

Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, January 18, 2000, at 7:00 p.m.

**Present:**

Robert Kozakiewicz,	Supervisor
Philip Cardinale,	Councilman
Christopher Kent,	Councilman
Edward Densieski,	Councilman
James Lull,	Councilman

**Also Present:**

Barbara Grattan,	Town Clerk
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**Absent:**

Dawn Thomas,	Town Attorney
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Supervisor Kozakiewicz called the meeting to order at 7:00.

Supervisor Kozakiewicz: "Okay. I'd like to call the meeting to order at this time. If someone would lead us in the Pledge of Allegiance please. Henry. Mr. Pfeiffer."

(The Pledge of Allegiance was recited, led by Henry Pfeiffer.)

Supervisor Kozakiewicz: "I guess we can all go down front. As noted on your agenda, it's that time of the year, the first Employee of the Quarter. Or is this the last Employee of the Quarter? So I'm picking up from last year. Okay. I'm going to let Madelyn take over at this point in time if she would. Okay."

Madelyn Sendlewski: "First of all, I'd like to say that the Labor/Management Committee welcomes the new members of the Town Board. We have always been a committee that has had a very nice rapport with all administrations. We pride ourselves on the fact that we aim for good relations between the Board of Labor and Management.

Without any further adieu, I'd like to introduce our two newest members, Det. Sgt. Pat Mulcahy (phonetic), Sharon Klos, and our members that have served on it for a couple of years, you know Diane Stuke, Barbara Grattan, Maureen Fagan and myself.

We have the distinct pleasure of introducing as Bob said the Employee of the Quarter. I want to ask her boss, Charlene (inaudible) to come down. Charlene is going to give you a little bit of a profile of our Employee of the Quarter and (inaudible) and tell her to get down here."

Charlene: "Okay, Maryann, would you like to come on down? Well, Maryann has been employed at the Town for 10 years and- 12 years, I'm sorry, and her position with the Town is our purchasing technician. She acts as buyer for all of the Town merchandise and her efforts have save the taxpayers in the Town thousands upon thousands of dollars. She's always shopping for a bargain and always finding a better way to buy what we need to operate the Town.

It has been a pleasure to work with her. She has a great sense of humor and she's always willing to lend a hand whenever we need it in the Accounting Department and it has been a pleasure for me to work with her for the past five years as it has been for me to recommend her for Employee of the Quarter."

Maryann Tague: "Thank you, Charlene."

Charlene: "You're welcome."

Madelyn Sendlewski: "And I would like to say- add that in personal achievements this is how Maryann curtains expenses at Town Hall. She has her brown belt and she's inches away from her black belt so need I say more? She also works in the Accounting Department and we fondly refer to that as the lower level but let's call it what it is, it is the basement. And all these folks came out to support her. So obviously she's fun to work with and they think a lot of her. So, let's give her another round of applause.

At this time, Maureen Fagan will present Maryann with the proclamation and she's going to read it."

(At this time, the proclamation was read by Maureen Fagan)

Maryann Tague: "I had a speech planned. I can't read it because I don't have my glasses. So I think I'm just going to (inaudible). I just want to say thank you to my Supervisor, Charlene, for nominating me for this award and to my fellow employees with- I couldn't do without any of them putting up with my (inaudible). And sometimes it's a sense of humor and sometimes it's a word I can't use in public but I try my best and I hope that I can save all my fellow

taxpayers the money that we should (inaudible). So, thank you."

Madelyn Sendlewski: "Maryann will receive a day off with pay and we always tell the big boss that that includes Friday or Monday of her choice and she will receive a \$100 savings bond. So, congratulations. It couldn't happen to a better person."

Supervisor Kozakiewicz: "I have to say that Maryann's expertise in- is it karate- has always been a concern to me. I can remember going downstairs many times to deal with Maryann and I was always fearful of getting on her wrong side and possibly ending up not making it back upstairs. So. But she always did let me go and usually it was just with a quick joke or one of those looks. Congratulations once again."

If we- at this point in time, we need a motion to approve the minutes of the Special Board meeting of December 31, 1999 and January 4, 2000."

Councilman Lull: "So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

Councilman Kent: "I think the meeting was December 30<sup>th</sup>."

Supervisor Kozakiewicz: "That's correct. It should be December 30<sup>th</sup>. You're correct. So that's the meeting of December 30<sup>th</sup>, the Special Board Meeting, and January 4, 2000. Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The minutes are approved."

Supervisor Kozakiewicz: "Barbara, if you could read the Reports, please?"

**REPORTS:**

Receiver of Taxes

Total collected to date is  
\$18,624,459.36

Juvenile Aid Bureau

Monthly report for December  
along with their annual report  
for 1999

Recreation Department

Monthly report for December,  
total collected, \$6,694.00

Barbara Grattan: "That concludes Reports."

Supervisor Kozakiewicz: "the Applications?"

"Okay, and if you could, Barbara, read

**APPLICATIONS:**

Site Plans

Dwayne Early for kennel  
expansion

Site Plan

Site Plan

Wading River Plaza Extension

Site Plan

Wal-Mart store at Riverhead  
Plaza - changes to the facade  
and parking lot

Site plan

Sunken Pond Estates

Site Plan

Riverhead Medical Arts  
Building

Site Plan

Site Plan

Riverhead Nursing Home  
Republic Abstract Corp.

Site Plan

East End Commons expansion

Site Plan

Narsullah Khan

Barbara Grattan:

"That concludes Applications."

Robert Kozakiewicz:

"Correspondence, please."

**CORRESPONDENCE:**

Steve Haizlip

Regarding the installation of  
a stop light at Edwards and  
Sound Avenue

Joe Van de Wetering

Regarding Bell- "

on." Supervisor Kozakiewicz: "Hold it, Barbara. Microphone is not

Barbara Grattan: "You're right."

