

1 MS. BLASS: And I also don't have my
2 glasses, so this could be interesting, so I
3 apologize for that.

4 Good evening, Madam Supervisor, Members of
5 the Board, Ladies and Gentlemen. My name is
6 Barbara Blass, I live in Jamesport.

7 In that neither Triple Five's extensive
8 official brochure nor their website contains any
9 relevant aviation or aerospace experience, we ask
10 directly for you to ask them to provide specific
11 experience in construction and management of
12 aviation or aerospace facilities, including
13 hangars and other aviation related structures.

14 In that the resumes of Syd nor John
15 Ghermezian contain any references to aviation or
16 aerospace, we also ask that you ask these
17 gentlemen to please provide their relevant
18 experience in the construction management of
19 aviation or aerospace facilities, including
20 hangars and other aviation related structures.

21 We ask that you ask the proposed sponsors
22 what the exact relationship between Daniel Preston
23 and Triple Five Real Estate I is. What is the
24 relationship? And asking that they provide the
25 operating agreement between the members of the

1 LLCs, and any other information which will
2 describe how decisions will be made on development
3 and operations.

4 We ask that you ask the sponsor please
5 provide a list of the LLC -- the LLCs, the
6 corporations, and business entities in which
7 Daniel Preston has had an interest in the past 20
8 years, including the percentage of interest or
9 ownership, and the current status of these
10 enterprises.

11 From the transcript of the Q & E hearing,
12 held on October 20th of 2015, to determine whether
13 Luminati, LLC and 400 David Court, LLC were
14 qualified and had the ability to perform under the
15 terms of a runway license agreement, Mr. Preston
16 stated, quote, "Luminati has recently commenced
17 work on a multi-million dollar project involving
18 research, development, testing and manufacturing
19 of commercial UAVs." He went on to say that the
20 runway was needed for a testing of these UAVs, and
21 that the operation was funded by a Fortune 250
22 company, and that this client would make periodic
23 payments to Luminati as specific milestones were
24 achieved.

25 Five distinguished members of the dream team

1 were introduced that evening and made statements
2 with passion and enthusiasm, much like this
3 evening, in support of the project, which,
4 according to Mr. Preston, would, quote,
5 "Immediately create approximately 40 jobs," end
6 quote.

7 The representatives made -- representations
8 made during this hearing served as the basis for
9 the CDA to grant a runway license agreement for up
10 to 30 years.

11 By way of assessing Luminati's ability to
12 perform, please answer, or have Mr. Preston answer
13 the following questions:

14 How many UAVs were produced at the time?
15 How many test flights were conducted? What
16 milestones were achieved? And how much money in
17 periodic payments did he receive as a result of
18 reaching these milestones? Is the Fortune 250
19 company still a client? And how many members of
20 the original dream team are active participants in
21 the current operation?

22 As an aside, the Runway Use Agreement was
23 signed by two companies, Luminati Aerospace, LLC
24 and 400 David Court, LLC. During the Q & E
25 hearing, there was absolutely no information

1 presented concerning 400 David Court, LLC and
2 their credentials, their relationship to Luminati
3 Aerospace, LLC, and the operating agreement
4 between these two companies with respect to
5 decisions concerning the use of the runway.

6 Should the Town and -- find Calverton
7 Aviation Technologies unqualified or ineligible in
8 any way to perform the proposed development plan,
9 and the license agreement with Luminati and 400
10 David Court, LLC survives, it should be
11 reexamined, in my humble opinion.

12 Thank you very much for your time.

13 SUPERVISOR JENS-SMITH: Thank you. Do you
14 want to share your questions? Do you have a
15 written copy?

16 MS. BLASS: I do, but they're --

17 SUPERVISOR JENS-SMITH: Notes?

18 MS. BLASS: I will provide a clean version
19 of --

20 SUPERVISOR JENS-SMITH: Okay.

21 MS. BLASS: -- the questions to you, Madam
22 Clerk.

23 SUPERVISOR JENS-SMITH: And do you want to
24 answer one by one, or would you like to have a few
25 people answer questions and then -- and then

1 address them?

2 MR. NADER GHERMEZIAN: I will give you one
3 by one.

4 SUPERVISOR JENS-SMITH: Okay. You want to
5 answer one by one?

6 MR. NADER GHERMEZIAN: Yeah, I'm going to
7 answer very easily.

8 SUPERVISOR JENS-SMITH: Okay. We just need
9 you to get up to the podium to answer. I think
10 some of the questions were also addressed to
11 Luminati and to Daniel Preston. Will he be
12 answering those questions?

13 MR. BIENENSTOCK: With regard to the
14 questions related to Triple Five's experience and
15 capabilities in constructing aviation, or
16 involvement in any aviation projects in the past,
17 one of the strengths of Triple Five -- and I'll
18 answer this and I'll give the floor to Triple Five
19 to see if they have anyone else that would like to
20 respond. But one of the strengths of Triple Five
21 is that what we do very well as developers is that
22 we understand all of the components that go into a
23 major development. And we clearly understand what
24 we don't know well, and we align ourselves with
25 the appropriate team that can absolutely deliver.

1 PCL was here this evening, and some of the
2 things that they represented was the fact that
3 they've been involved in the construction of over
4 250 aviation related projects, and I think that
5 that -- his testimony to our ability to align
6 ourselves in creating the appropriate team, that
7 will allow us to actually fulfill the mission and
8 bring this vision to life. Thank you.

9 COUNCILMAN HUBBARD: Is Mr. Preston going to
10 answer questions, because there were questions
11 addressed to him.

12 SUPERVISOR JENS-SMITH: Yeah. I'll let them
13 finish theirs and then I'll ask.

14 MR. HASDAY: Good evening, Madam Supervisor
15 and fellow Council Members. My name is Robert
16 Hasday. I am counsel to CAT. I am also counsel
17 to Luminati.

18 There are many people who, for whatever
19 reason, are attempting to turn this hearing into a
20 referendum on Daniel Preston. This meeting is not
21 about Daniel Preston, it is about CAT. Daniel
22 Preston has -- doesn't control CAT. This session
23 simply is not about Daniel Preston.

24 This afternoon there was written in the
25 press a hatchet job article on Mr. Preston, just

1 outrageous. It was an ambush, it was unfair.
2 Quite frankly, it was sickening. This session
3 should not be a circus. Daniel Preston isn't on
4 trial here.

5 SUPERVISOR JENS-SMITH: I just -- I just
6 have to stop you for one minute. I don't think
7 there's anything that's happened so far that
8 represents a circus. I think that the community
9 has come to ask questions about the two
10 purchasers, which is Luminati, and identified as
11 Daniel Preston, and Triple Five. Triple Five has
12 represented themselves as 25% of the company. I
13 think as part of --

14 MEMBER HUBBARD: Seventy-five.

15 MEMBER KENT: Seventy-five.

16 AUDIENCE MEMBERS: Seventy-five.

17 SUPERVISOR JENS-SMITH: Seventy-five. And
18 as Mr. Preston is 25% of CAT, I think that there
19 will be questions of Mr. Preston, and I don't
20 think it has anything to do with being a circus.
21 I think the question was asked what was the
22 relationship between Luminati and Triple Five, and
23 I think that was the question that was just
24 proposed and asked to be answered.

25 MR. HASDAY: Okay, fine. That question, I

1 suggest that the questioners listen to the
2 speakers, because that question was answered I
3 think three times. The --

4 SUPERVISOR JENS-SMITH: Would you like to
5 repeat the answer?

6 MR. HASDAY: I will, yes.

7 SUPERVISOR JENS-SMITH: Okay.

8 MR. HASDAY: So Triple Five owns 75% of CAT.
9 Luminati owns 25%. Luminati has absolute control
10 over CAT.

11 AUDIENCE MEMBERS: No.

12 MR. HASDAY: Sorry. Triple Five has
13 absolute --

14 MR. NADER GHERMEZIAN: He's giving it away.

15 (Laughter)

16 MR. HASDAY: Sorry. Triple Five has
17 absolute control over CAT, Luminati has zero
18 control.

19 SUPERVISOR JENS-SMITH: I think the question
20 was about the operational agreement between them,
21 not just the percentages, but what would each
22 partner be doing in the operational agreement.

23 MR. HASDAY: Basically, they will be doing
24 whatever Triple Five says.

25 SUPERVISOR JENS-SMITH: Okay. Thank you

1 very much for your answer.

2 MR. HASDAY: Do I -- the questioner asked a
3 litany of questions. Do --

4 SUPERVISOR JENS-SMITH: Well, if you would
5 like to answer them, or if Daniel Preston would
6 like to answer them. I believe some of the
7 questions were some of the milestones that -- I
8 mean, Daniel has come before us before --

9 MR. HASDAY: Yes, sir.

10 SUPERVISOR JENS-SMITH: -- with Luminati.

11 MR. HASDAY: Yes, ma'am.

12 SUPERVISOR JENS-SMITH: And he has presented
13 here before.

14 MR. HASDAY: Okay.

15 SUPERVISOR JENS-SMITH: And he's presented
16 at a Qualified and Eligible Hearing. And part of
17 this hearing is the ability to develop the
18 property. It's not just about the financials, but
19 it's also about the development of the property
20 moving forward.

21 MR. HASDAY: Yes, sir -- yes, ma'am.

22 SUPERVISOR JENS-SMITH: So I think one of
23 the questions was asked was -- last time he came,
24 was some of the milestones he said in the
25 production and development of his UAVs. I think

1 the question was, you know, has he reached some of
2 those milestones.

3 MR. HASDAY: Okay. I'll answer that.
4 Everything said at the hearing about that, to my
5 knowledge, was accurate. Business relationships
6 evolve, things happened. That relationship ended
7 not that long after the hearing. Things happened,
8 and the partners just went their separate ways.

9 SUPERVISOR JENS-SMITH: So I guess one of
10 the other question was also about his current
11 number of employees.

12 MR. HASDAY: I am unsure. Certainly, what
13 happened is when that initial clients did -- they
14 parted ways, that clearly had an impact on his
15 plans. He basically lost his big client, so he
16 reduced the size of his workforce. He
17 concentrated on getting his infrastructure in
18 place. The infrastructure now is in place. He's
19 invested tens of millions of dollars in equipment.
20 He has started to hire again, with the support of
21 Triple Five. And he is so excited about this
22 happening, because like this is his dream. He is
23 ready to go. The infrastructure's there. He now
24 has a fantastic partner. This is his dream.

25 SUPERVISOR JENS-SMITH: It would be nice to

1 hear from him as a partner in this -- in this
2 entity, CAT.

