19 Berman will get the advantage in using some of it  
20 when the program changes -- so, it's really a  
21 moot point, is what you're telling me.

22 SUPERVISOR CARDINALE: That's  
23 what I'm telling you.

24 MR. CALDERONE: I didn't come  
25 here to get into an argument with you.

1 SUPERVISOR CARDINALE: I

2 understand that.

3 MR. CALDERONE: I wouldn't stand

4 here and tell you that I would shoot cannons to

5 bring a thousand jobs here or a four hundred

6 million facility on Walt Whitman Road and the

7 south service road of the Long Island Expressway

8 in Melville.

9 SUPERVISOR CARDINALE: I

10 understand that. I should have said it's a moot

11 point as of June. That's probably why we're

12 doing it.

13 MR. CALDERONE: Thank you.

14 SUPERVISOR CARDINALE: Does

15 anybody have any other comments? If not, let's

16 consider the resolutions. Yes?

17 MR. DANBY: Pertaining to EPCAL,

18 if our project goes forward, you can envision in

19 ten or fifteen years if the big entertainment

20 center comes to EPCAL that we could transfer

21 people, because cars are going to become more and

22 more primitive and unavailable, and people will

23 be happy to take the Maglev from Ronkonkoma. And

24 most of the environmental arguments, I guess what

25 you guys will have to do there, really using the

1 problem of cars driving. And that will solve  
2 itself.

3 SUPERVISOR CARDINALE: Well,  
4 that's certainly true. If we could develop a  
5 system of transportation that you described, it  
6 would avoid all of the issues associated with  
7 traffic and the lack of access to that piece of



10 In any event, would you like to make a  
11 comment?

12 MR. ROTH: Yes. Mike Roth  
13 speaking on behalf of the Wading River-Shore  
14 Chamber of Commerce.

15 I would like to applaud the Town Board on  
16 what they are doing to help up EPCAL. I would  
17 like to suggest that most people in the Town  
18 should take a drive through EPCAL. Take a peak

1 business, and Reilly Woodworks, Miller Foods. I  
2 think that most people, instead of just reading  
3 comments in the newspaper, should take a drive  
4 through. See what you guys are actually doing  
5 over there.

6 To state here tonight that it was foolish  
7 to see a thousand jobs in this economy on Long  
8 Island is beyond me.

9 I would just like to thank you for helping  
10 the economy, working with the County --

11 SUPERVISOR CARDINALE: It's  
12 actually the creation of a thousand new jobs, and  
13 the retention of a thousand.

14 MR. ROTH: If you could see all  
15 the trucks that are pulling in and out. And it's  
16 slow right now in Riverhead Building Supply. If  
17 you could see the big new building. And it's  
18 beautiful, and things take a long time. A new  
19 road is going in.

20 And being a small business owner in the  
21 Town, and I speak for the other business owners  
22 in the Town, we all serve food there. We all  
23 serve the employees there. We're all in and out  
24 of there making money. People should take a  
25 drive and take a peek. Ask the business owners

1 are you serving? It's not just me, it's the  
2 other Deli's in Town, the pizzerias that are in  
3 and out of there. And that supports our families  
4 and helps pay the taxes in Town.

5 And I would just like to thank you all for  
6 the good job that I think, and the Chamber  
7 thinks, that you are doing right now.

8 SUPERVISOR CARDINALE: Thank  
9 you. I appreciate that, and thank you. As I  
10 walk through Town and knock on doors, one of the  
11 things that people do not know is what was just  
12 said. They for some reason think that nothing's  
13 happening at EPCAL.

14 The facts of EPCAL are these: One point  
15 five million square feet of industrial park  
16 exists there. One million in old use fully  
17 occupied, and just short of five hundred thousand  
18 of new use under construction. That includes the  
19 Riverhead Building Supply, which has just put up  
20 a hundred thousand or more feet, and is now  
21 applying for an additional hundred thousand.

22 Out there there are forty businesses  
23 operating. And four of those businesses are  
24 employing more than 140 people each. And  
25 according to the list I just saw, the 8th, 9th

1 10th and 11th largest employers in the Town of  
2 Riverhead.

3 That's what happening right now.

4 Eventually there will be another million and a  
5 half square feet buildable at the Berman site,  
6 and across the operating runway, if Recklers  
7 (phonetic) closes, he will have 2.7 million  
8 square feet.

9 Right now, one of the things that people do  
10 not understand, and the reason they don't  
11 understand it is because you can't access off of  
12 Route 25. You will be able to access off of  
13 Route 25 within the next month or two. Because  
14 all the roads for the Berman subdivision are  
15 being completed.

16 There will be a light as you exit on 25.  
17 It will be put in by Mr. Berman, as part of the  
18 site plan, which I was discussing today, as a  
19 matter of fact, and the bond. And that will  
20 allow people to come in on Route 25, and drive  
21 through as Mike suggests, and see the forty  
22 businesses, see the million and a half square  
23 foot, see two hundred to three thousand square  
24 foot of new development. See the buildings and  
25 the people that are working there.

1           And I might also add the taxes coming in  
2           from that parcel right now, that one parcel, are  
3           not quite two times what Gruman brought in. So,  
4           there's a lot of things happening.

5                   COUNCILMAN WOOTEN: I'll agree  
6           that the tax dollars are coming in. The only  
7           thing missing when Gruman was there are the  
8           number of jobs. There were a couple of thousand  
9           short on jobs. And a very large bird sanctuary  
10          too.

11                   SUPERVISOR CARDINALE: That's  
12          true. Was 3,000 the highest in Gruman? There  
13          are at least a thousand jobs out there, and I'm  
14          telling you that in four firms, that constitutes  
15          570 jobs there. There's at least another 500 out  
16          there.