Supervisor Kozakiewicz: "There you go."

**CORRESPONDENCE:**

Steve Haizlip

Regarding the installation of  
a stop sign at Edwards and  
Sound Avenue

Joe Van de Wetering

Regarding Bell Atlantic mobil  
tower

Barbara Grattan: "That concludes Correspondence."

Supervisor Kozakiewicz: "Any committee reports? No. I know I  
have to get committee assignments done. By tomorrow, hopefully."

Councilman Kent: "Well, actually we had two committee meetings.  
I had the Farmland Select Committee and we're moving towards the  
purchase of additional development rights in the Calverton area,  
property on the corner of Youngs Avenue and Twomey Avenue, on the  
southeast corner there, approximately 30 acres. I know that will be  
coming up for public hearing very soon. And the Recreation Committee  
met again last week and we're moving forward with a request for  
proposals to build a roller rink at Stotsky Park, which will be for  
hockey- roller hockey."

Supervisor Kozakiewicz: "Okay. And the time of 7:20 has  
arrived. The agenda indicates that the public hearing is set for  
7:10. That's incorrect. The actual public hearing was set for 7:20  
but the time of 7:20 has arrived, so Madam Clerk, Barbara."

Public Hearing opened: 7:20 p.m.

Barbara Grattan: "I have affidavits for publishing and posting  
for a public hearing to be held at Riverhead Town Hall, 200 Howell  
Avenue, Riverhead, New York at 7:20 p.m. on January 18, 2000 regarding  
the consideration of a proposed local law to amend Chapter 108  
entitled Zoning of the Town Code. Section 108-27 - Uses - Business 108  
(Resort Business District). Section 108-34 - Uses - Business B  
(Shopping Center District). Section 108-39 - Uses - Business C

(Neighborhood Business). Section 108-42 - Uses - Business D (General Business). Section 108-60 - Off Street Parking."

Supervisor Kozakiewicz: "I had planned on making some comments to introduce this legislation, these zoning changes, but- no, no, I see that you're up there already so you probably will be better able and do a better job of explaining it. So, go ahead."

Rick Hanley: "The hearing this evening deals with certain text changes which are being considered or recommended by the Planning Department within the zoning ordinance dealing with the regulation of commercial land or land which is zoned business."

The first change would remove the current language which restricts the development within the Business A, B, C and D zoning districts to only two uses. Presently the code requires that no more than two specially permitted, permitted or accessory uses can exist on a property. In practice that has not been adhered to and this is the way of some housekeeping in terms of the code.

The second change involves clarification of the language of the off street parking regulations which currently allows the Town Board to approve a site plan with uses which share parking. I believe that this change is merely a clarification which allows the original legislative intent to be more understood by those readings on the ordinance.

Thank you."

Supervisor Kozakiewicz: "Also should point out that the zoning amendments affect legislation that's been on the books since about 1972. This is the older zoning districts which are the Business A, B, C, and D. What the changes are trying to accomplish is to limit the number of uses. As Rick has pointed out, presently it's limited to two. The newer zoning legislation which has been adopted by the Town Boards recently which would be Business E, Business F, Business G, Business CR, do not contain any similar such limitations. It's- they specify uses in this section of the respective ordinances but do not limit them to two so this is trying to get the entire code somewhat consistent. Would that be fair to say?"

Rick Hanley: "That's fair to say."

Supervisor Kozakiewicz: "Okay."

Rick Hanley: "I also think that the original framers of the ordinance, I believe, what they really meant to regulate was the number of uses within a building, that they were concerned with incompatible uses in the same building dealing with safety, health, welfare of the public and the use of the term premises, I think, is confounded, proper regulation. So, yes, that's a good description."

Supervisor Kozakiewicz: "Okay. Is there anybody who wishes to address the Board concerning this hearing? Mr. Cuddy."

Charles Cuddy: "Good evening. Charles Cuddy on behalf of several clients. I would endorse this proposal and in particular (inaudible) with this Board- indicating that there are areas in this town that are Business B have been subject to having four or more uses for many, many years in the 1970's, the 1980's and the 1990's. All this Board is doing as the Supervisor has pointed out, is bringing the code up to coincide with the practice of the town. And I am certainly pointing out as the Supervisor just did that the CR district which is a Country Rural District, has no prohibition on the number of uses would seem to make it entirely inconsistent to have those areas that are shopping centers limited to two uses."

And, more importantly, I've pointed out Peconic Plaza has at least four separate uses, (inaudible), personal service shop, restaurant and retail shop. This is true also at the Caldor/Walmart Plaza. It is even true of the small shopping center which is the Auto Aid shopping center. I mean there are at least four separate uses in 10 buildings including a bakery/confectinary shop, a personal shop, (inaudible), retail uses as well as a restaurant. It's also true at the TJ Maxx Center and, again, all of these centers have come through the '70's, '80's and the '90's and they've had changes. The same department, the building department, the town board consistently have found that this is an appropriate way to look at the uses and that is not (inaudible). So I would ask that you (inaudible).

And as to the second part of it which is parking, I'm not sure that the present language really would change very much and I would ask the Board to hold off doing that (inaudible). Thank you."

Supervisor Kozakiewicz: "Is there anybody else who wishes to address the Board concerning this? Mr. Haizlip, Steve."

Steve Haizlip: "Steve Haizlip of Calverton. I would like to get an explanation about Section 108-60, Off-street parking. How is that going to affect vehicles that you park off the street? I presume

You're speaking of (inaudible) or lot or something of that nature."

Councilman Lull: "Shopping centers, Steve."

Councilman Kent: "This is to address multiple uses within one shopping center and when parking is shared for different users on one lot."

Steve Haizlip: "Thanks for explaining. I would have never picked it up (inaudible)."

Supervisor Kozakiewicz: "Anybody else who wishes to address the Board on the subject of this hearing? Yes?"