3 MR. HASDAY: No. He -- okay. That article,
4 I'm not sure if you've read it, but if it were
5 about you, I don't think that you would exactly be
6 dancing in the street. I mean --

7 SUPERVISOR JENS-SMITH: You're talking to
8 people who all ran for office.

9 MEMBER KENT: Yes.

10 SUPERVISOR JENS-SMITH: We've all had to
11 deal with this.

12 (Laughter)

13 SUPERVISOR JENS-SMITH: And we've all had to
14 face people in public when we don't necessarily
15 want to.

16 MEMBER WOOTEN: And still to go, okay.

17 SUPERVISOR JENS-SMITH: But so --

18 MEMBER KENT: Also, I'd like --

19 MR. HASDAY: I am here.

20 SUPERVISOR JENS-SMITH: I don't want to
21 argue about it, but just --

22 MR. HASDAY: Okay.

23 MEMBER KENT: And I think Mrs. Blass also
24 asked for a list of the LLCs with Daniel Preston
25 over the last 20 years. Would you be able to

1 provide us with that?

2 MR. HASDAY: Why is that relevant to
3 anything?

4 SUPERVISOR JENS-SMITH: If you choose not
5 answer, that's fine.

6 MR. HASDAY: No, no, no. No, I didn't not
7 answer, I asked the question.

8 MEMBER KENT: Well, it gives us background.

9 MEMBER GIGLIO: You know, I did sit in the
10 Qualified and Eligible Hearing in October of 2015,
11 and I was kind of on the fence as to whether or
12 not I was going to support the Runway Use
13 Agreement. And there were certain things that
14 were promised that night, such as 40 jobs over
15 \$100,000 a year. They were going to be producing
16 UAVs; that, you know, the contract was ready to be
17 signed; that, you know, it was a Fortune 250
18 company; that they were going to be maintaining
19 the runways, and they were going to be make the
20 runways useful and safe; that they were going to
21 build a 30,000 square foot addition onto their
22 building at 400 David Court; that they were going
23 to -- they had the dream team that was here that
24 was ready to jump on board and assist him, and it
25 all fell apart within a matter of weeks, and now

1 it's been a couple of years. He still has the
2 Runway Use Agreement.

3 I've asked the Town Attorney to get me
4 invoices from contractors that have worked on the
5 runways, because he promised that he was going to
6 be making improvements to the runways. I know he
7 didn't build the 30,000 square foot addition onto
8 his building. And I know that the 40 people -- I
9 don't know whether they were ever on the payroll
10 or not. So I would be curious as to the answer to
11 that question, too, as to when those 40 people
12 that were making \$100,000 a year or more were on
13 the payroll, and what they contributed as far as
14 test flights, milestones, payments received,
15 contracts with Department of Defense that he said
16 that he was very close to getting, whether or not
17 any of those things came to fruition.

18 So I am very surprised that Mr. Preston is
19 not here to answer these questions, because he is
20 also partner of CAT and seeking Qualified and
21 Eligibility.

22 I mean, Mr. Ghermezian, you and your family,
23 you've done a lot of great projects and a lot of
24 great things, and you've put a lot of people to
25 work. Time to get these things accomplished, and

1 whether or not these things don't fall apart after
2 tonight, or a week from now, or a year from now,
3 you know. I'd be interested in seeing the
4 partnership agreement also.

5 MR. BIENENSTOCK: I'd like to just comment.
6 One of the interesting elements of this site's
7 history, and it's very interesting when you think
8 about Grumman as a company that was here, that had
9 such a material impact on the economics and the
10 strength of the economy here, being that it wasn't
11 a private company created a whole slew of
12 problems.

13 And one of the elements that our company
14 does and brings to the table is the fact that we
15 are a private company. And the pieces that fell
16 apart related to Daniel's prior partner, was
17 related to a public entity. And this is something
18 that the family is invested in. We're invested in
19 Daniel as well. We believe in his technologies,
20 and we've done third party validation of some of
21 his technologies. And we understand how to
22 channel the crazy.

23 (Laughter)

24 MR. BIENENSTOCK: And we understand, we
25 understand. We understand what it means to take

1 all of this energy that he has and actually make
2 it meaningful, and turn it into something that is
3 actually going to be -- I mean, in terms of the
4 historical elements of what Daniel has and is
5 capable of, with our help, this is something that
6 is going to be life-altering to both the Town, the
7 region, and we believe the world.

8 And as a private -- as a private family,
9 it's something that we stand behind, and it's not
10 something that we're investing in so that we can
11 drop him. It's something that we're going to
12 provide the resources and allow him to perform,
13 and allow him to actually stand up here, hopefully
14 by the next round, and be someone that you're
15 proud of.

16 And I really believe that, and the family
17 believes that the CAT vision is something that is
18 -- is something that this region is desperately
19 missing, and it's something that the historical
20 elements of this property deserve to have
21 re-established.

22 (Applause)

23 SUPERVISOR JENS-SMITH: And so now -- did
24 you want to speak again?

25 MR. HASDAY: Ms. Giglio, if you still have

1 questions, please --

2 MEMBER GIGLIO: I was just piggybacking on
3 the questions that were already asked that I
4 didn't feel were answered.

5 MR. HASDAY: Okay. So, you know, as I
6 previously stated, when, you know, Luminati was
7 basically a startup, it had one very big client,
8 it had one very big contract.

9 MEMBER GIGLIO: It had a contract?

10 MR. HASDAY: Oh, yes, it certainly did.

11 MEMBER GIGLIO: Really?

12 MR. HASDAY: A very big contract with a very
13 big company. I know they had it because I
14 negotiated it, and that was real, and it was
15 hundreds of millions of dollars.

16 Sometimes business relationships don't work
17 out. It's not because people are deceitful, it's
18 not because they do crazy things, it's because two
19 business partners just don't see eye to eye. That
20 is what happened here.

21 Now is it shocking that a startup losing its
22 big client, losing its big contract is going to be
23 in trouble? Is that shocking? No. That -- and
24 that is what happened.

25 You know, Daniel, at the hearing, said --

1 everything he said, to my knowledge, was accurate,
2 but things happen, and things happened here, and
3 Daniel was in a very difficult situation. He had
4 limited resources. He had grand ideas, limited
5 resources. How does he build this building if he
6 doesn't have the contract? He doesn't have any
7 money. It's not that --

8 SUPERVISOR JENS-SMITH: Mr. Hasday, could
9 we -- we'll -- we're going to have more questions
10 from the community, you'll have more opportunity
11 to come up --

12 MEMBER WOOTEN: I'm sure.

13 SUPERVISOR JENS-SMITH: -- come up and
14 speak.

15 MR. HASDAY: I'm done, because I'm happy to
16 stop, believe me.

17 MEMBER WOOTEN: Well, I'm sure you'll be
18 back to defend him some more.

19 (Applause)

20 SUPERVISOR JENS-SMITH: So, but I think, to
21 your point, that's why we are here, because
22 sometimes contracts don't work out from people,
23 and we want to see what's going on here. So --

24 MR. NADER GHERMEZIAN: Ms. Supervisor, if I
25 may, please. I don't want to bring up the mess

1 that this guy had, okay? We are here to help the
2 community, okay, and we are going to -- he has
3 nothing to do, he has no say, he has no power, no
4 nothing. That's why nobody gives 75% of his
5 company. We knew that he's in big deep --
6 whatever.

7 (Laughter)

8 MR. NADER GHERMEZIAN: So don't bring up
9 that thing, that mess-up with me, okay? I have
10 nothing do with it, okay?

11 SUPERVISOR JENS-SMITH: Okay. But we're
12 still going to listen to questions from the
13 community.

14 MR. NADER GHERMEZIAN: So if you have grudge
15 against him, don't bring on us, we have nothing to
16 do with it. We're going to fix it up.

17 SUPERVISOR JENS-SMITH: But you're still in
18 partnership with him, and I think that's a
19 question -- the people in the community have
20 questions about it, so they would like to --

21 MR. NADER GHERMEZIAN: Yeah, sure they can
22 talk, but don't --

23 SUPERVISOR JENS-SMITH: -- you know, be
24 satisfied with the questions and the answers to
25 the questions.

1 MR. NADER GHERMEZIAN: Don't reflect on us,
2 because we want it anyway.

3 MEMBER WOOTEN: Thank you.

4 SUPERVISOR JENS-SMITH: So we have Rose
5 Sanders up next.

6 MEMBER WOOTEN: Rose you're next.

7 SUPERVISOR JENS-SMITH: And then Larry
8 Simms.

9 MEMBER WOOTEN: As long as it's not
10 something against her.

11 SUPERVISOR JENS-SMITH: And then we have
12 Adrienne Esposito. So we'll let everybody go, and
13 then we can have questions answered.

14 MEMBER WOOTEN: If you're repeating
15 yourself, we're going to cut you off, that's all.

16 MS. SANDERS: Good evening, Madam
17 Supervisor, Members of the Town Board. My name is
18 Rose Sanders. I am both a community member, and a
19 member of an organization that's community-based,
20 the Community Against Housing at EPCAL. But my
21 comments tonight are not directly associated with
22 our mission.

23 Most of my questions are based on financial
24 deficiencies. And according to Qualified and
25 Eligible guidelines, there are certain financial

1 thresholds that must be met. Therefore, I submit
2 the following questions:

3 Has CAT submitted the -- excuse me -- pro
4 forma financial statements for the project,
5 including sources and use of funds? If they
6 have -- if they have not, why not?

7 Has CAT submitted certified personal and
8 cooperate financial statements? If they have not,
9 why not?

10 Has CAT submitted documents showing property
11 security for the project? If they have not, why
12 not?

13 Has CAT submitted documents showing past
14 compliance with municipal laws and regulations?

15 According to the CAT website, Luminati has
16 already invested \$30 million into the EPCAL site.
17 I'd like to know if that is correct. What has the
18 money been spent on, specifically? Was the Town
19 Board provided with the details of how that money
20 was spent? And was there -- I'm sorry. And why
21 was the public not provided with the details of
22 how that money was spent?

23 Is Luminati profitable? And there are
24 several -- there's a list of questions that follow
25 that.

1 Does Luminati turn an annual profit? How
2 much money does Luminati make annually? What is
3 the primary source of Luminati's income? How much
4 of that profit does Mr. Preston keep? Do we have
5 any documentation to show Luminati's finances?

6 How many employees does Luminati currently
7 have, which I believe may have recently been
8 answered.

9 Did a time come when Luminati sought outside
10 financial support? Why was that outside support
11 needed? If so, who provided that support, and was
12 it disclosed?

13 Thank you.

14 SUPERVISOR JENS-SMITH: Okay. Thank you.
15 If anybody wants to speak and would like to hand a
16 copy up, you're more than welcome to.

17 Next, we have Larry Simms, and then Adrienne
18 Esposito. And let me just -- and after that, it
19 will be followed by Rex Farr, Phil Barbato and
20 Louisa Duffy.

21 MR. SIMMS: Larry Simms, South Jamesport.
22 I'm a little stunned. Half the Town is here and
23 sat, or some of us stood, through a nearly two
24 hour ad, waiting patiently to hear from the
25 principals in this venture. And Mr. Preston is

1 going to be a no-show, and we're listening to his
2 attorney cover for him, take potshots at the press
3 without ever explaining a single fact that the
4 author got wrong in today's story.