17                   MR. ROTH: Thank you.

18                   SUPERVISOR CARDINALE: Anybody  
19          want to make a comment on the resolutions? We  
20          should consider them. Please call them.

21                   MS. WILHELM: Resolution 851.

22                   COUNCILWOMAN BLASS: Adopts a  
23          local law amending Chapter 108 entitled "Zoning"  
24          of the Riverhead Town Code (Bed and Breakfast).  
25          So moved.

1 COUNCILMAN DUNLEAVY: And  
2 seconded.

3 SUPERVISOR CARDINALE: Moved and  
4 seconded. Vote, please.

5 MS. WILHELM: Wooten.

6 COUNCILMAN WOOTEN: Yes.

7 MS. WILHELM: Dunleavy.

8 COUNCILMAN DUNLEAVY: Yes.

9 MS. WILHELM: Blass.

10 COUNCILWOMAN BLASS: Yes.

11 MS. WILHELM: Cardinale.

12 SUPERVISOR CARDINALE: Yes.

13 MS. WILHELM: Resolution is  
14 adopted. Resolution 852.

15 COUNCILMAN DUNLEAVY: Adopts a  
16 local law amending Chapter 108 entitled "Zoning"  
17 of the Riverhead Town Code. So moved.

18 COUNCILMAN WOOTEN: Seconded.

19 SUPERVISOR CARDINALE: Moved and  
20 seconded. Vote, please.

21 MS. WILHELM: Wooten.

22 COUNCILMAN WOOTEN: Yes.

23 MS. WILHELM: Dunleavy.

24 COUNCILMAN DUNLEAVY: Yes.

25 MS. WILHELM: Blass.

1 COUNCILWOMAN BLASS: Yes.

2 MS. WILHELM: Cardinale.

3 SUPERVISOR CARDINALE: Yes.

4 MS. WILHELM: Resolution

5 adopted. Resolution 853.

6 COUNCILMAN WOOTEN: Adopts a  
7 local law amending Chapter 108 entitled "Zoning"  
8 of the Riverhead Town Code. So moved.

9 COUNCILWOMAN BLASS: And  
10 seconded.

11 SUPERVISOR CARDINALE: Moved and  
12 seconded. Vote, please.

13 MS. WILHELM: Wooten.

14 COUNCILMAN WOOTEN: Yes.

15 MS. WILHELM: Dunleavy.

16 COUNCILMAN DUNLEAVY: Yes.

17 MS. WILHELM: Blass.

18 COUNCILWOMAN BLASS: Yes.

19 MS. WILHELM: Cardinale.

20 SUPERVISOR CARDINALE: Yes.

21 MS. WILHELM: Resolution

22 adopted. Resolution 854.

23 COUNCILWOMAN BLASS: Adopts a

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24 local law to amend Chapter 101 entitled "Vehicles  
25 & Traffic" of the Riverhead Town Code, parking

1 prohibited.

2 If you look, you might not have your  
3 attachment. It was actually attached to another  
4 resolution. This is the Osterander Avenue. So  
5 moved.

6 SUPERVISOR CARDINALE: Right.  
7 Okay. Thank you.

8 COUNCILMAN DUNLEAVY: And  
9 seconded.

10 SUPERVISOR CARDINALE: Moved and  
11 seconded. Vote, please.

12 MS. WILHELM: Wooten.

13 COUNCILMAN WOOTEN: Yes.

14 MS. WILHELM: Dunleavy.

15 COUNCILMAN DUNLEAVY: Yes.

16 MS. WILHELM: Blass.

17 COUNCILWOMAN BLASS: Yes.

18 MS. WILHELM: Cardinale.

19 SUPERVISOR CARDINALE: Yes.

20 MS. WILHELM: Resolution  
21 adopted. Resolution -- we did 855, so we'll go  
22 to 856.

23 COUNCILMAN WOOTEN: 856 is  
24 appoints a principal accountant to the Accounting  
25 Department. So moved.

1 COUNCILWOMAN BLASS: And

2 seconded.

3 SUPERVISOR CARDINALE: Moved and

4 seconded. Please vote.

5 MS. WILHELM: Wooten.

6 COUNCILMAN WOOTEN: Yes.

7 MS. WILHELM: Dunleavy.

8 COUNCILMAN DUNLEAVY: I'm  
9 against all new employees and salaries. So, I  
10 vote no.

11 MS. WILHELM: Blass.

12 COUNCILWOMAN BLASS: Yes.

13 MS. WILHELM: Cardinale.

14 SUPERVISOR CARDINALE: I'm going  
15 to vote yes for the reasons I indicated earlier  
16 because I was requested by the audit. And. I  
17 don't want to give them any excuses for not  
18 getting good books.

19 MS. WILHELM: The resolution is  
20 adopted. Resolution 857.

21 COUNCILWOMAN BLASS: Appoints  
22 call-in detention attendants. So moved.

23 COUNCILMAN DUNLEAVY: And

24 seconded.

25 SUPERVISOR CARDINALE: Moved and

1 seconded. Vote, please.

2 MS. WILHELM: Wooten.

3 COUNCILMAN WOOTEN: Yes.

4 MS. WILHELM: Dunleavy.

5 COUNCILMAN DUNLEAVY: Yes.

6 MS. WILHELM: Blass.

7 COUNCILWOMAN BLASS: Yes.

8 MS. WILHELM: Cardinale.

9 SUPERVISOR CARDINALE: Yes.

10 MS. WILHELM: Resolution is  
11 adopted. Resolution 858.

12 COUNCILMAN WOOTEN: It appoints  
13 members to the Town of Riverhead Open Space Park  
14 Preserve Committee; so moved.