Ann Hattoff: "Ann Hattoff, Reeves Park. I may be out of order as far as your public hearing goes, but I have to say I think it's pertinent to changing wording and changes. In case I'm wrong you can just tell me it's not appropriate and I will sit down."

I was at Tanger Mall this weekend and in the middle of Tanger I they have chained off the whole area. At first I thought the ground was undermined or whatever. I then spoke to one of the gals in one of the stores and she said that they were building a building, Ralph Lauren was building a building in the middle of the shopping center. Now, not your administration, not even Vinny Vilella's administration goes back to Mr. Stark's administration. When Tanger proposed being built, they offered a site plan and they said, okay, we're going to have "x" amount of stores and for that they had to provide "x" amount of parking. Now it's maybe eight years, six years, eight years down the line. How can they come along and in the middle rope off conservatively 125 parking spaces and say we're going to put a building up in the middle of this? Because it really- it's a hazard. It will be a hazard as far as the flow of traffic goes the way it's set up. All right.

As a constituent, I like Riverhead. I like living in Riverhead. The key note is living. We went back to our car to leave and there was such a shortage of parking, people were riding around, riding around stopping all over, not parking in stalls but parking parallel to the chained off thing. You had people pulling out. There were three cars lined up for my one little thing and I had trouble getting out. Now, this is a hazard.

So, I've got a couple questions, really. How in the middle of everything can you change a site plan and say, okay, we're going to

alter all the parking? Because God knows whenever anybody wants to build something, one of the biggest things-- the biggest concerns is how much parking and if they don't have "x" amount of parking, you don't permit them to do this. So how can they do this?"

Supervisor Kozakiewicz: "With respect to the Tanger property, in particular, it's my understanding that they have supplied more than what our code requires of them. In fact, probably more than the spaces that they're taking up for this particular store. We define in the parking schedule certain required parking depending upon the use. For example, and I'm just going to take something off the top of my head and I think-- I believe I'm right. If it's, for example, a movie theater, is it one and a half spaces for one-- I know there is-- what is it? One stall for each three seats. For a shopping center, it's based upon square footage. So if it's 1,000 square feet, there's a certain number of parking spaces which must be provided.

With respect to the Tanger site plan, they exceeded the allotted or required number of spaces for the square footage that they had built. So that's why in that case."

Ann Hattoff: "In Tanger 1 maybe they did that. But when Tanger 2 was permitted to be built, there's not adequate parking for all those stores in Tanger 2. And on top of that, they were then permitted to go the other three stores where Banana Republic is and whatever else is next to it. And, again, you should be concerned about your constituents because they can get killed trying to cross to go to those stores. And if you build something, you say we're going to have 100 stores and we're going to provide "x" amount of spaces, I don't see those hundred stores and that having been altered they can come up with a reduction in spaces. You know, it just-- it doesn't seem (inaudible) and I think this town, not that (inaudible) is contributing to the business of the town, I'm thinking of Main Street or 58 but a person really-- there should be concern here. And I wanted to bring that to your attention if you're not aware of it which obviously you are. But it's not a happy situation."

Supervisor Kozakiewicz: "I'm aware of that. As far as the other issue with respect to the dangerous nature in crossing the street or coming from one place, Tanger 2, to Banana Republic, I think that's something that is a concern and there's been attempts in the past to regulate the flow of traffic and somehow make it safe for the constituents and others who are using that area. That's something we will look into and certainly, I'll, you know, take your points, you know, to the Board."

Ann Hattoff: "I hope so because I know I'm not alone in my concern."

Supervisor Kozakiewicz: "Thank you. Thank you. Is there anybody else who would like to address the Board on the public hearing which is before us? Looks like 7:32 and I will declare this public hearing closed."

Public Hearing closed: 7:32 p.m.

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Supervisor Kozakiewicz: "Before we go into an open discussion concerning the resolutions and other matters facing the Board, what I'd like to point out is that we have a couple of changes which we've talked about. One of those is Resolution #55 which is on the agenda. This resolution identifies it as being an acceptance of an offer to sell development rights on a parcel owned by Alan Zilnicki, et al and then in parenthesis it has Schneider Vineyards. Subsequent to this being put on the agenda, I went back to Barbara's office and we reaffirmed that on December 30<sup>th</sup> at the Special Town Board meeting, a resolution had actually been put on before the Board and it had received the Board's approval for sale of this particular development rights for Mr. Zilnicki. So instead of 55, there was another resolution which was discussed at our work session which is authorizing my office to enter into a sublicense agreement with H2M to provide geographic information and tax map information as part of our tax map- our town master plan update. That resolution which would have come off the floor, we're going to substitute that instead. I know it's a little confusing and, hopefully, someone else maybe if it's still confusing can explain it better than I. So that will become Resolution 55. With exception of that change, I think there may be two resolutions which we will be looking to pull off of the table. One of them will be the special permit of Fred Meyer which was an old resolution from 1999 and the second will be a resolution which is authorizing an agreement with Peconic Land Trust.

If you recall at the last Board meeting, we did not have an attaché rate sheet, there were some questions with respect to the old rate sheet attached. We received the new rate sheet. That's been circulated and I think we'll be able to take that off the table tonight. So without further- what's that? I believe, there were some problems with it still, is that correct, or no? Okay. So a third one. Okay. I didn't have that on here but there's also a third one which will come off the table which is Bay Gas.

Briefly, on Bay Gas, just to address concerns. This is a resolution which will be approving a site plan for the installation of a 1,000 gallon propane tank. The propane tank of Bay Gas is going to be taken from another site in Wading River which is formerly known to is known as Fink's Country Store and will be relocating it to a new location which is actually further from the school and further from residential areas. There was some concerns that were being addressed by the Fire Marshal. I understand those concerns have been handled by a site visit with Mr. Hanley. Phil?"