5 And I was incredibly offended when the
6 attorney asked Town Board members to justify their
7 questions. You don't have to justify questions
8 you ask these people.

9 Laura observed last month, quote, "EPCAL
10 isn't supposed to be about scoring a bag of cash
11 that will pay down some but not all of our
12 landfill debt, it's about creating a future for
13 our Town." I agree completely. We need high
14 quality jobs, not cash. And if we're betting on
15 our future, it's essential that we know and
16 understand the people and the companies that we're
17 dealing with.

18 John Dunleavy once famously said about a
19 developer, "He told me he's not going to mine sand
20 and I take him for his word." That John was
21 speaking about a convicted murderer is
22 interesting, but not the point. Clearly, the
23 point is that Town Board Members, as fiduciaries
24 for the Town, can never take developers or others
25 at their word. You, along with your advisors,

1 have an absolute responsibility to investigate and
2 to ensure people who -- are who they -- who and
3 what they claim to be, and can do what they say
4 they'll do.

5 You're probably going to hear a lot of talk
6 about Daniel Preston, so I won't say much. I'm
7 much more interested in the majority partner, but
8 I will point out two details that have not
9 previously surfaced.

10 Last month, the attorneys for our Town asked
11 for and received a CV and a bank statement for
12 Preston. I'm sure others will discuss the CV, his
13 resume. But the bank statement is what interests
14 me and it shows \$8.5 million in the names of
15 Daniel and John Preston.

16 The cover letter for that statement consists
17 of just three sentence. I think it came from Mr.
18 Hasday. The first sentence says, "Attached are
19 the CV and bank statement." The second sentence
20 reads, "I have been informed" -- this is the
21 attorney talking. "I have been informed that
22 Daniel's father, John, is on the bank account only
23 for convenience." That's a quote. I find this
24 remarkable for two reasons. One, this is a joint
25 account. All the money can be removed by, or

1 might actually belong to, John Preston, about whom
2 we know nothing. Second, legally speaking, the
3 lawyer's statement that he has been told it's a
4 matter of convenience, it can't be relied on and
5 is completely devoid of meaning.

6 In a deal, you ask for bank statements
7 because you want to know the real fiscal situation
8 of the people and the firms that you're dealing
9 with. This statement tells the Town nothing. But
10 it gets worse.

11 The third and final sentence from CAT's
12 lawyer explains that since the statement, Daniel,
13 quote, "invested 5 1/2 million of the account
14 balance in a note maturing on May 15th," closed
15 quote. What he's really saying is this: "You
16 want to know what my client has in liquid assets,
17 that's what you ask me. I'm showing you a recent
18 bank statement, but most of that money has now
19 been removed from that account and placed in the
20 financial instrument, the details of which I'm not
21 going show you or even tell you about." I find
22 that unbelievable.

23 Last week I received a phone call from a
24 gentleman that I'll meet later tonight, Stuart
25 Bienenstock, and he said he was Director of

1 Business Development for Real Estate in the
2 Northeastern States, or something close to that.
3 He had read some things I've published about this
4 deal and he asked if I'd be interested in
5 discussing it. I was and we talked for over an
6 hour.

7 The first thing I asked Stuart was whether
8 he'd be involved in operations, or was just here
9 to help get the deal done and then move on to the
10 next deal. He stressed that he was here for the
11 long haul, involved in operations, and focused on
12 the community. I have no reason to doubt that.
13 He was pleasant and seemed sincere, but I never
14 got a handle on what relevant experience and
15 skills he brings to the table, and it wasn't for
16 lack of trying.

17 When Stuart forwarded documents after our
18 call, I noticed a couple of curious things. The
19 signature block read stuart@triplefive.com, but
20 the email actually came from a different address.
21 It included Triple Five in his name,
22 stuart.bienenstock.triplefive, and it came from
23 the domain wem.ca, which is the home of West
24 Edmonton Mall, one of their big retail operations.
25 I saw nothing wrong with that, and I still don't,

1 but it made me very curious about what type of
2 professional Triple Five had sent to spearhead
3 this big revolutionary project in Riverhead. It
4 didn't help and was a little odd that his email
5 signature block included no title.

6 I confirmed with Town Hall that Stuart was
7 part of the contingent that visited for the
8 snowstorm meetings, but I couldn't find him
9 referenced on any Triple Five sites, and yet he
10 had told me repeatedly that he had worked for the
11 family for a very long time.

12 Digging a little deeper, I learned some
13 things from publicly available sources. The info
14 appears to be legitimate, but Stuart is welcome to
15 rebut any inaccuracies. And I want to be clear,
16 I'm not here to assassinate his character or
17 anyone's character, but the Town has to know who
18 it's dealing with, and when there are
19 inconsistencies, they demand further research.

20 It appears that Stuart has not worked for
21 the family for a very long time, but actually
22 worked for Triple Five from 2002 to 2008. Prior
23 to that, he did real estate lending as a VP at
24 Bank of New York. More importantly, after 2008,
25 after Triple Five, he founded SJB Capital,

1 describing himself as a real estate consultant and
2 investor.

3 In 2013, on his Twitter account, he called
4 himself an office and multi-family real estate
5 owner and manager in the Tri-State area.

6 In late 2015, he appears to have filed for
7 bankruptcy in the Eastern District of New York,
8 and lost real property to One West Bank. I don't
9 know whether that was a residence or commercial
10 property.

11 In December 2016, which I consider very
12 recent history, he was on LinkedIn as a VP at a
13 mortgage banker called Approved Funding
14 Corporation in River Edge, New Jersey. This is
15 not consistent with the statement that he's worked
16 for the family a very long time, and I'm
17 disappointed that he didn't share any of this
18 history.

19 Now, just a year later, Stuart Bienenstock
20 is the face of Triple Five in Riverhead. I'll say
21 it again, he seems like a really nice and sincere
22 guy, and if I needed a mortgage, I'd call Stuart.
23 But if I'm betting the future of our Town on
24 leaders or team members who must have deep
25 relevant experience and a highly specific skill

1 set, I find Triple Five lacking.

2 The vision Triple Five paints is not a
3 conventional industrial park, but a true research
4 park, including, according to Stuart,
5 collaboration with major universities.

6 I think what we've seen so far is highly
7 nonspecific, and it brings that -- their judgment
8 into question. Specifically, when I asked Stuart
9 why CAT pulled the vision page off of their new
10 website, he responded vigorously, quote, "That
11 should never have been published. It's Daniel's
12 design. It's nonsense. It's a bunch of absurd
13 language. It mentions dormitories. This is not
14 part of our vision," closed quote. I accept that
15 that may be true, but I'm disturbed that we don't
16 know what the vision is. I couldn't help but
17 think how insistent Stuart had been just minutes
18 before in asserting, as we heard a few minutes
19 ago, that Triple Five has total control over CAT,
20 and that what Daniel Preston wants doesn't matter.
21 The lack of control of something as simple as the
22 website, which is going to communicate to the
23 public what CAT is, is a clear example of how
24 total control never really is.
25 It's also a reminder that doing business with

1 partners, who so readily disparage each other
2 before the deal is even signed, is a bad idea.

3 Just one more point. When I asked Stuart
4 for specifics on the experienced managers he said
5 will be brought in to actually implement their
6 plan that we don't know about, no details could be
7 shared. I had to wait for tonight's dog and pony
8 show and have done no research. But I can say
9 this. Almost three years ago I sat in this room
10 as people gawked at the Luminati dream team. I
11 think if we had replayed that hearing tonight and
12 substituted Triple Five for Luminati, a lot of
13 people wouldn't have noticed.

14 We did learn about retail malls a little
15 bit, and we heard about the regulation in the
16 Canadian finance system, but, otherwise, it was
17 pretty much the same presentation. Some very
18 impressive people, smart, creative, accomplished,
19 came and talked about what they've done somewhere
20 else. We have no idea what they will do here, or
21 what their commitment is to this team. What we're
22 essentially hearing is that the Ghermezians are
23 great people, and they have a ton of money, and
24 they could go anywhere and we're lucky that they
25 want to come here. I don't think that's enough.

1 We did that, we made that call three years ago,
2 and we don't have anything to show for it.

3 At the very end of this two-hour
4 presentation, I heard a verbal list of three or
5 four companies that have apparently expressed
6 interest in being tenants or owners at Calverton
7 Aviation and Technology. Why don't we have that
8 list? Why don't we know details about who these
9 people are, about how many square feet they want,
10 about what kind of operations they'll bring, what
11 jobs they'll create, when this will all happen?
12 We don't know anything about this, other than
13 those few words at the end of a very long
14 presentation. It's not enough.

15 SUPERVISOR JENS-SMITH: Larry, I'm going to
16 have to -- I'm sorry.

17 MR. SIMMS: I'm finished. Thank you for
18 your patience.

19 SUPERVISOR JENS-SMITH: Okay. Thank you.

20 (Applause)

21 (Composite Material Fell to Ground)

22 MR. SIMMS: Sorry.

23 AUDIENCE MEMBER: Don't worry about it, it's
24 made of composite, and it's very tough material.

25 MR. SIMMS: Thank you.

1 SUPERVISOR JENS-SMITH: And I'm really going
2 to try to keep people to the five minutes, so that
3 we can --

4 MS. ESPOSITO: I only need three.

5 SUPERVISOR JENS-SMITH: Okay.

6 MS. ESPOSITO: Good evening, Madam
7 Supervisor, and also members of the Board. My
8 name is Adrienne Esposito. I'm the Executive
9 Director of Citizens Campaign for the Environment.
10 Some of you may know, we have over 30 years
11 experience protecting drinking water, surface
12 waters, coastal waters, and the air and land
13 resources of New York State and Long Island. We
14 have thousands of members in the Town of
15 Riverhead.

16 I come today with really just two points to
17 make, so I don't need the full five minutes,
18 you'll be happy to know. But this is a hearing on
19 Qualified and Eligible. So the first, you know,
20 statement I'd like to make is that I've heard a
21 lot tonight about bringing back the legacy of the
22 aviation industry, and restoring Long Island to
23 the glory of the aviation days, and there's one
24 part of the legacy we don't want to bring back and
25 that's the dark legacy of the aviation industry,

1 and that's the toxic waste legacy that it has left
2 across Long Island.