15 COUNCILMAN DUNLEAVY: And  
16 seconded.

17 SUPERVISOR CARDINALE: Moved and  
18 seconded. Vote, please.

19 MS. WILHELM: Wooten.

20 COUNCILMAN WOOTEN: Yes.

21 MS. WILHELM: Dunleavy.

22 COUNCILMAN DUNLEAVY: Yes.

23 MS. WILHELM: Blass.

24 COUNCILWOMAN BLASS: I would  
25 like to take a second to thank Sherry Johnson,

1 George Good, Mary (inaudible). They served  
2 very well in various capacities, most recently  
3 the Open Space Park Committee on all issues of  
4 preservation. We appreciate their time and  
5 volunteering. My vote is yes.

6 MS. WILHELM: Cardinale.

7 SUPERVISOR CARDINALE: Okay. I  
8 would like to echo my deputy supervisor's thanks.  
9 And also note that I'm impressed that we're  
10 moving from that kind of talent to this kind of  
11 talent, Louisa Hargrave, and Janis Leonti. So I  
12 vote yes.

13 MS. WILHELM: Resolution  
14 adopted. Resolution 859.

15 COUNCILMAN WOOTEN: Approves  
16 attendance to Empire Zone Conference. So moved.

17 COUNCILWOMAN BLASS: And  
18 seconded.

19 SUPERVISOR CARDINALE: Moved and  
20 seconded. Vote, please.

21 MS. WILHELM: Wooten.

22 COUNCILMAN WOOTEN: Yes.

23 MS. WILHELM: Dunleavy.

24 COUNCILMAN DUNLEAVY: Yes.

25 COUNCILWOMAN BLASS: Yes.

1 MS. WILHELM: Cardinale.

2 SUPERVISOR CARDINALE: Yes.

3 MS. WILHELM: Resolution is  
4 adopted. Resolution 860.

5 COUNCILWOMAN BLASS: Approves  
6 the Chapter 90 application of the Vincent Nasta  
7 Foundation, Inc. So moved.

8 COUNCILMAN DUNLEAVY: And  
9 seconded.

10 SUPERVISOR CARDINALE: Moved and  
11 seconded. Vote, please.

12 MS. WILHELM: Wooten.

13 COUNCILMAN WOOTEN: Yes.

14 MS. WILHELM: Dunleavy.

15 COUNCILMAN DUNLEAVY: Yes.

16 MS. WILHELM: Blass.

17 COUNCILWOMAN BLASS: Yes.

18 SUPERVISOR CARDINALE: Yes.

19 MS. WILHELM: Resolution is  
20 adopted. Resolution 861.

21 COUNCILMAN DUNLEAVY: Give  
22 authorization to publish an advertisement for the  
23 pickup and removal of yard waste debris from  
24 Youngs Avenue Yard Waste Collection Facility. So  
25 move.

1 COUNCILMAN WOOTEN: Seconded.

2 SUPERVISOR CARDINALE: Moved and  
3 seconded. Vote, please.

4 MS. WILHELM: Wooten.

5 COUNCILMAN WOOTEN: Yes.

6 MS. WILHELM: Dunleavy.

7 COUNCILMAN DUNLEAVY: Yes.

8 MS. WILHELM: Blass.

9 COUNCILWOMAN BLASS: Yes.

10 MS. WILHELM: Cardinale.

11 SUPERVISOR CARDINALE: Yes.

12 MS. WILHELM: Resolution is  
13 adopted. Resolution 862.

14 COUNCILMAN WOOTEN: Authorizes  
15 Dunn Engineering Associates to provide

16  
17 project titled "Safe Routes to School". So  
18 moved.

19 COUNCILWOMAN BLASS: And  
20 seconded.

21 SUPERVISOR CARDINALE: Moved and  
22 seconded. Vote, please.

23 MS. WILHELM: Wooten.

24 COUNCILMAN WOOTEN: Yes.

25 MS. WILHELM: Dunleavy.

1 COUNCILMAN DUNLEAVY: Yes.

2 MS. WILHELM: Blass.

3 COUNCILWOMAN BLASS: Yes.

4 MS. WILHELM: Cardinale.

5 SUPERVISOR CARDINALE: Yes.

6 MS. WILHELM: Resolution is  
7 adopted. Resolution 863.

8 COUNCILWOMAN BLASS: Ratifies  
9 the reappointment of a member to the Riverhead  
10 Open Space/Park Preserve Committee. So moved.

11 COUNCILMAN DUNLEAVY: And  
12 seconded.

13 SUPERVISOR CARDINALE: Moved and  
14 seconded. Vote, please.

15 MS. WILHELM: Wooten.

16 COUNCILMAN WOOTEN: Yes.

17 MS. WILHELM: Dunleavy.

18 COUNCILMAN DUNLEAVY: Yes.

19 MS. WILHELM: Blass.

20 COUNCILWOMAN BLASS: Yes.

21 MS. WILHELM: Cardinale.

22 SUPERVISOR CARDINALE: Yes.

23 MS. WILHELM: Resolution is  
24 adopted. Resolution 864.

25 COUNCILMAN DUNLEAVY: Authorizes

1       Dunn Engineering Associates P.C., to provide  
2       professional engineering services for the project  
3       titled "Riverhead Alternative Transportation  
4       Program". So moved.

5                       COUNCILMAN WOOTEN:   Seconded.

6                       SUPERVISOR CARDINALE:   Moved  
7       and seconded. Vote, please.

8                       MS. WILHELM:   Wooten.

9                       COUNCILMAN WOOTEN:   Yes.

10                      MS. WILHELM:   Dunleavy.

11                      COUNCILMAN DUNLEAVY:   Yes.

12                      MS. WILHELM:   Blass.

13                      COUNCILWOMAN BLASS:   Yes.

14                      MS. WILHELM:   Cardinale.

15                      SUPERVISOR CARDINALE:   Yes.

16                      MS. WILHELM:   Resolution is  
17       adopted.   Resolution 865.

18                      COUNCILMAN WOOTEN:   The Town of  
19       Riverhead hereby declares itself to lead agency  
20       and hereby determines significance of action  
21       regarding Oakleigh Avenue, public access, roadway  
22       and drainage improvements.   So moved.