Councilman Cardinale: "Yeah, I have a question on that. Rick, the tank that is being moved, that tank, how many gallons- the tank that exists at Finks- "

Rick Hanley: "It's the same tank that's being moved to this location."

Councilman Cardinale: "It's not a smaller tank at Finks?"

Rick Hanley: "It's the identical tank."

Councilman Cardinale: "It's the same exact tank."

Rick Hanley: "The same exact tank. It has to be recommissioned but it's the same tank."

Councilman Cardinale: "Is it moving- "

Rick Hanley: "Further from the school."

Councilman Cardinale: "Not closer to the school? Because I've heard- "

Rick Hanley: "Further- "

Councilman Cardinale: "How much farther?"

Rick Hanley: "Roughly 500 feet."

Councilman Cardinale: "And is this location a gas station?"

Rick Hanley: "No, it's not."

Councilman Cardinale: "What is it?"

Rick Hanley: "It's a commercially zoned parcel which presently has a retail beverage operation. And there are two outbuildings on the property, one of which is a barbershop, I think, personal service shop. And the other is a landscaping operation."

Councilman Cardinale: "And the- is there an operator- is there any assurance that an operator who knows what he's doing when he fills up these propane tanks in the retail area, is going to be on duty at all times?"

Rick Hanley: "Yes. The Fire Marshal has informed me that this particular applicant is required to send the people who actually do the filling of the tanks to certification and that they will be certified on site."

Councilman Cardinale: "And somebody has to be on site who is certified-"

Rick Hanley: "Yes. Which is not the case now presently at Finks and I think that's part of the problem."

Councilman Cardinale: "Okay. And my final question is the zoning of that site that it is moving to, is what?"

Rick Hanley: "Business CR."

Councilman Cardinale: "And what- and this is a permitted use?"

Rick Hanley: "I think it's retail sales. That's my view."

Councilman Cardinale: "Of the propane gas."

Rick Hanley: "Of the propane gas. It's not wholesale and it's-"

Councilman Cardinale: "Thank you. Because I had heard precisely the opposite answers to those four questions. I just wanted to make sure what the facts were."

Rick Hanley: "Uh-oh."

Councilman Cardinale: "No. From someone earlier today and I wanted to get that on the record."

Rick Hanley: "All right."

Supervisor Kozakiewicz: "Without further adieu, anyone who would like to address the Board at this time, open comment period or any resolutions? Mr. Kestling, Rolph Kestling, please. While Rolph is stepping up, we'll just- as the sign indicates on the wall and I don't want to sound repetitive and any other thing, we're going to try and adhere to the five minute rule. We're going to try. I know my colleague will probably give me a nudge every so often. If you see me being nudged, you'll know it's about five minutes."

Councilman Densieski: "I just want to say that every word that is spoken here is paid for by the taxpayers because somebody has to actually write this down. It's about that thick every meeting so those words do add up, so I'll stop speaking."

Councilman Cardinale: "Yeah, I have a question early on. George Schmelzer and Bill Kasperovich are not in attendance tonight. I'd like to know if anyone on the Board had anything to do with that because this is the first meeting to my knowledge they've missed in two years and two months. Where is he? Where is he? Okay, so he's coming. Oh, well. But Bill is not here. Okay. I'm sorry."

Rolph Kestling: "Okay, Rolph Kestling, Wading River. The first thing I want to know is who's responsible for (inaudible) signs? Frankly you can't see them. I can hardly see them. You've got to tilt them a certain way that you can see them. On television, practically impossible. So who raised their hand and said they were responsible for that? Boy, you're starting off good. I'm serious. Go ahead, sit over there, you can't see anything. The glare."

Councilman Kent: "My responsibility for the glare."

Councilman Cardinale: "Do we have the other signs, the old ones?"

Barbara Grattan: "Yes. They're in the back."

Councilman Cardinale: "We could always use those. Could we get a refund for these?"

Rolph Kestling: "And you see what's her name- the one that does all the buying?"

Barbara Grattan: "Oh, Maryann?"

Supervisor Kozakiewicz: "We'll have to talk to Maryann."

Rolph Kestling: "Okay. Next thing. 68. Authorizes Dawn Thomas to act as special prosecutor for violations of the code of the Town of Riverhead. All right. I've been here a long time already. (Inaudible) I've seen shall we say copious amounts of code- new codes to the town. But there's one thing I never see. I don't see any enforcement of it."

Councilman Kent: "You have to go to Justice Court."

Councilman Lull: "You have to go to Justice Court, yes, Monday, Tuesday, Wednesday."

Councilman Kent: "Wednesday morning at 10:00."

Rolph Kestling: "Okay. You just passed a town code- I'll give you an example- boats over 15 feet not allowed in the front yard and that. Correct?"

Councilman Kent: "Yes."

Rolph Kestling: "Come to my section. It's loaded with them. Go down Osborne Avenue, I mean you can't help it, there's two of them sitting right up there. How come nobody enforces those?"

Councilman Kent: "Well, if you do have a problem such as those code violations, you call the code enforcement officer, Matthew White, in the Building Department, and he goes out and does his business."

Rolph Kestling: "Okay. I spoke to a building inspector once and you know what the person said to me? He started making excuses, well, it could be this, or it could be that, or it could be that. He didn't say I'll look into it. Right away he had an excuse. So I would appreciate it, you're going to pass codes, I agree with 99% of them, but enforce them. Thank you."

Supervisor Kozakiewicz: "Thank you. Sal Mastropolo?"

Sal Mastropolo: "Sal Mastropolo, Calverton. Resolution #51. The resolve. You're going to mail it to Harold Mason at 343 Maple Avenue? That's the building that you want to demolish. I suggest that if you are going to give him notice, that you give it to him at his proper mailing address not the building that should come down because he doesn't live there."

Councilman Kent: "No. I think he does."

Sal Mastropolo: "Does he? So you're going to take it down around him, huh? Okay."