3 And many of you may know, but literally
4 there are many plumes that still exist, plumes,
5 areas of toxic waste in the groundwater that still
6 exist and are still being remediated throughout
7 Long Island. The most noted one is the Grumman
8 Northrop plume in Nassau County, where the State
9 actually just chipped in a \$150 million to
10 accelerate and expedite the remediation there.
11 And so the reason I'm raising that is we heard
12 from 15 to 20 intelligent men, but not one, not
13 one, Members of the Board, talked about their
14 ability, or their experience, or their
15 qualifications in either environmental protection
16 or remediation, if or when it occurs, at an
17 aviation facility. So it begs the question is why
18 is that not highlighted as a priority, and should
19 it be? It also begs the question as -- and look,
20 I know the laws have changed since the historical
21 days of the aviation community, so, you know,
22 please don't feel the need to update me on the --
23 on the laws and the codes. But I also happen to
24 know that mishaps still happen, and accidents
25 happen, and sloppiness happens, and all of that

1 threatens us even more because of the sole source
2 aquifer that we live on.

3 So as due diligence, and as, you know, doing
4 the Qualified and Eligibility, you know,
5 investigation, we would like to have been privy to
6 some of their environmental qualifications, as
7 well as how much money they have and skill in
8 building malls.

9 And then the second thing I'd like to just
10 identify is, you know, on Long Island sometimes,
11 and maybe I'm a jaded Long Islander, and if you
12 want to say that, then I'll just say guilty, you
13 know, there's a lot of bait and switch that
14 occurs. So one of the questions tonight is does
15 this company have aviation experience to build,
16 but also succeed in an aviation development? And
17 if they don't, and I'm not making this accusation,
18 I'm asking what safeguards do you have that this
19 isn't a bait and switch?

20 I mean, you know, we heard from the
21 Governor's daughter of Minnesota, who called the
22 Mall of America as a, quote, unparalleled wonder,
23 unquote. In New York, it's a mall.

24 (Laughter)

25 MS. ESPOSITO: And in Riverhead, you've

1 worked really hard, and it's getting traction now,
2 to restore and revitalize the Main Street area and
3 the downtown area. It's looking good, much better
4 than it was five years ago. We have Tanger Out --
5 I mean, we have to be careful not to put our
6 existing businesses out of business, because this
7 may not be the plan that you think it is.

8 So I guess the question is what are the
9 assurances that in five years or six years this
10 doesn't become an aviation center? But, lo and
11 behold, there's a lot of experience doing malls.

12 So thank you very much for the ability to
13 comment.

14 SUPERVISOR JENS-SMITH: Thank you very much.

15 (Applause)

16 SUPERVISOR JENS-SMITH: I will give you an
17 opportunity to get up and talk. Otherwise, we
18 will keep asking questions -- letting the
19 community to get up. Anybody want to address
20 anything? I think the questions were about
21 financial.

22 MR. POVEROMO: Just one comment. Just one
23 comment with regards -- it's a very valid
24 question, because, clearly, I was through --
25 working for the company almost 45 years. There's

1 a real problem with water supply and kind of
2 contamination. I want to make it very clear
3 metals are no darn good. It's metal processing
4 causes that. The fact is what you do in a lot of
5 the cases like the F-14, you use metals like
6 titanium and aluminum and use chem milling.

7 SUPERVISOR JENS-SMITH: I just want to
8 interrupt you for one minute. Just restate your
9 name, because we're just keeping a record.

10 MR. POVEROMO: Okay. That's a -- that's the
11 long name. Poveromo, P-0-V -- all right.

12 (Laughter)

13 MR. POVEROMO: So what I'm -- I want you to
14 understand is when you're working with advanced
15 composites, it is green material. You're not
16 working with materials that you dump into the --
17 and you don't do chem milling, you don't use metal
18 removal techniques. All of those baths, all of
19 those leaching ponds were done with metal removal
20 techniques, which this facility will have none of.
21 And, in fact, you should make that clear in any
22 kind of contract that you write it.

23 And the bottom line is advanced composites
24 has none of that situation. It is a green
25 material, the processing is green, and the land --

1 any landfill with it it's carbon, it's your body,
2 in fact, it's inert. The bottom line is that you
3 don't have the situation that you had in Bethpage,
4 very definitely.

5 SUPERVISOR JENS-SMITH: I think part of --
6 part of the intended development plan is metal
7 companies, though.

8 MR. POVEROMO: Well, then you got to -- you
9 got to make sure that there's real tight controls
10 with regard to that, particularly metal
11 treatments, not necessarily just metal. Metal
12 assembly is not an issue. But, in fact, metal
13 removal techniques and metal pretreatments are big
14 challenges, and, in fact, it's a big deal, it's a
15 headache and it has to be controlled. And it's a
16 lack -- the tight -- there's tight controls now.
17 In the '70s there were none, and that was a
18 problem.

19 SUPERVISOR JENS-SMITH: Okay. Thank you.

20 MR. CHARETTE: Yes, Dave Charette with
21 Langan Engineering. I did want to address one of
22 the questions about, you know, the environmental
23 aspects of the project.

24 We have an environmental engineering group
25 within Langan that addresses potential

1 contamination, both legacy on the site, as well as
2 moving forward, looking at spill containment,
3 discharge prevention programs, things of that
4 extent.

5 I know the lady mentioned the codes and
6 regulations. I'm not going to go through all
7 those. But one of our jobs as a consultant to the
8 developer is to guide them through the permitting
9 process, land use development process, and
10 compliance with various environmental requirements
11 dealing with industrial processes. All the
12 wastewater would be discharged to the sewer
13 district, and we would work with them to make sure
14 we need to do any type of pretreatment before we
15 send our wastewater to them. There'll be no
16 onsite discharges of wastewater from the project.
17 Thank you.

18 SUPERVISOR JENS-SMITH: Did you -- did
19 anybody want to get up and answer any of their
20 financial questions?

21 MR. WALRATH: We're taking notes all the way
22 through.

23 SUPERVISOR JENS-SMITH: That's fine. So
24 we're going to let people keep talking and --

25 MR. WALRATH: I just assume let everyone --

1 SUPERVISOR JENS-SMITH: Okay.

2 MR. WALRATH: -- work their way through so
3 we have a full picture.

4 MEMBER KENT: A full picture.

5 SUPERVISOR JENS-SMITH: That works for us.

6 MR. WALRATH: And then we'll answer.

7 MEMBER WOOTEN: All right. Who's up next?

8 SUPERVISOR JENS-SMITH: We have -- let's
9 see. We have --

10 MEMBER WOOTEN: Rex Farr, probably.

11 SUPERVISOR JENS-SMITH: Rex Farr, Phil
12 Barbato, and Louisa Duffy. And, once again,
13 please state your name when you get up there.

14 MR. FARR: Rex Farr, Calverton Civic, and
15 Coordinator for the Coalition Against EPCAL
16 Housing.

17 We had earlier this evening gotten together
18 and specifically outlined some of the questions
19 and put them into certain categories. What I'm
20 going to do is submit the master list, okay, that
21 we hope you or the prospective buyers would
22 answer, and that way -- now we've already asked
23 some of the questions, but people like Phil will
24 be asking some more, so I'll cut that short.

25 SUPERVISOR JENS-SMITH: And we can make a

1 copy for that for -- so that you -- that you have
2 it. So, Patrick, would you just take that to make
3 a copy?

4 MR. FARR: I will add that it certainly
5 would be an honor to be part of the aerospace
6 industry in -- out here in Riverhead. God knows,
7 we certainly need the jobs, and so on. But this
8 is the biggest deal in Riverhead's history, and I
9 think that you as a Board and we as residents of
10 Riverhead owe us the courtesy of exploring every
11 question that we have answered. Thank you.

12 SUPERVISOR JENS-SMITH: Thank you very much.

13 MEMBER KENT: Thanks, Rex.

14 (Applause)

15 MR. BARBATO: Good evening, Madam
16 Supervisor, and Members of the Board. Phil
17 Barbato, Jamesport.

18 All the following questions I'm about to ask
19 are directed at the qualifications of the
20 purchaser. We cannot judge the qualifications if
21 we can't be certain of who the purchaser is, what
22 land is being developed or preserved, and what the
23 project is. I sat here -- stood here all night
24 and I still don't know what this project is, I
25 don't know about the rest of you.

1 We heard a lot of attaboys and they're nice
2 people type comments, but what is the project?
3 Please tell me. So if we don't know what the
4 project is, how can we tell if they're qualified
5 to do it or not?

6 The purchaser of this property has morphed
7 into at least four different legal entities over
8 the past year with different control and financial
9 involvement from Luminati Aerospace. Now we hear
10 that Luminati has nothing to say about any of
11 this, so that's interesting.

12 How can we be assured that the current
13 version of the purchaser will remain and be
14 qualified and eligible to complete the project?
15 What assurances do we have? We've had four morphs
16 of this organization in less than 12 months. How
17 can we be sure that they're going to finish the
18 project that they're proposing, once we learn what
19 it is?

20 The map referenced in Exhibit A of the
21 contract was missing from the material published
22 in the hearing announcement. Earlier versions of
23 this map were not clear enough to fully understand
24 exactly what land is being sold, what portion of
25 that land can be developed, and what portion of

1 that land cannot be developed. Will a map clearly
2 showing this and the acreage in each category be
3 produced and available to the public before any
4 decision is made on the qualifications and
5 eligibility?

6 SUPERVISOR JENS-SMITH: I think -- I think
7 we have posted one outside, just so you -- just so
8 you know, if you want to take a look at it, but we
9 could get you another copy of it, but we have
10 posted one outside.

11 MR. BARBATO: Yeah. What I'm saying is --

12 SUPERVISOR JENS-SMITH: I know.

13 MR. BARBATO: -- it wasn't been easy to find
14 and --

15 SUPERVISOR JENS-SMITH: It was two maps that
16 had to be put together for the website, so that
17 was difficult.

18 MR. BARBATO: We were really hoping that
19 we'd see a real live presentation of that tonight.

20 Third question: Exhibit B, the intended
21 development plan is far too general and vague to
22 permit any reasonable evaluation of the
23 purchaser's qualifications. Exhibit B has also
24 been missing from the material published in the
25 hearing announcement, so citizens may not have had

1 the opportunity to review it.

2 Furthermore, it allows for all uses
3 permitted under Town Code Section 301-304,
4 otherwise known as the Planned Development Zone,
5 including housing and recreation and commercial,
6 and a lot of other things.

7 What is the true detailed project that is
8 proposed by the purchaser, and does it include
9 housing or not?

10 In addition to the language in Exhibit B,
11 Paragraph 7, referring to development as permitted
12 under Planned Development Zone, there are several
13 other similar statements such as Third Whereas,
14 Paragraph 1-B, Paragraph 6-A(2), and Paragraphs
15 13-B(2) and (5). Although Paragraph 6-A(10)
16 states that there will be a deed covenant and
17 restriction, quote, "providing there will be no
18 residential users at the property," end quote, it
19 states that this will be in a, quote, "separate
20 document to be executed at closing." When are --
21 when is the public going to see what the actual
22 wording is that's going to prevent housing and
23 residential uses at this site? Until we see the
24 actual wording, I don't think we can be certain
25 that it's really going to happen.