23                      COUNCILWOMAN BLASS:   And  
24       seconded.

25                      SUPERVISOR CARDINALE:   Moved and

1 seconded. Vote, please.

2 MS. WILHELM: Wooten.

3 COUNCILMAN WOOTEN: Yes.

4 MS. WILHELM: Dunleavy.

5 COUNCILMAN DUNLEAVY: Yes.

6 MS. WILHELM: Blass.

7 COUNCILWOMAN BLASS: Yes.

8 MS. WILHELM: Cardinale.

9 SUPERVISOR CARDINALE: Yes.

10 MS. WILHELM: Resolution if

11 adopted. Resolution 866.

12 COUNCILWOMAN BLASS: Authorizes

13 the final scope of issues on the DEIF, special

14 permit of Beacon Wireless. So moved.

15 COUNCILMAN DUNLEAVY: And

16 seconded.

17 SUPERVISOR CARDINALE: Moved and

18 seconded. Vote, please.

19 MS. WILHELM: Wooten.

20 COUNCILMAN WOOTEN: Yes.

21 MS. WILHELM: Dunleavy.

22 COUNCILMAN DUNLEAVY: Yes.

23 MS. WILHELM: Blass.

24 COUNCILWOMAN BLASS: Yes.

25 MS. WILHELM: Cardinale

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1 SUPERVISOR CARDINALE: Yes.

2 MS. WILHELM: Resolution is  
3 adopted. Resolution 867.

4 COUNCILMAN DUNLEAVY: Authorizes  
5 the release of ~~site plan security of 1998 Peconic~~

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6 LLC. So moved.

7 COUNCILMAN WOOTEN: Seconded.

8 SUPERVISOR CARDINALE: Moved and  
9 seconded. Vote, please.

10 MS. WILHELM: Wooten.

11 COUNCILMAN WOOTEN: Yes.

12 MS. WILHELM: Dunleavy.

13 COUNCILMAN DUNLEAVY: Yes.

14 MS. WILHELM: Blass.

15 COUNCILWOMAN BLASS: Yes.

16 MS. WILHELM: Cardinale.

17 SUPERVISOR CARDINALE: Yes.

18 MS. WILHELM: Resolution is  
19 adopted. Resolution 868.

20 COUNCILMAN WOOTEN: It  
21 authorizes the submission of a "Juvenile  
22 Accountability Block Grant Program" through the  
23 New York State division of Criminal Justice  
24 Service. Entitled "Wise Arrest Decision Making".  
25 So moved.

1 COUNCILWOMAN BLASS: And

2 seconded.

3 SUPERVISOR CARDINALE: Moved and

4 seconded. Vote please.

5 MS. WILHELM: Wooten.

6 COUNCILMAN WOOTEN: Yes.

7 MS. WILHELM: Dunleavy.

8 COUNCILMAN DUNLEAVY: Yes.

9 MS. WILHELM: Blass.

10 COUNCILWOMAN BLASS: Yes.

11 MS. WILHELM: Cardinale.

12 SUPERVISOR CARDINALE: Yes.

13 MS. WILHELM: Resolution is

14 adopted. Resolution 869.

15 COUNCILWOMAN BLASS: Authorizes

16 the Town Clerk to post and publish notice to

17 bidders for street light and traffic signal

18 maintenance parts. So moved.

19 COUNCILMAN DUNLEAVY: And

20 seconded.

21 SUPERVISOR CARDINALE: Moved and

22 seconded. Vote, please.

23 MS. WILHELM: Wooten.

24 COUNCILMAN WOOTEN: Yes.

25 MS. WILHELM: Dunleavy.

1 COUNCILMAN DUNLEAVY: Yes.

2 MS. WILHELM: Blass.

3 COUNCILWOMAN BLASS: Yes.

4 MS. WILHELM: Cardinale.

5 SUPERVISOR CARDINALE: Yes.

6 MS. WILHELM: Resolution is  
7 adopted. Resolution 870.

8 COUNCILMAN DUNLEAVY: Authorizes  
9 the Town Clerk to post and publish public notice  
10 for public hearing regarding a local law to amend  
11 Chapter 108 (Zoning) (Empire Zone) of the  
12 Riverhead Town Code. So moved.

13 COUNCILMAN WOOTEN: Seconded.

14 SUPERVISOR CARDINALE: Moved and  
15 seconded. Vote, please.

16 MS. WILHELM: Wooten.

17 COUNCILMAN WOOTEN: I don't  
18 think anyone is going to understand reading this.

21 COUNCILMAN DUNLEAVY: Yes to the

1 SUPERVISOR CARDINALE: Yes. And  
2 recall that the second whereas, it's the transfer  
3 of twenty acres of Empire Zone credits on  
4 undevelopable land, after the word "acres" goes  
5 Empire Zone Credits.

6 MS. WILHELM: Resolution is  
7 adopted. Resolution 871.

8 COUNCILMAN WOOTEN: Authorizes  
9 Town Clerk to publish and post a notice of public  
10 hearing to consider a proposed local law for an  
11 amendment of Chapter 101 entitled "Vehicles &  
12 Traffic" of Riverhead Town Code (101.10 Parking  
13 Prohibited). This is for Roanoke Avenue, north of  
14 the circle to Middle Road. So moved.