Councilman Kent: "Actually I think this has come up before and we've worked with him in the past in trying to rectify the problems there but I don't think he's working too quickly to clean the place up and fix it up."

Sal Mastropolo: "Okay. #53. You are going to publish the help wanted ad in the January 13<sup>th</sup> issue. Is that an incorrect date or did you publish it already?"

Supervisor Kozakiewicz: "No. This was one that had been published. It's a ratifying the prior publishing."

Sal Mastropolo: "Okay. #58. Vehicle usage, bus rental fee, \$25 per hour. Does that include a driver? And if it doesn't, what are the requirements for the person that's renting the bus, what are the CDI requirements?"

Councilman Kent: "We actually have the head of the recreation department here. She can answer those questions."

Jane Vanden Thoorn: "- Town of Riverhead. Yes, (inaudible) and you have to have special requirements and he has to be hired by the town and basically the rental of that vehicle if it's a town owned bus and it's used for only sponsored clubs or organizations in the Town of Riverhead (inaudible)."

Sal Mastropolo: "You haven't answered the question. \$25 per hour is the bus and the driver? #67, there's no attachment to the packet. At least my packet doesn't have an attachment. That's authorize the Supervisor to execute an agreement with Jacqueline O'Sullivan for Town Clerk Stenographer."

Councilman Kent: "We have it attached."

Sal Mastropolo: "You have it? Okay."

Councilman Kent: "It's a personnel agreement so I think we probably don't put those out to the public."

Sal Mastropolo: "Okay. And #69. You are reappointing legal representation, planning consultants, engineering, computer court reporting, etc. That's a carbon copy list of what you had in 1999?"

Is that true? The legal representation- "

Councilman Kent: "Some of them have been removed."

Sal Mastropolo: "Some of them have?"

Councilman Kent: "Yes.""

Sal Mastropolo: "Okay. So that's in keeping with the comment that was made at the last town board meeting about the increase costs of the town attorney and we would be bringing stuff in house?"

Supervisor Kozakiewicz: "In part- I think some of the changes were because there were certain counsel who were no longer were doing work. They had concluded with their legal work for the town as well. So- "

Councilman Kent: "If we're going to retain counsel other than listed on this resolution, we have to do a separate resolution. Basically these are the lawyers who are working for us right now."

Sal Mastropolo: "Well, I'd just like- I'd feel a lot better if you'd said yes, that's because our goal is to bring stuff in house because we did hire a town attorney at a higher rate than we had last year."

Supervisor Kozakiewicz: "That is the goal. There are a number of attorneys who are continuing to do work, however, who have been- or are in the middle of cases and it wouldn't seem to make a lot of sense to take those cases away from them in the middle and try and bring someone else up to speed."

Councilman Kent: "We've also received some letters from counsel that they would not accept our maximum fee of \$150 per hour. So they didn't want to be special counsel to the town anymore."

Sal Mastropolo: "Thank you."

Supervisor Kozakiewicz: "Linda Gatz?"

Linda Gatz: "I'm Linda Gatz, Zdunko Lane, Riverhead. I want to speak on Baiting Hollow Commons and mainly towards Chris and Phil because we had met with them in September. First of all, I want to go on record, none of us that live on Zdunko Lane are opposed to Baiting Hollow Commons project. It's just that we're having a few problems

there and we just wanted to know what the status was (inaudible) mainly the gateway allowing them onto our road which we don't feel they should have because it's a private road and (inaudible). The encroachment on the landscaping. We don't know how much it is but when you are driving you can definitely see that. It may not even be an encroachment although Leroy said it was. He had come up and checked it out and said it was. I realize they can't do some of the stuff now because it's real cold and (inaudible) so we're not experiencing everything we were before.

The flooding of Zdunko Lane at Sound Avenue which never used to happen (inaudible) because of where they have the blacktop now. The parking problem for the restaurant, that was one big thing. There really is not enough parking there once they open this restaurant because there wasn't enough parking places there (inaudible). They were parking on Sound Avenue. We quite a few of us were almost in bad accidents pulling out on Sound Avenue because we could not see past these cars parked on Sound Avenue. And we were told that that was not supposed to be parking but it sure looks like parking places (inaudible).

That's mainly what we really want to know. What the status is, if they're still working on it. They have- could use the entrance onto our road several times since we had talked to you but I don't even know that Mr. Terry's (phonetic) responsible for them using it. Because he appears to have blocked it and then someone moves the bricks and everything and I think- we really don't want a gate there because they don't have a right to come onto our road for whatever reason. It was supposed to be fire, but there's a fire hydrant on Sound Avenue and when they fought the last fire that was there they fought from Sound Avenue. They didn't use the fire hydrant on Zdunko so, you know, we just wanted to know that you were still checking into this and if you have any answers for us."

Councilman Kent: "I don't have any- I don't know if Phil does, but I don't have any answers for you yet but as I recall we were going to ask them to do an amended site plan- "

Linda Gatz: "Yes."

Councilman Kent: "- because they had to address- they also had additional use of a building that they didn't show on their original site plan, I think either a real estate office or a barn."

Linda Gatz: "Yes. That building on the side next to

Zilnicki's. Yes, that's a real estate office and that was- "

Councilman Kent: "And that was not shown on the original site plan. I think they're in violation of the parking schedule and I have not addressed it yet but I took a note down and I'll work with Rick on this to see if we can't get some kind of a letter out to ask them to come in to do some type of amended- "

Linda Gatz: "Okay, like I said. We're not opposed to this project. Because- "

Councilman Kent: "I know that."

Linda Gatz: "-- it looks better than it ever has. But, I mean, we had a lot of problem on the other end of the road a couple years ago and now we have a problem on this end of the road. We're just one little road, you know."

Councilman Kent: "I think they're doing more business- or they were doing more business in the fall than they anticipated so we need to do something with the parking."