1 What are the exact locations of the, quote,
2 "undevelopable lands", and how will these lands be
3 managed? And what are the purchaser's
4 qualifications and experience with that type of
5 land management? They may know it from a point of
6 view of studying it in college, but what is their
7 actual on-the-ground foot -- boots-in-the-wetland
8 experience in managing these kinds of lands?

9 With respect to the CAT proposal, we ask
10 that they clarify Exhibit B, the development plan
11 in the agreement concerning the acreage, as I
12 mentioned, for each of those categories,
13 developable and nondevelopable.

14 Will the -- will the applicant support
15 zoning changes to prevent future use of EPCAL land
16 for any and all part-time or full-time
17 residential, retail and entertainment use?

18 There was a description on the website of
19 CAT that talked about dormitory. That's
20 residential, in my opinion. I hope it's the same
21 as yours.

22 What is Mr. Preston's and the Ghermezians'
23 experience of maintaining natural habitat, as I
24 mentioned?

25 And, finally -- no, I got one -- two more.

1 What is your intended use of the undeveloped
2 acres? In other words, how would -- would they
3 agree to restore them and turn them over to a
4 public agency, the State, or an agency that
5 actually knows how to manage these lands and make
6 it into a park?

7 We've heard a lot of people say that they
8 have -- they know about CAT, they know about
9 Triple Five, and they have worked with them in the
10 past. We should ask them for any legal financial
11 agreements, any commitments in writing legally
12 enforceable between the folks that are testifying
13 tonight and Triple Five or CAT. It's nice to say,
14 "Oh, yeah, we want to do business with them," but
15 what is on paper and how is it notarized?

16 SUPERVISOR JENS-SMITH: Okay. Thank you.

17 MR. BARBATO: We want to see real
18 agreements.

19 And, finally, we should ask them if they
20 intend to use union labor in any construction on
21 this site. I don't think that's been their
22 experience.

23 SUPERVISOR JENS-SMITH: Okay.

24 MR. BARBATO: Thank you.

25 SUPERVISOR JENS-SMITH: Thank you.

1 (Applause)

2 SUPERVISOR JENS-SMITH: And then we have
3 Louisa Duffy. Is she here? And we're going to be
4 followed by George Hochbrueckner, Linda Prizer,
5 and then Peter Tischner. Just state your name.

6 MS. DUFFY: My name, my name is Louisa
7 Duffy. I'm not going to use five minutes.

8 Thank you to the Honorable Board, and also
9 to the people of this Town. Y'all are spirited --

10 (Laughter)

11 MS. DUFFY: -- and mindful in the way you
12 look after what's going on in your community.

13 I come from a hamlet. I come from a
14 community of --

15 SUPERVISOR JENS-SMITH: We just ask you to
16 address the Board with your statement.

17 MS. DUFFY: -- six thousand souls. I don't
18 want to do that show of hands thing. Has anybody
19 ever heard of Rosendale?

20 SUPERVISOR JENS-SMITH: I'm just going to
21 tell you, you just need to address the Board when
22 you're speaking, yeah.

23 MS. DUFFY: I'm sorry.

24 SUPERVISOR JENS-SMITH: That's okay.

25 MS. DUFFY: It's -- it's unnerving to speak

1 to a body of this intensity and this grandeur.

2 I came, because, in the interest of
3 transparency, I have no skin in the game at all.
4 I'm not a resident of this town. I'm a community
5 leader in my own town, and many members of our
6 Town Board are like-minded of all of you. They
7 have several generations in the town, and all act
8 for the good of the common wheel.

9 I know Dan Preston to eat with. He brought
10 jobs to my town. And that's all I'm here to say.
11 He came to my community, bought a home, began a
12 business there that brought jobs to our men, that
13 exists there to this day, not jobs of the grandeur
14 of the jobs he intends to bring here, but a living
15 wage and jobs that are sustained for working
16 families in my town.

17 I haven't read the paper, but I also feel
18 confident that if Dan understood how spirited this
19 dialogue has been, he would have been here to
20 stand up strong with his partners and to answer
21 all of you.

22 I would like to say that in any town, at
23 least in my town -- and, again, we're only a
24 hamlet. It's about 3,000 taxpayers. It's not
25 even 6,000 adults, it's 6,000 souls. When you

1 want change in your town, or when it's offered to
2 you, you have a duty to examine it as intensively
3 as you can, and then to decide, but change is a
4 contact sport, people that -- people that bring
5 ideas and proposals to your town that morph. The
6 Ghermezians are a dignified family, and qualified
7 in every possible way, and change is a contact
8 sport. And I hope, like Mr. Ghermezian said, that
9 when it's all said and done and you've examined
10 every scintilla of the things that your
11 constituents have asked for, that you'll make a
12 decision and you'll -- and you'll let them do this
13 for you.

14 SUPERVISOR JENS-SMITH: Thank you very much.
15 Mr. Hochbrueckner. Is he still here?

16 MEMBER WOOTEN: He's back there, there he
17 is, George.

18 SUPERVISOR JENS-SMITH: And then Linda
19 Prizer is to follow that, and then Peter Tischner.

20 MR. HOCHBRUECKNER: My name is George
21 Hochbrueckner. If no one has said it yet, allow
22 me to congratulate you, Madam Supervisor, and the
23 newly elected and reelected Members of the Board.
24 Congratulations. Welcome to the fray.

25 SUPERVISOR JENS-SMITH: Thank you.

1 MR. HOCHBRUECKNER: As you're finding out,
2 this is not an easy job. And, certainly, local
3 government is the closest to the people, as you
4 can tell.

5 I am the former New York State Assemblyman
6 and Congressman. I have lived in Laurel for the
7 past 20 years. And as the Congressman for this
8 district for eight years during the early 1980s, I
9 wrote and shepherded into Federal law the gift of
10 the 2900 acres of the EPCAL to Riverhead Township.

11 I had worked as an Electronics Engineer on
12 the Grumman F-14 Tomcat for six years, and
13 understood the value of the now named EPCAL
14 facility.

15 When Grumman abandoned the EPCAL, the Navy
16 wanted to just sell it. However, Grumman had been
17 paying voluntary payments in place of taxes, and
18 their absence made a big hole in the Riverhead
19 budget, which could really only best be filled by
20 gifting the property to Riverhead and maximizing
21 economic development. My commitment to maximize
22 the economic development convinced the Clinton
23 Administration and the Congress, especially
24 Senator John Glenn, who headed the Senate
25 committee that handled property sales, I convinced

1 them to gift this property to Riverhead.

2 Allow me to share some additional local
3 history. In the late 1990s, when the EPCAL was
4 gifted to Riverhead, Jan Berman purchased 500
5 acres, including most of the buildings. For more
6 than a decade no further land sales occurred.
7 Habitat developed, critters came, and the New York
8 State Department of Environmental Conservation
9 stepped in and claimed that while Riverhead owned
10 the EPCAL property, the DEC controlled its use.

11 In 2013, Riverhead hired me as a consultant
12 to help break that deadlock between the Town and
13 the DEC. We were successful, as you know, and
14 that's why there are 600 acres at the EPCAL that
15 are being released by the DEC for economic
16 development and are currently a part of this sale.

17 Also, as a former State Assemblyman, I also
18 helped pass special State legislation with Senator
19 Ken LaValle to expedite the sale of EPCAL lots.

20 My view continues to be that the highest and
21 best use of the EPCAL is as an aviation/aerospace
22 facility. As the elected leadership of the Town
23 of Riverhead, you now have an opportunity to sell
24 the remaining acreage of the EPCAL to a group that
25 can restore aviation/aerospace to the EPCAL site.

1 circle from 60 to 80,000 feet up, very slowly, as
2 you've seen, for those of you who have come and
3 seen his aircraft that Hexcel was involved in.
4 And so they will fly in a circle for months at a
5 time, giving a footprint on the ground, where
6 anybody in that footprint will have internet and
7 communication service. The military is going to
8 like it, and the billions of people around this
9 world who do not have internet capability, and
10 will not have it without this kind of an approach,
11 that's his dream.

12 Is he a good businessman? Probably not.
13 Has he had bad fortune? Sure. Facebook walked
14 away, John Catsimatidis walked away. But,
15 finally, he brings you a quality company with a
16 great history, which is bringing in all kinds of
17 talent that's going to do what you want to do, and
18 we're here listening to nitpicking. Forget the
19 past. It's taken you nowhere for 20 years. For
20 Pete's sake, give these people a chance. They've
21 got the resources, Daniel's got the smarts.

22 We've got other people who want to buy in
23 here and make aviation/aerospace a reality back at
24 the Grumman facility. I worked there for six
25 years on the F-14 as an Electronic Engineer. I

1 know what that facility can mean in terms of
2 potentially thousands of jobs. It's time to make
3 a decision. It's time to say forget the past.
4 Yes, a lot of stupid, dumb ideas came down that
5 got rejected. Some good ones came down and also
6 got rejected. But we are where we are today, and,
7 in my view, you will not have a better chance to
8 bring aviation/aerospace back to Grumman, back to
9 the EPCAL facility.

10 What, are you going to put a solar farm in?
11 Great. So you get a bunch of solar we're not even
12 sure LIPA will be able to hook up and accept, and
13 that's not permanent jobs. That's a median
14 installation job, and then somebody is going to go
15 around and clean the dirt off the panels. That's
16 not the future that you should want for to the
17 EPCAL.

18 Pardon me a minute. I get excited.

19 (Laughter)

20 SUPERVISOR JENS-SMITH: I hadn't noticed.

21 MR. HOCHBRUECKNER: Anyway, that's what you
22 have to think about.

23 SUPERVISOR JENS-SMITH: And we just --

24 MR. HOCHBRUECKNER: Where do we go from
25 here? And in my view, the best thing that you can

1 do is give these folks a chance. Let them prove
2 they have financial resources. They control the
3 company. Let Daniel do his technical thing and
4 develop his plane, and let's sell it around the
5 world. Let's manufacture back at that facility.
6 This is your best game in town, and I appeal to
7 you to consider this seriously.

8 Put aside the stupid picayune crap from
9 years ago, and even recently, and look at today's
10 opportunity to bring aviation/aerospace back to
11 that facility. Thank you.

12 SUPERVISOR JENS-SMITH: Okay. Thank you
13 very much.

14 (Applause)

15 MEMBER HUBBARD: I'd just like to remind the
16 speakers that you're here to talk about the Q & E
17 and have questions for either the buyers, okay?
18 It's not about statements whether you're in
19 support or not in support of it, it's strictly a
20 Q & E hearing, and it's strictly to be held in
21 that matter. Thank you.

22 (Applause)

23 MS. Prizer: Absolutely. And good evening,
24 Madam Supervisor, Councilwomen, Councilmen.

25 Unfortunately, I just want to make one

1 little statement. We talk about forgetting the
2 past. We, as attorneys, have something called
3 case law, and that's something that I'd like to
4 get into, because it impacts on the present.