15 COUNCILWOMAN BLASS: And  
16 seconded.

17 SUPERVISOR CARDINALE: Moved and  
18 seconded. Vote, please.

20 COUNCILMAN WOOTEN: Yes.

21 MS. WILHELM: Dunleavy.

22 COUNCILMAN DUNLEAVY: Yes.

23 MS. WILHELM: Blass.

24 COUNCILWOMAN BLASS: Yes.

25 MS. WILHELM: Cardinale.

1 SUPERVISOR CARDINALE: Yes.

2 MS. WILHELM: Resolution is  
3 adopted. Resolution 872.

4 COUNCILWOMAN BLASS: Authorizes  
5 the Town Clerk to publish and post public notice  
6 of public hearing to consider a proposed local  
7 law for an amendment of Chapter 101 entitled  
8 "Vehicles & Traffic" of the Riverhead Town Code  
9 (101-3 Stop and yield intersections, railroad  
10 crossings, and parking fields) so moved.

11 COUNCILMAN DUNLEAVY: And  
12 seconded.

13 SUPERVISOR CARDINALE: Moved and  
14 seconded. Vote, please.

15 MS. WILHELM: Wooten.

16 COUNCILMAN WOOTEN: Yes.

17 MS. WILHELM: Dunleavy.

18 COUNCILMAN DUNLEAVY: Yes.

19 MS. WILHELM: Blass.

20 COUNCILWOMAN BLASS: Yes.

21 MS. WILHELM: Cardinale.

22 SUPERVISOR CARDINALE: Yes.

23 MS. WILHELM: Resolution is  
24 adopted. Resolution 873.

25 COUNCILMAN DUNLEAVY: Authorizes

1 the Town Clerk to publish and post public notice  
2 of a public hearing to consider a proposed local  
3 law for an amendment to Chapter 101 entitled  
4 "Vehicles & Traffic" of the Riverhead Town Code  
5 (101-19 parking for handicapped.) So moved.

6 COUNCILMAN WOOTEN: Seconded.

7 SUPERVISOR CARDINALE: Moved and  
8 seconded. Vote, please.

9 MS. WILHELM: Wooten.

10 COUNCILMAN WOOTEN: Yes.

11 MS. WILHELM: Dunleavy.

12 COUNCILMAN DUNLEAVY: Yes.

13 MS. WILHELM: Blass.

14 COUNCILWOMAN BLASS: Yes.

15 MS. WILHELM: Cardinale.

16 SUPERVISOR CARDINALE: Yes.

17 MS. WILHELM: Resolution is  
18 adopted. Resolution 874.

19 COUNCILMAN WOOTEN: Authorization  
20 to publish advertisement for on site yard waste  
21 debris grinding and waste collection facility.  
22 So moved.

23 COUNCILWOMAN BLASS: Moved and  
24 seconded. Vote, please.

25 MS. WILHELM: Wooten.

1 COUNCILMAN WOOTEN: Yes.  
2 MS. WILHELM: Dunleavy.  
3 COUNCILMAN DUNLEAVY: Yes.  
4 MS. WILHELM: Blass.  
5 COUNCILWOMAN BLASS: Yes.  
6 MS. WILHELM: Cardinale.  
7 SUPERVISOR CARDINALE: Yes.  
8 MS. WILHELM: Resolution  
9 adopted. Resolution 875.  
10 COUNCILWOMAN BLASS: Awards bid  
11 for Grangebel Park North Spill Way. So moved.  
12 COUNCILMAN DUNLEAVY: And  
13 seconded.  
14 SUPERVISOR CARDINALE: Moved and  
15 seconded. Vote, please.  
16 MS. WILHELM: Wooten.  
17 COUNCILMAN WOOTEN: Yes.  
18 MS. WILHELM: Dunleavy.  
19 COUNCILMAN DUNLEAVY: Yes.  
20 MS. WILHELM: Blass.  
21 COUNCILWOMAN BLASS: Yes.  
22 MS. WILHELM: Cardinale.  
23 SUPERVISOR CARDINALE: Yes.  
24 MS. WILHELM: Resolution is  
25 adopted. Resolution 876.

1 COUNCILMAN DUNLEAVY: Awards bid  
2 for Grangebél Park South Spillway and fish  
3 passage. So moved.

4 COUNCILMAN WOOTEN: Seconded.

5 SUPERVISOR CARDINALE: Moved and  
6 seconded. Vote, please.

7 MS. WILHELM: Wooten.

8 COUNCILMAN WOOTEN: Yes.

9 MS. WILHELM: Dunleavy.

10 COUNCILMAN DUNLEAVY: Yes.

11 MS. WILHELM: Blass.

12 COUNCILWOMAN BLASS: Yes.

13 MS. WILHELM: Cardinale.

14 SUPERVISOR CARDINALE: Yes.

15 MS. WILHELM: Resolution is  
16 adopted. Resolution 877.

17 COUNCILMAN DUNLEAVY: Calverton  
18 sewer budget adjustment. So moved.

19 COUNCILWOMAN BLASS: Seconded.

20 SUPERVISOR CARDINALE: Moved and  
21 seconded. Vote, please.

22 MS. WILHELM: Wooten.

23 COUNCILMAN WOOTEN: Yes.

24 MS. WILHELM: Dunleavy.

25 COUNCILMAN DUNLEAVY: Yes.

1 MS. WILHELM: Blass.

2 COUNCILWOMAN BLASS: Yes.

3 MS. WILHELM: Cardinale.

4 SUPERVISOR CARDINALE: Yes.

5 MS. WILHELM: Resolution is  
6 adopted. Resolution 878.

7 COUNCILWOMAN BLASS: A general  
8 fund budge adjustment. So moved.

9 COUNCILMAN DUNLEAVY: And  
10 seconded.

11 SUPERVISOR CARDINALE: Moved and  
12 seconded. Vote, please.

13 MS. WILHELM: Wooten.

14 COUNCILMAN WOOTEN: Yes.

15 MS. WILHELM: Dunleavy.

16 COUNCILMAN DUNLEAVY: Yes.

17 MS. WILHELM: Blass.

18 COUNCILWOMAN BLASS: Yes.

19 MS. WILHELM: Cardinale.

20 SUPERVISOR CARDINALE: Yes.

21 MS. WILHELM: Resolution is  
22 adopted. Resolution 879.

23 COUNCILWOMAN BLASS: Highway  
24 fund budget adjustment. So moved.

25 COUNCILMAN DUNLEAVY: And

1 seconded.