Linda Gatz: "Yes. (Inaudible) is very active, I guess it's like November and December and once they open this restaurant, I don't know where anybody is going to park. I mean I basically don't because it didn't have enough parking for even that and the little business in November and even in December. So- "

Councilman Kent: "Well, we have to work on it. We haven't done it yet though."

Linda Gatz: "Okay."

Councilman Kent: "I'm sorry. I'm sorry that you had to come down and remind us (inaudible)."

Linda Gatz: "Oh, I don't have anything else to do on Tuesday night. Thank you."

Supervisor Kozakiewicz: "Thank you. Vasso Patrikis. Did I pronounce that right? Okay."

Vasso Patrikis: "All right. The other day, I was watching TV and saw the Town Board, a meeting that you had on January 4<sup>th</sup>. And I was very disturbed when I heard that you have a sanitation

commissioner that gets \$58,000. Now, why do you need a sanitation commissioner when you have a sanitation company that takes care of the sanitation? What is he- his job description and why he has to get such a high salary? What does he do? I want to know. I mean, why- I'm addressing to find out what he's doing."

Supervisor Kozakiewicz: "He's not a commissioner."

Vasso Petrikis: "If you hire a sanitation company to take care of the garbage and if the highway department takes care of the cleanup for the fall and the spring, why do you need- what are his duties? I want to know."

Supervisor Kozakiewicz: "He's just, hopefully, I can get it accurate. Maybe Jack will be able to help me if I can't. He's not a commissioner. He's a supervisor which may not make much of a difference in your concerns. He's in charge of one employee. In addition, although it would seem that there would be no need to have anybody out there on the streets policing the carters, there is. Often times part of his job is to get out on the streets and see that areas are, in fact, being picked up. That the service is being provided for by the independent contractors- by the carters is being done. So he does that."

Vasso Petrikis: (Inaudible)

Supervisor Kozakiewicz: "Well, he should be. If there's- if you have a problem, have you made- "

Vasso Petrikis: "I do have a problem."

Supervisor Kozakiewicz: "Yeah, I mean- have you made a call to the staff people to complain about the pickup?"

Vasso Petrikis: "Many calls I made when they were throwing all the garbage cans in the middle of the street. I went through 10 garbage cans because the school buses come and they- I live in a cul-de-sac, and they break them, all right. And when I called up to ask them can you supply me for the recyclables, well, you have to buy. In the meantime, I bought I don't know how many because they are breaking them and I called them and I complain and nobody comes around. His job is just driving around to check complaints, he doesn't check complaints. Because I complain and nobody came. And other people complain in other areas that I know that they never came. All right. Why- he's getting \$58,000 for that? That's a lot of money."

Councilman Densieski: "Ma'am, can I answer that a little bit more?"

Vasso Patrikis: "Yes."

Councilman Densieski: "Right now we have all new carters in town so it's going to take a little while for everybody to get readjusted. So there is a lot of work there. There's not only the garbage, there's bulk items, there's also hazardous materials. So there is quite a bit to the job. If you have a complaint, I would gladly look into it for you."

Vasso Patrikis: "Well, give me a run down of this job-- the job description and give me how he spends his time."

Councilman Densieski: "I would gladly do that for you."

Vasso Patrikis: "What does he get an hour? How much does he get an hour to make \$58,000? That's a lot for that position. I think that's a lot of money. I think it's a lot of money."

Councilman Kent: "I agree with you."

Vasso Patrikis: "I work five days a week, 36 hours, and I make less than \$15,000. And he works how many hours? How many hours does he work to make \$58,000? How much goes he get paid an hour?"

Councilman Densieski: "He's a department head. He's not hourly."

Vasso Patrikis: "I want it in writing from the Board. I want how he spends his time and the hourly rate. What is the hourly rate for him to deserve to get \$58,000 when other people work so hard to make so little?"

Councilman Densieski: "Well, I don't think we're going to debate whether he works hard or not. You know. If you would like a duty statement, I'll gladly give that to you and what his duties are."

Vasso Patrikis: "But I don't-- you can have other people with different titles or something to work for less money to do the job that he is doing. Because if you are hiring a sanitation-- I mean a sanitation company to do the job, then you wash your hands. You have a sanitation commissioner or--"

Councilman Densieski: "Superintendent."

Vasso Patrikis: "Superintendent whatever you call him, whatever his title is, it doesn't make any difference. The job is the same."

Councilman Cardinale: "Mrs. Patrikis, I think that there's an alternate analysis which I share with you that government tends to leave people in place and we had a superintendent of garbage when we used to pick up the garbage. Now we don't, but we still have the superintendent. But I think that the greatest humor I found in this discussion was at a point when he was making \$58,000- since I came here two years ago, I've been asking the same question of Vinny as well as Bob, so it's not really partisan, what is he doing? And we thought it odd that we had a department head who had no department. So somehow now he's got a clerk for \$28,000 and now that is being used to justify that he has to supervise the clerk that apparently was given to him so that he could justify having a department without anybody in it. So it's like- it's like catch 22. We gave him a clerk so he could supervise him but he didn't need the clerk and you don't need the superintendent. I believe that that could save \$88,000 for the town."

Vasso Patrikis: "Now, my point is if like in New York City you have the department of sanitation and they're employed by New York City, fine. The way it was before where they were employed by the town of Riverhead, I would agree. But now you hire a company to do the job for you. He don't need anybody else. I'll supervise it if you want it."