5 Councilpeople, I would ask that you ask
6 Mr. Preston the following questions:

7 Was he the defendant in a case entitled 16
8 Equities Associates against Daniel Preston,
9 brought in the Supreme Court, New York County, in
10 1989? If so, I'd like to know what were the
11 allegations against him and what was the outcome
12 of that case.

13 Would you please ask him, was he the
14 defendant in a case entitled Jerry Brown against
15 Daniel Preston, brought in New York County Civil
16 Court in 1994? And that would be under Index
17 Number CV-021094-92. I would like to know the
18 allegations against him, if he was, and what the
19 outcome was of that case.

20 The first case that I mentioned, the Index
21 Number was 0020747/1989.

22 I would like you to please ask him if he was
23 the defendant in a case in New York County Civil
24 Court in 1992 entitled Smollens & Guralnick
25 against Daniel Preston, under Index Number

1 CV-007308-92. I'd like to know what were the
2 allegations against him and what was the outcome
3 of that case.

4 Would you please ask him, was he the
5 defendant in a case brought in New York Supreme
6 Court, New York County, entitled Preston Glass
7 Industries against Daniel Preston, under Index
8 Number 0109564/1997? That case went to trial. I
9 would like to know what were the allegations
10 against him and what was the outcome of that case.

11 Was he the defendant in the case entitled
12 Suffolk Materials Corporation against Daniel E.
13 Preston, brought in the Supreme Court, Kings
14 County, in 2005, under Index Number 0039271 of
15 2005? The case also went to trial. I would like
16 to know the allegations and what the outcome was.

17 Was he the defendant in the case entitled
18 Michael Cirino against Daniel Preston, brought in
19 the Supreme Court, Kings County, in 2011, under
20 Index Number 0010836/2011? There's a notation
21 that there was a pre-note of issue settlement. I
22 would like to know the allegations and what that
23 settlement was.

24 Was he the defendant in a case in -- brought
25 in the New York Civil Court, New York County,

1 entitled New York University Hospital against
2 Daniel Preston, under Index Number CV-036847-03?

3 There was also an additional case entitled
4 Altair against Daniel Preston, Altair, which will
5 be discussed by another one of my colleagues.

6 I would also like to know if either
7 Mr. Preston or any of the corporations or
8 partnerships of which he was at least a 25%
9 partner or shareholder ever filed for bankruptcy
10 protection.

11 I would also like to know if there were ever
12 any landlord/tenant cases brought against him.

13 And I also would like to know any and all
14 other legal actions which were brought against him
15 in any court in any state.

16 Thank you.

17 SUPERVISOR JENS-SMITH: Thank you very much.

18 (Applause)

19 SUPERVISOR JENS-SMITH: And we have Peter
20 Tischner.

21 MR. TISCHNER: Well, thank you, Board, for
22 taking the time to hear us all. And thank you for
23 everybody who showed up here tonight to bring up
24 concerns. My concerns are really regarding the
25 water. And I know I will touch slightly on what

1 Ms. Esposito had said and what Mr. Amper may say
2 as well.

3 I would like know what the practices are,
4 the intended practices, industrial practices that
5 are going to be taking place on this property.
6 What kind of environmental impact will they have?

7 They suggest they're going to be hooking up
8 to the Riverhead Sewage Department. Is the
9 Riverhead Sewage Department capable of handling
10 that added usage? As well as on the same topic,
11 we're also talking about an extension of water
12 mains. And is the Riverhead Water Authority
13 capable of handling that extension?

14 As recent as last year, I recall a small
15 development, which had been given the authority to
16 go ahead many years ago with the ability to supply
17 water to them, recently came under scrutiny as to
18 whether we actually could supply the water to that
19 small development. And here we are in the face of
20 a very large development that could stand to
21 need -- require a huge amount of water. Are -- is
22 the Town capable of supplying that water? And how
23 is that going to impact the other residents that
24 already, you know, are -- you're obligated to
25 supply water to?

1 These practices are already, you know,
2 subject to what it's going to do to the aquifer
3 and the land that's there. The day that Grumman
4 stopped doing its practices there was the day that
5 that land started helping our aquifer get cleaned
6 up again, so we don't want to go back and start
7 creating more problems there.

8 I really appreciate the Board, you know, for
9 taking its time, and I hope that you do not feel
10 pressured to make a decision based on the fact
11 that, you know, so much time has passed and things
12 haven't been done. It's okay that things haven't
13 been done. There is an answer here and we want
14 the right thing here for our Town.

15 I moved here eight years ago and I've
16 watched a lot of development happen here. One of
17 the things that kept us hopeful was this area and
18 the things that could come from it. And we
19 understand that, you know, it's advised so that,
20 you know, business could be grown from there, and
21 things are going -- change is going to happen, but
22 the right change needs to happen for us. And, you
23 know, we need to make sure. We can't feel
24 pressured to do something just because there is an
25 answer here, so.

1 SUPERVISOR JENS-SMITH: Okay. Thank you.

2 MR. TISCHNER: Thank you.

3 SUPERVISOR JENS-SMITH: And Larry Brown, Jr.,
4 Toqui Terchun, and George Salzman, Jr.

5 MEMBER KENT: Salzman.

6 SUPERVISOR JENS-SMITH: What?

7 MEMBER KENT: Salzman.

8 SUPERVISOR JENS-SMITH: Salzman, sorry.

9 MR. BROWN: Madam Supervisor, Town Board, my
10 name is Larry Brown, Jr. I am a -- I'm here on
11 behalf of the Manorville Fire District. But step
12 back personally, I worked nine years at Grumman's,
13 my father had 39 years at Grumman's, my
14 grandfather worked at Grumman's, so I have a lot
15 of connection to there. I am -- my son is a fifth
16 generation in Manorville, dates back to 1906, so I
17 know this area well.

18 But on the fire service side, our question
19 is, is that while Grumman and Navy was there, they
20 took care of the inside of the property. Any
21 accidents or anything happened on the outside,
22 such as December 1970, when the F-14 crashed, they
23 had no vehicles to get into the woods. Manorville
24 Fire Department at that time had our brush trucks,
25 was able to assist them to get into that area.

1 So now that the Navy is gone, Grumman's
2 gone, 90% of that facility is in the Manorville
3 Fire District now. We would like to know what
4 your plans are. When you operate, are you going
5 to have your own Fire Department in there? If
6 not, are you going to go to the ADA and try to
7 take tax dollars away from us, or are you going to
8 come to the table and work with us to protect your
9 area?

10 Thank you.

11 SUPERVISOR JENS-SMITH: Thank you very much.

12 (Applause)

13 SUPERVISOR JENS-SMITH: And thank you,
14 Mr. Brown, for being the most succinct.

15 So we have Toqui Terchun.

16 MS. TERCHUN: Good evening. I'm going to
17 read my own notes. I'm not sure whose these are.

18 So good evening, Madam Supervisor and our
19 Board. I'm going to display a healthy amount of
20 scepticism, and yet friendly. We do have a due
21 diligence as residents. That's where I hope I fit
22 into tonight's event.

23 My name is Toqui Terchun, I live in
24 Riverhead. I'm a member of CAEH, one of -- a few
25 of our others members have spoken tonight,

1 Citizens Against EPCAL Housing.

2 I also embrace the idea of aviation
3 returning to EPCAL. I have a particular fondness
4 for aviation, but I also see that the use can
5 benefit us as a Town and the eastern end of Long
6 Island.

7 My questions speak to integrity and
8 responsibility of the applicant sponsor. My
9 following questions have been answered partially,
10 and yet here they are for the Triple Five. I'm
11 going to do this in under five minutes.

12 SUPERVISOR JENS-SMITH: All right.

13 MS. TERCHUN: So there's six questions.
14 What is the status of the American Dream Mall in
15 Jersey?

16 Did you purchase that mall in 2011, seven
17 years ago?

18 Did you promise that mall would be completed
19 in 2014? Is it complete? I did learn tonight
20 that there's going to be a spring 2019 ribbon
21 cutting, as a partially answered question.
22 Question, further question to that is why hasn't
23 it been completed yet?

24 Second major question, do you own/operate
25 the West Edmonton Mall? Did you ask for millions

1 of dollars in tax concessions for that mall? Did
2 you know that the Mayor of Edmonton, Lawrence
3 Decore, reportedly criticized your methods, and
4 stated that your group, quote, "provided less
5 documentation," end quote, for these millions in
6 concessions, than a, quote, "group of Boy Scouts
7 asking for a thousand dollar grant," end quote.

8 I'm bringing these -- this piece -- these
9 questions together. Some of them are from the
10 Bloomberg article. You'll probably recognize some
11 of the quotes from there.

12 Number three, do you own and operate the
13 Mall of America in Minnesota? Did you know that a
14 Minnesota State Senator, Michael Freeman,
15 reportedly criticized your methods, and stated
16 your goal -- quote, "Your goals appear to be
17 built the best" -- "to build the best possible
18 project with the most public dollars," end quote,
19 again, from Bloomberg.

20 And question number four, did you obtain
21 \$400 million in incentives from New York State to
22 build a mega-mall in Niagara Falls called
23 Fantasyland? Also from the Bloomberg article.
24 Was that ever built? Did you also seek to obtain
25 incentives from Canada? Do you know that local

1 reporters referred to this effort as, quote,
2 "shadow play"?

3 Number five, did you propose a \$600 million
4 mega-mall in Maryland? Was there ever built? Do
5 you know that Doug Duncan, the head of the County
6 government, reportedly said that the project
7 failed because you, quote, "expected the public to
8 just keep putting more public money into the
9 project"?

10 And, lastly, number six, did you also
11 propose an \$800 million mega-mall in Las Vegas,
12 and was that ever built?

13 And I thank you. I can submit these in
14 writing without my notes on them later tonight.

15 SUPERVISOR JENS-SMITH: Okay. Thank you
16 very much.

17 MS. TERCHUN: Thank you.

18 (Applause)

19 SUPERVISOR JENS-SMITH: Hi.

20 MR. SALZMANN: Hi. Good evening, Town
21 Board, Supervisor --

22 SUPERVISOR JENS-SMITH: Just state your
23 name, yeah.

24 MR. SALZMANN: George Salzman, Calverton.
25 I understand that this is just a Q & A, and I

1 wasn't prepared for questions, so I don't want to
2 take up any time, Mr. Hubbard.

3 I just wanted to say that I reside in
4 Calverton, I live in Timber Park. And I represent
5 Nassau and Suffolk County Carpenters and we are in
6 support of the project. But, in all good taste, I
7 trust in our Town Council. I'm sure that you guys
8 will make the proper decision and after reviewing
9 everything.

10 It will bring a lot of jobs for construction
11 and for our new generation up and coming to try
12 and keep them here. And I don't have any specific
13 questions. I didn't -- I had a whole speech, but
14 I'm not going to get into it. So, with that, I
15 just want to thank you for your time. And we're
16 supporting the labor end of it, and we trust that
17 you guys will make a good decision.