2 SUPERVISOR CARDINALE: Moved and  
3 seconded. Vote, please.

4 MS. WILHELM: Wooten.

5 COUNCILMAN WOOTEN: Yes.

6 MS. WILHELM: Dunleavy.

7 COUNCILMAN DUNLEAVY: Yes.

8 MS. WILHELM: Blass.

9 COUNCILWOMAN BLASS: Yes.

10 MS. WILHELM: Cardinale.

11 SUPERVISOR CARDINALE: Yes.

12 MS. WILHELM: Resolution is  
13 adopted. Resolution 880.

14 COUNCILMAN WOOTEN: Ratifies the  
15 Supervisor's execution -- I'm sorry --  
16 (Laughter) -- of the Riverhead Charter School's  
17 New York State Department of Education grant  
18 application. So moved.

19 COUNCILWOMAN BLASS: And  
20 seconded.

21 SUPERVISOR CARDINALE: Moved and  
22 seconded. Vote, please.

23 MS. WILHELM: Wooten.

24 COUNCILMAN WOOTEN: Yes.

25 MS. WILHELM: Dunleavy.

1 COUNCILMAN DUNLEAVY: Yes.

2 MS. WILHELM: Blass.

3 COUNCILWOMAN BLASS: Yes.

4 MS. WILHELM: Cardinale.

5 SUPERVISOR CARDINALE: I'm going  
6 to vote yes. I tell you that one of my  
7 secretary's once sent out a letter when I was a  
8 young lawyer, saying, "Please have your client  
9 executed and return in the self-addressed  
10 enclosed envelope." (Laughter.) That brought that  
11 back. I vote yes.

12 MS. WILHELM: Resolution is  
13 adopted. Resolution 881.

14 COUNCILWOMAN BLASS: Actually  
15 this resolution needs to be withdrawn because  
16 it's a duplicate.

17 SUPERVISOR CARDINALE: Okay.

18 COUNCILWOMAN BLASS: Motion to  
19 withdraw 881.

20 COUNCILMAN DUNLEAVY: And  
21 seconded.

22 SUPERVISOR CARDINALE: Moved and  
23 seconded to withdraw. Vote, please.

24 MS. WILHELM: Wooten.

25 COUNCILMAN WOOTEN: Yes.

1 MS. WILHELM: Dunleavy.  
2 COUNCILMAN DUNLEAVY: Yes.  
3 MS. WILHELM: Blass.  
4 COUNCILWOMAN BLASS: Yes.  
5 MS. WILHELM: Cardinale.  
6 SUPERVISOR CARDINALE: Yes.  
7 MS. WILHELM: The resolution is  
8 withdrawn. Resolution 882.  
9 COUNCILMAN DUNLEAVY: Recreation  
10 Program fund budget adjustment. So moved.  
11 COUNCILMAN WOOTEN: Seconded.  
12 SUPERVISOR CARDINALE: Moved and  
13 seconded. Vote, please.  
14 MS. WILHELM: Wooten.  
15 COUNCILMAN WOOTEN: Yes.  
16 MS. WILHELM: Dunleavy.  
17 COUNCILMAN DUNLEAVY: Yes.  
18 MS. WILHELM: Blass.  
19 COUNCILWOMAN BLASS: Yes.  
20 MS. WILHELM: Cardinale.  
21 SUPERVISOR CARDINALE: Yes.  
22 MS. WILHELM: Resolution is  
23 adopted. Resolution 883.  
24 COUNCILMAN WOOTEN: Authorizes  
25 the Town Clerk to publish and post a public

1 notice to consider a local law to repeal Chapter  
2 17 entitled "Electrical Inspectors" of the  
3 Riverhead Town Code. So moved.

4 COUNCILWOMAN BLASS: And  
5 seconded.

6 SUPERVISOR CARDINALE: Moved and  
7 seconded. Vote, please.

8 MS. WILHELM: Wooten.

9 COUNCILMAN WOOTEN: Yes.

10 MS. WILHELM: Dunleavy.

11 COUNCILMAN DUNLEAVY: Yes.

12 MS. WILHELM: Blass.

13 COUNCILWOMAN BLASS: Yes.

14 MS. WILHELM: Cardinale.

15 SUPERVISOR CARDINALE: Yes.

16 MS. WILHELM: Resolution is  
17 adopted. Resolution 884.

18 COUNCILWOMAN BLASS: Sets

19 ~~Resolution 884 is adopted.~~

20 Department. So moved.

21 COUNCILMAN DUNLEAVY: And

22 seconded.

23 SUPERVISOR CARDINALE: Moved and

1 COUNCILMAN WOOTEN: Yes.  
2 MS. WILHELM: Dunleavy.  
3 COUNCILMAN DUNLEAVY: Yes.  
4 MS. WILHELM: Blass.  
5 COUNCILWOMAN BLASS: Yes.  
6 MS. WILHELM: Cardinale.  
7 SUPERVISOR CARDINALE: Yes.  
8 MS. WILHELM: The resolution is  
9 adopted. Resolution 885.  
10 COUNCILMAN DUNLEAVY: Authorizes  
11 the Town Clerk to publish and post a notice of  
12 public hearing to consider a proposed local law  
13 for an amendment of Chapter 101 entitled  
14 "Vehicles & Traffic" of the Riverhead Town Code  
15 (101-10 parking prohibited). So moved.  
16 COUNCILMAN WOOTEN: I'll second  
17 it.  
18 SUPERVISOR CARDINALE: Moved and  
19 seconded. Vote, please.  
20 MS. WILHELM: Wooten.  
21 COUNCILMAN WOOTEN: Yes.  
22 MS. WILHELM: Dunleavy.  
23 COUNCILMAN DUNLEAVY: Yes.  
24 MS. WILHELM: Blass.  
25 COUNCILWOMAN BLASS: Yes.