Councilman Lull: "If you hire somebody to do the job- if you hire somebody to do the job for you, you hire a private corporation and as a matter of fact we hired three- private corporations to do the job for us, those are the two companies that do the residential pickup and the company that actually handles the work at the landfill, we have the three, excuse me, the three companies that are performing tasks that we have provided for them to do, they must do them. You have complained that they're not doing them for you. In fact, I have been in the office there when the buildup- the backup of complaints over the last day and a half or so was as many as 100 complaints. Now those complaints all do have to be answered by the sanitation department head supervisor, whatever he is. He's also a code enforcement officer. And it's his job to enforce the code. It's his job to go out and he does do it. He also is in charge of making sure that these contractors do, in fact, take the refuse where they're supposed to. There is a control over that. And he also is, in fact,

it's necessary for him, he's the one that gets the call when someone is evicted and they fill the street with garbage, it's his job to pick that up. That can be a full day's job sometimes.

He also is the- in charge of the dog pound. In fact, you have somebody who is, in fact, taking care of the job that's being done by a lot more people now than it was when we were doing it when we did have the sanitation department, it's being done by a lot more people now. And if we can trust that the people we hire in private industry to do the work at the landfill, will do the work that's prescribed and not have to be overseen by someone who really knows the business, I'm not sure that I want to trust somebody to do that. I have dealt with them before."

Councilman Densieski: "I'd also like to make another point, too, that- "

Vasso Patrikis: "I still think that this position is not necessary. You're not going to change my mind because I think it's not necessary. We can do without it and that \$58,000 we can put it somewhere, Main Street, Riverhead, that needs so much work. Okay. This money can go someplace else. I don't think that position is necessary."

Supervisor Kozakiewicz: "Well, I have your address. You've asked us to give you a statement, so you also- "

Vasso Patrikis: "(inaudible) and then I'll come back. We'll talk about it again."

Supervisor Kozakiewicz: "Fine. You also had one other- "

Vasso Patrikis: "If I get 5,000 signatures, I can overthrow your decision and I won't get 5- I'll get 10,000. I can do that. Because so many people that I talk to they do not agree to have this position because- you have the description and everything. Then we'll sit down and talk again."

Supervisor Kozakiewicz: "Okay. You also had something else on the card, Route 58 development."

Vasso Patrikis: "Yeah, that concerns me, I mean not that it matters but I think a discrimination on something. Okay. But what's going on? What's the status if the Riverhead Center and Route 58? Why has it stopped?"

Supervisor Kozakiewicz: "It has stopped initially because of litigation and lawsuits. That had been approved by the prior Board. There was litigation that ensued. The Town lost on the litigation and as a result of that, the builder couldn't go forward."

Vasso Patrikakis: "What was- it was Riverhead Building Supply is the one that- "

Supervisor Kozakiewicz: "I don't recall all the party litigants but there was a lawsuit which stopped it from going forward."

Vasso Patrikakis: "Well, one thing I want to tell you about that is you have to consider the homeowner. And Home Depot is a good thing to come into Riverhead, I feel, because the homeowner is off Saturday, Sunday, they can go and they buy things much cheaper and they can take care of the home much cheaper and I think it would be a nice thing. I mean now we're talking about Tanger Mall before, right, and it was supposed to be an outlet, right? But it's not an outlet because many of the stores there are regular stores. They (inaudible). I want to buy something, I said well, your prices are the same as Smithaven Mall. Oh, he says we're not an outlet. I said, what are you doing here? He's supposed to be an outlet. I mean you (inaudible), you're making a decision and you say this is what we're going to do, this is what we enforce and then somehow you're going- you don't care what's going there."

Councilman Lull: "Ma'am, we're not necessarily defending this issue but- "

Vasso Patrikakis: "I mean I love Tanger Mall. I'm there every day."

Councilman Lull: "Yes, and many of us do shop there but you must remember that the code that we passed allows for 30% non-outlet material there. Seventy percent must be outlet."

Vasso Patrikakis: "So do something about Route 58 because it looks terrible the way, when you come in, it looks terrible. Now, you're trying to fix everything down here by motor vehicles which looks beautiful and to have the other end look like that, I mean it looks terrible."

Supervisor Kozakiewicz: "You're looking for us to approve Riverhead Center is what you're saying. Okay."

Vasso Patrikis: "Yes. I'm looking for you to approve it."

Supervisor Kozakiewicz: "Okay. Okay."

Councilman Densieski: "Mrs. Patrikis?"

Vasso Patrikis: "Yes."

Councilman Densieski: "I'd just like to point out that although Phil and Chris agree with you this evening, in the last two years they haven't done anything about the garbage to improve it, so- "

Vasso Patrikis: "Well, I know. I know they haven't done- "

Supervisor Kozakiewicz: "Well, rather- well, rather than continue this- "

Councilman Densieski: "Maybe it's not so bad."

Councilman Kent: "Wait a second, wait a second."

Councilman Densieski: "Maybe it's not so bad."

Councilman Kent: "If he's going to bring that up- actually at the time of the budget when we were discussing salaries, I had made a suggestion if we were going to have John- the sanitation supervisor- I wouldn't have brought this up except for the comment that was made about us- "

Vasso Patrikis: "Right."

Councilman Kent: "-- at the time of the budget, the sanitation supervisor was going to be considered a code enforcement officer. I think he should be paid a salary commensurately with other code enforcement officers which is about \$40,000 not \$58,000. But we didn't make that change. So there was a discussion of it and I think he makes too much money. I stated that at the last meeting and I'll state it at the next meeting if it comes up again. I think he's paid too much for the position that he's holding. If it's a code enforcement position, he should be making code enforcement salary not supervisor salary.

And, by the way, we never- I don't think our sanitation department ever collected garbage. I think we ran a landfill and at the time there were employees who worked in the sanitation department,

worked at the landfill and when we stopped landfilling our garbage- "

Vasso Patrikis: "Well, I tell you, I only- "

Councilman Kent: "-- we should have gotten rid of the department. But we kept the department and the only employee we kept in that department was the head of the sanitation department and all the other employees went to the highway department. So- or sewer."

Vasso Patrikis: "Fine. I only went once to the landfill department- areas. I have never again."