18 SUPERVISOR JENS-SMITH: Thank you very much.

19 MR. SALZMANN: Thank you.

20 (Applause)

21 SUPERVISOR JENS-SMITH: Next, we have John
22 Consoli, and then John McAuliff.

23 MEMBER WOOTEN: Let the last guy be a -- be
24 a lesson to you, how quick it was.

25 SUPERVISOR JENS-SMITH: And that will be

1 followed by Jessica Powell, Angela DeVito, and
2 then Cary Realbuto.

3 Hi. Just state your name, please.

4 MR. CONSOLI: Good evening, everybody. John
5 Consoli. I represent the group Long Island Needs
6 a Drag Strip. I just want to thank everybody for
7 giving us the chance to speak tonight, and also
8 for everybody here and speaking on behalf of their
9 organizations.

10 One thing that I think everybody is
11 concerned with is, is this the right decision for
12 the Town? Obviously, this has been going back and
13 forth for a while now, so I'm sure not just
14 myself, but everybody here. I just want to make
15 sure that the Town is looking out for the best
16 interest of everybody involved.

17 One thing that I do just want to state very
18 quickly is part of the deal from the Navy -- I
19 just want to read a quick thing.

20 In an effort to take advantage of the
21 natural features found at the Calverton property,
22 the 1996 reuse strategy proposed 938 acres, plus
23 or minus, of nature park and recreational areas
24 located throughout the Calverton property. The
25 Pine Barrens core area, McKay Lake, a community

1 park, a public golf course, a buffer area
2 constructed for the National Cemetery to the
3 north, a recreation area located in the industrial
4 business park, and endangered species habitat area
5 comprise the nature park and recreational areas.

6 The 1996 reuse strategy identifies several
7 potential business opportunities that could be
8 taken advantage of, assuming the implementation of
9 the master plan. One of these does include a
10 raceway proposal.

11 A raceway complex was identified as a
12 potential use at the Calverton property due to the
13 property's suitable conditions for such a venue,
14 such as substantial buffers the property offers,
15 as well as the existing runway infrastructure.

16 Obviously, one of the highlights of this
17 area and of this piece of property are the two
18 runways. Maintaining those runways is a very big
19 piece of this. Obviously, the Town doesn't want
20 to lose that. That's what makes this property so
21 valuable.

22 Another thing that we just want to mention
23 is, obviously, with the new people that are on
24 board, it has felt rushed. I think with the
25 meeting in December and the three-to-two vote,

1 obviously, with the new people on board, we want
2 to make sure that everybody is doing their due
3 diligence here and entertaining all options.

4 Motor sports park would certainly be an
5 economic generator. That's what this piece of
6 property was sold -- when the Navy sold it to the
7 Town to put the property back on the tax rolls,
8 and that's what a motor sports park would bring
9 back. Everything that you've --

10 SUPERVISOR JENS-SMITH: We're just going to
11 ask you to go back to the Qualified and Eligible,
12 so.

13 MR. CONSOLI: Sure. The one thing I did
14 want to ask is if Luminati and Triple Five have
15 performed any sound tests on the 7,000 foot or the
16 10,000 foot runway. If that has not happened,
17 definitely request that to happen as well. And,
18 also, in regards to my organization, just
19 requesting that we conduct our own sound test on
20 the runway. Obviously, I'm sure everybody can
21 agree here, sound, when you hear motor sports
22 park, you hear Riverhead Raceway. That's the
23 number one thing that we hear complaint of, is
24 it's going to be too noisy. Let us do our sound
25 test, prove to everybody and the Town residents

1 that we will fall underneath those buffers. And
2 look, if it doesn't make sense, we'll walk out.

3 SUPERVISOR JENS-SMITH: Okay. Thank you
4 very much.

5 MR. CONSOLI: That's all I have to say, so
6 thank you very much.

7 SUPERVISOR JENS-SMITH: Okay. Thank you.

8 (Applause)

9 MR. MC AULIFF: John McAuliff from Rolling
10 Woods in Riverhead, also with the Coalition
11 Against EPCAL Housing.

12 First, I want to express some sympathy for
13 the big delegation that's here tonight. You have
14 walked into the middle of a buzz saw. You
15 probably don't know all of the origins of it. I'm
16 going to say a little bit about it.

17 I'm going to ask that the record -- for the
18 record, the article in today's Riverhead Local be
19 entered into, into the record of this hearing,
20 since I think it's material. You can't simply
21 dismiss 25% of your ownership when it's that 25%
22 which has brought all of us here tonight,
23 including you. If that person had not done the
24 smoke and mirrors, had not had the relationship
25 with a very manipulative previous Supervisor --

1 MEMBER WOOTEN: Talk to the Board.

2 MR. MC AULIFF: -- this meeting would not be
3 happening.

4 MEMBER HUBBARD: You need to talk to the
5 Board.

6 MEMBER WOOTEN: Talk to the Board.

7 MR. MC AULIFF: And I wonder if you --

8 SUPERVISOR JENS-SMITH: John. John, you
9 need to address the Board.

10 MEMBER WOOTEN: You've got to talk to the
11 Board.

12 MR. MC AULIFF: Sorry, sorry. I'm wondering
13 whether they have been made aware of this history,
14 and why there is so much push-back from the
15 community at this point.

16 In particular, the Altair story was referred
17 to earlier. Are they aware of the over-dishonesty
18 of their 25% partner, and what that might imply
19 for their future business relationships?

20 The -- I'm curious. I said it to one of the
21 colleagues of the group, and as my question to
22 them is whether they would consider, since I think
23 there is much interesting in their proposal,
24 whether they would consider making a clean
25 proposal to the Town of Riverhead at the same time

1 as other interested parties could make clean
2 proposals for a transparent process.

3 SUPERVISOR JENS-SMITH: I think, John, we
4 have to stick to the Qualified and Eligible and
5 the agreement of sale that we -- that we have on
6 the table right now.

7 MR. MC AULIFF: All right. Well, let me ask
8 this. Whether in this eligibility, whether they
9 would consider renegotiating the basics in terms
10 of the amount of land, since that's one of the
11 primary community concerns, that the -- if 600
12 developable acres are to be sold, then why the
13 other acreage has to be part of the deal.

14 And the question is then more specifically
15 to your own history that was referred to earlier
16 by Toqui. Are you prepared -- is this new entity
17 prepared to pledge to the Town that it will not
18 come back to the Town for IDA requests, municipal
19 bonds, and the other methods of financing that
20 have been criticized in Minnesota and New Jersey?
21 So I think that question should be asked, whether
22 by going further, the Town is essentially getting
23 sucked into a process it does not want to be part
24 of.

25 I think that's basically what it comes down

1 to. I think is -- is this group prepared to put
2 itself on an equal footing with other proposals to
3 Riverhead, or do they want to continue to take
4 advantage of a privileged position from someone
5 that they have characterized in even more negative
6 terms than we have characterized?

7 SUPERVISOR JENS-SMITH: Okay. Thank you.

8 (Applause)

9 SUPERVISOR JENS-SMITH: And then after the
10 next two, we have Richard Amper and Matthew
11 Aracich.

12 MR. POWELL: Hello.

13 SUPERVISOR JENS-SMITH: State your name.

14 MR. POWELL: Jesse Powell, I live in Ridge.
15 And I don't have any prepared remarks, and I'm not
16 a natural public speaker, so I might go a little
17 bit hazy there for a second, but bear with me.

18 SUPERVISOR JENS-SMITH: We'll bring you
19 back.

20 (Laughter)

21 MR. POWELL: Okay. I am a Technology
22 Consultant in transportation technology. I've
23 been an invited speaker at International
24 Conferences, and have consulted with government
25 ministers, and sovereign wealth funds, and large

1 companies. And I just wanted to offer my
2 perspective on the importance of innovation or
3 incubation centers for the economic development of
4 a region.

5 My personal expertise is in maglev, magnetic
6 levitation. This is a -- this is a technology
7 that was invented here on Long Island, and was not
8 developed on Long Island and went abroad. There
9 is now tens of thousands of jobs that are in this
10 field in China and in Japan, and Japan is in the
11 process of trying to sell our own technology back
12 to us.

13 So all I would say is that aviation
14 technology is obviously an important area. It has
15 the potential for very high paying jobs. And,
16 frankly, Long Island can't afford to throw away
17 opportunities like this. It's -- I would urge the
18 Board to consider this very strongly. Thank you.

19 SUPERVISOR JENS-SMITH: Thank you very much.

20 MEMBER WOOTEN: Thank you very much.

21 (Applause)

22 SUPERVISOR JENS-SMITH: We have -- after
23 Angela, we have two more people, just so -- in
24 case anybody's wondering where we're at.

25 MS. DEVITO: And all start thinking about

1 revving up your cars and going home.

2 (Laughter)

3 MS. DEVITO: Good evening. I'm Angela
4 Devito, South Jamesport. I'm here on behalf of my
5 Civic Association, the Greater Jamesport Civic
6 Association this evening, as well as I'm a member
7 of the Coalition Against Housing at EPCAL.

8 I'd like to just expand a bit on -- John
9 McAuliff did ask the question. But I think it's
10 important for us to know, in light of some recent
11 Industrial Development Agency decisions in this
12 Town that were directed, in essence, by monies in
13 the way in which the projects had been funded. I
14 refer specifically to Georgica Greens with their
15 30-year bonds. They needed to have a 30-year IDA
16 tax exemption as a result.

17 So I think that I would ask you to ask the
18 applicants here tonight for a list of all public
19 monies that have been received, or any affiliate
20 of them, by them, or any affiliate from New York
21 State, including any tax incentive packages and
22 grants for development at EPCAL.

23 Also, to ask them that does EPCAL Aviation
24 and Technologies intend to request any additional
25 public monies, including IDA requests, municipal

1 bonds, or other methods that may be used to
2 finance their venture?

3 I would ask specifically if there is any
4 effort to contact our IDA. Would they be willing
5 to absolve themselves of that availability of
6 benefits from this Town for public monies?

7 You know, one of the things that we're
8 talking about this evening is that this is
9 supposed to be an economic generator, and we're
10 looking not just for the sale to put your money in
11 your bank, but long term, with the property taxes
12 that you will accrue from it, as well as other
13 benefits. And if you give them away through the
14 IDA as development goes forward, it would be many,
15 many years before we realize those.

16 And as a final note, my colleague, Phil
17 Barbato, did ask if this was going -- if it would
18 go forward, and whatever project goes forward at
19 EPCAL, is it going to be union built?

20 I think one of the things that I would like
21 to ask, and have you ask the applicant, are they
22 considering a community benefit agreement, as well
23 as a project labor agreement as they go forward
24 with their project at EPCAL, if it's approved?