1 MS. WILHELM: Cardinale.

2 SUPERVISOR CARDINALE: Yes.

3 MS. WILHELM: The resolution is  
4 adopted. Resolution 886.

5 COUNCILMAN WOOTEN: Authorizes  
6 the Supervisor to execute an agreement with Ricoh  
7 for system design and consulting. So moved.

8 COUNCILWOMAN BLASS: And  
9 seconded.

10 SUPERVISOR CARDINALE: Moved and  
11 seconded. Vote, please.

12 MS. WILHELM: Wooten.

13 COUNCILMAN WOOTEN: Yes.

14 MS. WILHELM: Dunleavy.

15 COUNCILMAN DUNLEAVY: Yes.

16 MS. WILHELM: Blass.

17 COUNCILWOMAN BLASS: Yes.

18 MS. WILHELM: Cardinale.

19 SUPERVISOR CARDINALE: Yes.

20 MS. WILHELM: Resolution is  
21 adopted. Resolution 887.

22 COUNCILWOMAN BLASS: Accepts the  
23 DEIS supporting the special permit of the Village  
24 of Jamesport and authorizes the Town Clerk to  
25 publish and post notice of public hearing. So

1 moved.

2 COUNCILMAN DUNLEAVY: And

3 seconded.

4 SUPERVISOR CARDINALE: Moved and

5 seconded. Vote, please.

6 MS. WILHELM: Wooten.

7 COUNCILMAN WOOTEN: Yes.

8 MS. WILHELM: Dunleavy.

9 COUNCILMAN DUNLEAVY: Yes.

10 MS. WILHELM: Blass.

11 COUNCILWOMAN BLASS: Yes.

12 MS. WILHELM: Cardinale.

13 SUPERVISOR CARDINALE: Yes.

14 MS. WILHELM: Resolution is

15 adopted. Resolution 888.

16 COUNCILMAN DUNLEAVY: 2009 Chips

17 reconstruction road improvement project budget

18 adjustment. So moved.

19 COUNCILMAN WOOTEN: I'll second.

20 SUPERVISOR CARDINALE: Moved and

21 seconded. Vote, please.

22 MS. WILHELM: Wooten.

23 COUNCILMAN WOOTEN: Yes.

24 MS. WILHELM: Dunleavy.

25 COUNCILMAN DUNLEAVY: Yes.

1 MS. WILHELM: Blass.

2 COUNCILWOMAN BLASS: Yes.

3 MS. WILHELM: Cardinale.

4 SUPERVISOR CARDINALE: Yes.

5 MS. WILHELM: Resolution is  
6 adopted. Resolution 889.

7 COUNCILMAN WOOTEN: Adopts a  
8 resolution authorizing the Supervisor to execute  
9 agreements to provide the County of Suffolk with  
10 assurances related to the dredging of East Creek,  
11 Hawks Creek, and Miamogue Lagoon located within  
12 the Town of Riverhead. So moved.

13 COUNCILWOMAN BLASS: And  
14 seconded.

15 SUPERVISOR CARDINALE: Moved and  
16 seconded. Vote, please.

17 MS. WILHELM: Wooten.

18 COUNCILMAN WOOTEN: Yes.

19 MS. WILHELM: Dunleavy.

20 COUNCILMAN DUNLEAVY: Yes. It's  
21 a shame we have to do this to get our creeks  
22 dredged, but we have to hold the County harmless  
23 if they do any damage. So, I have to vote yes,  
24 because we need our creeks dredged.

25 MS. WILHELM: Blass.

1 COUNCILWOMAN BLASS: Yes.

2 MS. WILHELM: Cardinale.

3 SUPERVISOR CARDINALE: Yes.

4 MS. WILHELM: Resolution is  
5 adopted. Resolution 890.

6 COUNCILWOMAN BLASS: This is a  
7 budget adoption in connection with the 2009  
8 bicycle pedestrian transportation path grant  
9 improvement project. So moved.

10 COUNCILMAN DUNLEAVY: And  
11 seconded.

12 SUPERVISOR CARDINALE: Moved and  
13 seconded. Vote, please.

14 MS. WILHELM: Wooten.

15 COUNCILMAN WOOTEN: Yes.

16 MS. WILHELM: Dunleavy.

17 COUNCILMAN DUNLEAVY: Yes.

18 MS. WILHELM: Blass.

19 COUNCILWOMAN BLASS: Yes.

20 MS. WILHELM: Cardinale.

21 SUPERVISOR CARDINALE: Yes.

22 MS. WILHELM: Resolution is  
23 adopted. Resolution 891.

24 COUNCILMAN WOOTEN: It supports  
25 the Town of Riverhead's application for the US

1 DOT for Tiger Grant to support Maglev-2000  
2 demonstration and certification project. So  
3 moved.

4 COUNCILWOMAN BLASS: And  
5 seconded.

6 SUPERVISOR CARDINALE: Moved and  
7 seconded. Vote, please.

8 MS. WILHELM: Wooten.

9 COUNCILMAN WOOTEN: Yes.

10 MS. WILHELM: Dunleavy.

11 COUNCILMAN DUNLEAVY: It's a  
12 good project, and I'm glad to vote yes for it.

13 MS. WILHELM: Blass.

14 COUNCILWOMAN BLASS: Yes.

17 pleased to vote yes for it. I'll keep my fingers  
18 crossed. What is it, February when they give the  
19 responses out?

20 COUNCILMAN WOOTEN: February  
21 15th.

1 last three and a half hours. Some people  
2 actually accomplish something. I vote yes.

3 MS. WILHELM: Resolution is  
4 adopted. Resolution 892.

5 COUNCILWOMAN BLASS: Motion to  
6 pay bills. So moved.

7 COUNCILMAN DUNLEAVY: And  
8 seconded.

9 SUPERVISOR CARDINALE: Moved and  
10 seconded. Vote, please.

11 MS. WILHELM: Wooten.

12 COUNCILMAN WOOTEN: Yes.

13 MS. WILHELM: Dunleavy.

14 COUNCILMAN DUNLEAVY: Yes.

15 MS. WILHELM: Blass.

16 COUNCILWOMAN BLASS: Yes.

17 MS. WILHELM: Cardinale.

18 SUPERVISOR CARDINALE: Yes.

19 MS. WILHELM: Resolution is  
20 adopted.

21 SUPERVISOR CARDINALE: That  
22 concludes the resolutions.

23 We'd like to take comment. Is there anyone  
24 who would like to make a comment in regard to  
25 anything? Yes, please. We have Mr. Bail. Please

1       come up.

2                       MR. BAIL:   Sid Bail, Wading  
3       River Civic Association. I would like to also add  
4       my thanks and congratulations to Barbara Blass.  
5       You've done a fine job.

6               But I would also be remiss if I didn't  
7       thank Bill Welsh for the job that he's done.  
8       Bill was absolutely amazing. You call him up on  
9       a problem, he addresses it and gets back to you  
10      right away. And that's exactly the type of  
11      person that Barbara is and her service in the  
12      Town government. So, it's win-win situation.

13                    SUPERVISOR CARDINALE: Thank  
14      you for that. And I myself would be remiss in  
15      not noting Bill's excellent service as deputy,  
16      and I appreciate that.

17               Bill will continue to be my executive  
18      assistant, and work hard with Barbara and I over  
19      the next three and a half months. And he's got a  
20      lot of style because he knows it's the right  
21      thing to do with Barbara being deputy. So, thank  
22      you, Bill.

23                    MR. DePIERO;   Nick DePiero,  
24      Wading River. As I was approaching to come to  
25      this meeting tonight, my ten year old

1       granddaughter called me on her cell phone. And I  
2       attempted to answer her on my cell phone. She  
3       couldn't really hear me, okay. So, she hung up.  
4       Then I walked in the door and she called again  
5       and this time I couldn't hear her.

6                I see this resolution 866. It has  
7       something to do with the cell towers here and  
8       Wading River. And I believe at the last session  
9       of the Town Board you received a lot of letters  
10      concerning cell towers. I don't know whether  
11      they're for or against, but as I started off  
12      saying, we have very poor service.

13              As soon as I approach -- as soon as I  
14      start coming down the hill by the gas station I  
15      start to loose service. I have Verizon. I don't  
16      know whether there are other services or other  
17      cell phone carriers that are good in this area.  
18      But I just want to emphasize how bad the service  
19      is in this part of town.

20              When I use my cell phone in the upper part  
21      of Wading River and I call anybody here in this  
22      section, they can't hear me. So, I just want to  
23      put a plug in for any cell tower that may come to  
24      Wading River.

25                                   SUPERVISOR CARDINALE: Thank

1 you, Nick. I appreciate that.

2 COUNCILMAN WOOTEN: I think  
3 that's one of the main things we're looking at,  
4 just what is going to be approved by any  
5 particular tower.

6 MR. DePIERO: I was also  
7 wondering if there is going to be a public  
8 hearing on this matter?

9 SUPERVISOR CARDINALE: There is.  
10 There was one and there will be another. This  
11 document tells them this is what you should study  
12 in your environmental impact statement. And there  
13 will be a hearing when they have the drafts, so  
14 everybody can look at it and see.

15 And one of the things as Jim was saying,  
16 that they are studying is, what gap will they  
17 fill up? How would they improve the service by  
18 putting the tower where they wish to put it,  
19 which is over in Little Flower. We'll have to  
20 look at that.

21 You also confirmed, I'm glad they weren't  
22 telling me a tale. I can never reach my engineers  
23 when they are down by Wading River Beach. They  
24 were down after that project. I keep wondering  
25 if they're telling me "Cutting out", and the heck

1 with them (laughter).

2 MR. DePIERO: I don't know how it  
3 works with the Fire Department, but in my  
4 semi-retirement years I worked with the school  
5 district. And when I drive a bus around this area  
6 also I cannot hear them trying to reach me.

7 COUNCILMAN WOOTEN: Always a  
8 problem.

9 SUPERVISOR CARDINALE: Good to  
10 know. Thank you. Anybody else have any  
11 comments? If you do, come up. If you don't, we  
12 thank you for coming. We appreciate your input  
13 and we'll see you at the next session which is  
14 October 6th. The work session is a week from  
15 Thursday. We'll see you there. Thank you.

16 (Whereupon, the above proceeding  
17 was concluded.)

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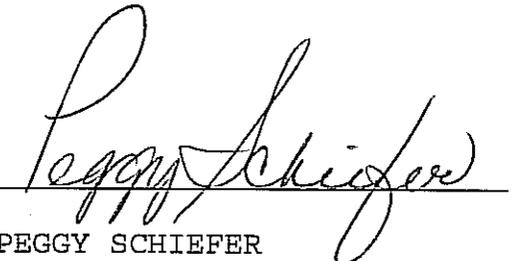
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C E R T I F I C A T E

I, Peggy Schiefer, a Court Reporter  
and Notary Public in and for the State of New  
York, do hereby certify:

THAT, the foregoing contains a true  
and correct transcription of the audio DVD, to  
the best of my abilities.

IN WITNESS WHEREOF, I have hereunto  
set my hand this 12th day of October, 2009.

  
PEGGY SCHIEFER