25 Thank you.

1 SUPERVISOR JENS-SMITH: Thank you, Angela.

2 MEMBER HUBBARD: Thank you.

3 (Applause)

4 SUPERVISOR JENS-SMITH: Dick, you want to
5 come up? Or was Matthew? Okay, Dick, you're on.

6 MR. AMPER: My name is Richard Amper. I'm
7 Executive Director of the Long Island Pine Barrens
8 Society based here in Riverhead.

9 My question is what experience does
10 Calverton Aviation and Technology have, A, and
11 this is a quote from your own documents, "In the
12 construction and operation of commercial and
13 industrial aviation and associated businesses, as
14 well as other uses consistent with P.D. Zoning
15 District," unquote?

16 While Luminati may have been found to be
17 qualified and eligible to use a runway, that's
18 what -- not what this application is calling for,
19 it's a lot more than that.

20 The application specifically acknowledges
21 that, quote, "this is highly conceptual," and thus
22 ambiguous. Triple Five Real Estate specializes in
23 shopping malls, and Luminati Aerospace has only a
24 minority share of the investment, as we've been
25 reminded over and over again, and limited

1 financial resources.

2 B, neither applicant appears to have the
3 necessary experience and history to meet the
4 environmental requirements of the EPCAL site. Has
5 CAT worked previously in a federally designated
6 soul source aquifer, a State designated special
7 groundwater protection area, or a County
8 designated critical environmental area?

9 The U.S. Navy and Grumman Corporation were
10 unable to protect the groundwater resources on
11 this property. What makes anyone think that
12 Luminati and Triple Five Real Estate can meet the
13 environmental protection requirements of this
14 site? Have we looked at that? Have you satisfied
15 yourself about that?

16 What are the applicant's accomplishments
17 with respect to endangered and threatened animal
18 species known to inhabit the property? Haven't
19 heard a word about it.

20 On the basis of the extremely ambiguous --
21 ambiguous characterization about the proposed land
22 use, we believe that Calverton Aviation and
23 Technology is neither qualified nor eligible to
24 perform this contract.

25 And then I'll make one other personal

1 observation, and this needs to be directed not
2 personally or politically, and we can't assess
3 blame to this Board. But did it take an
4 enterprising journalist to discover what we needed
5 to know as to whether or not this was a Qualified
6 and Eligible hearing? Did this Town government
7 need to do more to find out who they were selling
8 the property to and whether they had confidence in
9 that? The question goes, was the government of
10 Riverhead qualified or eligible to answer the
11 question?

12 (Applause)

13 SUPERVISOR JENS-SMITH: Thank you. And the
14 last one I have is Matthew Aracich. Is he -- not
15 seeing him, I -- we're going --

16 MEMBER WOOTEN: We're good.

17 SUPERVISOR JENS-SMITH: What was that?

18 MEMBER WOOTEN: No.

19 SUPERVISOR JENS-SMITH: We're going to
20 close. We're going to adjourn for a few minutes.
21 We're going to go into Executive Session for a few
22 minutes and decide whether we're going to continue
23 tonight or to hold this over. So a first and
24 second --

25 MR. AMPER: The basis, the basis for the

1 Executive Session?

2 SUPERVISOR JENS-SMITH: The basis, to confer
3 with Counsel.

4 MEMBER WOOTEN: So moved.

5 SUPERVISOR JENS-SMITH: Second?

6 MEMBER HUBBARD: Second.

7 SUPERVISOR JENS-SMITH: In favor?

8 MEMBER HUBBARD: Yes, aye.

9 (Executive Session: 10:32 - 10:40)

10 SUPERVISOR JENS-SMITH: Okay. Thank you.

11 We've come out of Executive Session back into the
12 open meeting. We did miss one card. So we have
13 Cary. And how do you say your last name?

14 MR. REALBUTO: Realbuto.

15 SUPERVISOR JENS-SMITH: Okay, Realbuto.

16 MEMBER WOOTEN: Say it fast.

17 MR. REALBUTO: Thank you very much for your
18 time, I appreciate it. I appreciate your -- the
19 opportunity to speak this evening. Just two
20 questions I have for the Board, only because I've
21 been following this most recently.

22 And the maps, has there been any updates to
23 the map? And is this -- is this most recent map
24 that's presented going to be something that's
25 going to be more permanent than the previous maps?

1 The other question I had was, you know, if
2 we could seek a profound scope for the
3 development, sale and usage of the property. And
4 if this Board would be kind enough to consider a
5 certain acreage or allotment for the provision of
6 a motor sports park.

7 I have been a lifelong resident of Long
8 Island, and a lot of activities that I got to
9 utilize and, you know, enjoy as a child have
10 disappeared off Long Island, not so much for
11 environmental reasons, but for overcrowding. And
12 this is an opportunity that I believe would -- I'd
13 really appreciate consideration, you know, by the
14 Board for just a small allotment to, you know,
15 consider the usage for motor sports.

16 And if, you know, the Luminati deal does go
17 through, if there -- you know, what -- again, just
18 clarification on provision and sale of other
19 parts, you know, already developed, you know, for
20 usage or for sale by the Town would be greatly
21 appreciated. Thank you very much for your time.

22 SUPERVISOR JENS-SMITH: Okay. Thank you.

23 Because of the late hour, what we would like
24 to do is to adjourn this meeting and take it back
25 up on March 13th at 6 p.m. But prior to doing

1 that, we'd like to offer the chance for Triple
2 Five, if they would like to come up and answer any
3 of the questions that have been asked tonight.

4 MR. HASDAY: Our preference is getting the
5 questions in writing, and giving considered
6 organized answers --

7 AUDIENCE MEMBER: Can't hear him. Can't
8 hear.

9 MR. HASDAY: There were obviously many
10 questions, and I would ask the Town Board to
11 compile a list of the questions it would like
12 answered, and we will answer them, if that's
13 acceptable.

14 SUPERVISOR JENS-SMITH: We will have -- what
15 we will do is we have a stenographer tonight. We
16 will provide you the questions that have been
17 asked by the -- by the public tonight. With that,
18 we would like from you for the answers for those,
19 if you could answer those questions and provide
20 them back to us on the Friday before the 13th,
21 March 13th.

22 As far as the Board's questions, we will do
23 that in a public forum on the 13th. So we'll
24 reserve our questions until that evening.

25 MR. HASDAY: Is it possible to get their

1 questions ahead of time, because --

2 SUPERVISOR JENS-SMITH: No, because we would
3 do it at a public forum.

4 MEMBER WOOTEN: What, do you mean our
5 questions or --

6 SUPERVISOR JENS-SMITH: Yeah, our questions.

7 MEMBER HUBBARD: Our questions?

8 SUPERVISOR JENS-SMITH: Yeah. No, that will
9 be at --

10 MEMBER HUBBARD: Absolutely not.

11 SUPERVISOR JENS-SMITH: That would be at a
12 public, the public forum.

13 MR. HASDAY: Okay.

14 MR. SYD GHERMEZIAN: Just for one moment,
15 I'd like to thank the members of the Board, the
16 Councilwomen and men, and again, the Supervisor,
17 for joining us this evening.

18 And, you know, I think there was a lot of
19 healthy dialogue this evening. I see that some of
20 the more spirited members of the questioners have
21 departed. But I did want to take a moment to
22 thank our -- my close friend of over 20 years,
23 Stuart Bienenstock, who has been putting a lot of
24 effort in since we first met with Daniel, and has
25 been spending a lot of time out here in the

1 neighborhood, and doing a lot of work to get this
2 evening set up for us, and bringing out all of the
3 participants today to speak in our favor.

4 SUPERVISOR JENS-SMITH: You know, I'm just
5 going to interrupt, because we are -- we are on
6 Channel -- if you could just identify yourself, so
7 people in the public --

8 MR. SYD GHERMEZIAN: Oh, sorry, sorry. Syd
9 Ghermezian.

10 SUPERVISOR JENS-SMITH: Thank you.

11 MR. SYD GHERMEZIAN: Again, he is a close
12 friend of the entire family, and has been with us
13 for many years. He did depart for a couple of
14 years, but did come back, and we're happy to have
15 him join us with -- join us here.

16 There is a lot of acrimony that I've noticed
17 between the Town, Townspeople and Daniel Preston.
18 What I would encourage the Town to appreciate is,
19 or the perspective that they should take is that
20 Daniel planted a seed. He planted a seed for what
21 could be accomplished with Calverton.

22 We talk about the capabilities of ourselves
23 and our partners, which I think we brought a lot
24 of support this evening to show what we are able
25 to accomplish. I think that our history has shown

1 that we accomplish what we say we are going to do.
2 I think that in cases where towns, where -- many
3 of our projects are public/private partnerships.
4 I think that every single time that the local,
5 state, or, you know, governments have gone into
6 those partnerships with us, they've always been
7 happy, you know, so people could talk about
8 incentives and things like that. But, again, I
9 think we deliver what we say we're going to
10 deliver, and I think the results speak for
11 themselves.

12 But, again, the -- what Calverton affords us
13 is an infrastructure that's already there for
14 aviation. The runways are already there. Grumman
15 was there for many years. I think that that's
16 what really lends itself to bring about what we
17 envision, which is, again, what -- the seed that
18 Daniel planted. Daniel, yes, he is a partner of
19 ours. I think that somebody mentioned the term
20 crazy. I think that the --

21 MEMBER WOOTEN: We didn't, you did.

22 (Laughter)

23 MR. SYD GHERMEZIAN: Not me, no, somebody on
24 our side. But, again, it's crazy that creates
25 visionaries, right? And, again, Daniel is going

1 to be -- is a part of what we envision being on
2 that site, which we think will -- you know, will
3 be for the betterment of the entire community of
4 Calverton and Riverhead.

5 Thank you very much.

6 SUPERVISOR JENS-SMITH: Thank you very much.

7 MEMBER WOOTEN: Thank you, Syd.

8 SUPERVISOR JENS-SMITH: Is there anybody
9 else?

10 (No Response)

11 SUPERVISOR JENS-SMITH: All right. At this
12 point, I'd like to adjourn the public hearing, and
13 get a first and second to close the Town Board
14 meeting for tonight.

15 MEMBER WOOTEN: With the understanding we'll
16 reconvene on March 13th at 6 o'clock.

17 SUPERVISOR JENS-SMITH: On March 13th at
18 6 p.m., not 7 p.m., but 6 p.m.

19 MEMBER WOOTEN: All right. So moved.

20 MEMBER GIGLIO: Second.

21 MEMBER HUBBARD: Second.

22 SUPERVISOR JENS-SMITH: All in favor?

23 MEMBER WOOTEN: Aye.

24 MEMBER KENT: Aye.

25 MEMBER GIGLIO: Aye.

1 MEMBER HUBBARD: Aye.

2 SUPERVISOR JENS-SMITH: Aye.

3 Thank you, everybody for bearing with us
4 tonight.

5 (Adjournment: 10:48 p.m.)

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