Councilman Kent: "Are you interested in running for office? Are you interested in running for office because you- "

Vasso Patrikis: "Me?"

Councilman Kent: "-- yeah, you're excellent. You brought up- you've gone right to the point."

Councilman Cardinale: "Mrs. Patrikis, I- "

Vasso Patrikis: "I mean, I, listen, when I'm right, I'm going to stick up for my rights."

Councilman Cardinale: "As a gesture of non-partisanship, I want to be clear that this issue has come up in the previous administration and I couldn't muster three votes to get what I wanted which was no department."

Vasso Patrikis: "Don't worry, I'll get 10,000 signatures."

Councilman Cardinale: "I need another vote still. We need three votes to say that the department of sanitation should have been ended when we started contracting out our garbage pickup and I have not been able to convince two other people to join me. I think Chris might join me so work on these three guys."

Vasso Patrikis: "After I get the 10,000 signatures."

Councilman Cardinale: "Incidentally, Vinny would not join me either on that issue."

Supervisor Kozakiewicz: "Thank you. Okay. Anybody else who wishes to address the Board?"

Vasso Patrikis: "Thank you."

Supervisor Kozakiewicz: "Yes."

Joan Griffin: "Good evening. My name is Joan Griffin from Baiting Hollow. Chris, you mentioned something about a committee report, development on Youngs Avenue and Twomey. What's happening there?"

Councilman Kent: "That was- there's a bar on the corner of Youngs Avenue and Twomey Avenue, southeast corner."

Joan Griffin: "Right."

Councilman Kent: "All right. At one time it was the Hogan Farm. I don't know if Hogan is still farming that property but there has been a proposal to purchase the development rights on that farm to keep it forever as a farm."

Joan Griffin: "Okay. And second of all there's a lot of seats here and there's people (inaudible)."

Councilman Kent: "Yeah, why doesn't everybody sit down. Move up near the front, sit down."

Joan Griffin: "Thank you."

Supervisor Kozakiewicz: "Steve. Steve Kirschenbaum and then Steve Haizlip."

Steve Kirschenbaum: "Hello, members of the Board."

Supervisor Kozakiewicz: "The other mike, Steve."

Steve Kirschenbaum: "Hello, members of the Board and welcome, Mr. Supervisor and Councilman Densieski and the rest of the Board. I'm calling your attention to Resolution #65 tonight and I'd just like to speak on my behalf and just let you know what has transpired and what's going on, but two years ago on this day I was welcomed into this room- exactly two years to the day- for a proclamation to make this Steve Kirschenbaum Day for assisting in bringing back a part of Riverhead's history to town, bringing home a Grumman F-14.

Today, I stand in front of you and a resolution is about to be passed to bar me from the Grumman site. It was a difficult decision

on my part to decide which direction I wanted to go and under tremendous pressure from my Board of Directors on the Grumman project, they asked me, Steve, why are you taking the direction you're taking on this airfield project and the litigation against the town?

I'd just like to say a number-- a substantial number of Riverhead is proud of our aviation past and a number of Riverhead has worked building the aircraft that protected the free world as well as man's quest for the moon and as I sat behind in the Town Board meetings, work sessions, RDC meetings, I saw the Town of Riverhead given the jewel, the pot of gold, that could ball us out of being the lowest median household income in Suffolk County and taking this asset and trashing it and giving it away to somebody for next to nothing. And I looked at it and I said, God, it's like you were given Yankee Stadium and we're banning baseball, we're going to hold flea markets on the infield, turn skyboxes into housing, and I said something's got to be done and I talked to people. I talked to the Town Board and I said how can you take a community that their economy revolved around aviation use and ban this aviation use at the Grumman site?

And, hopefully, I took this position, it cost me my directorship with my project which meant the world to me, hopefully, one day I'll be back to continue forward with the good work I've been doing for the town. But, also this is nothing against the town, the current, Town Board. I believe it's an oversight and I believe it's a result of marching orders and there happens to be a tremendous amount of interest in this site and when I hear from members of the Town Board telling me that Riverhead doesn't have the knowledge or the wherewithal to run the aviation use at that site or to run an airfield for that matter. You know what? We run a police department, we run a water district, we run a sewer district, we run a town, sanitation department. There's no reason that that Grumman site couldn't be kept in town ownership and be run effectively.

And one more thing while I'm on that before I get done. Northrup Grumman SMS Services made a bid to do the site management at the Grumman site, \$46,000 a month. We hired a group for 4.5 million dollars a year to manage that site and it put the town in such a financial precarious that we had to unload this Grumman site because we couldn't afford to keep it. The recommendation from the Northrup Grumman people was to shut down the facility, to bleed down the pipes, that the security office at the south side of the facility had individual utilities. You could drill a well and use that as one building. The steam plant which was just refurbished, they said was a dinosaur. Even though it's brand new, the only way that that steam

plant will be useful is if General Motors comes into the site. They offered a \$600,000 one time fee to bleed down the pipes, shut down the facility, and their recommendation was to- as the buildings were rented, to switch over to oil fired utilities per building which is done at any other airfield or any other place like that. Instead the RDC had both groups, Northrup Grumman SMS Services and the group that's managing the site now bid to keep the site up and running.

At the taxpayers expense we just spent 4.5 million the first year; I think 3 million this year to run the entire Grumman infrastructure for an empty defense plant. It's ludicrous and it's driven us to the point of bankruptcy that my lawsuit, if our group succeeds, could possibly bankrupt the town and we shouldn't be in a position like that. We should retain the developed portion of that Grumman site as a town asset.

The undeveloped portion at other sites within the country, they sell the undeveloped portion of the site like that to developers to redevelop. But what we own, we should keep and with smart management, the town can have smart industrial development, aviation use. Not a major airport which people are plugging that I'm trying to do. There is no reason for a major airport on the east end. McArthur has a hard enough time making a go of it. There is not enough business for that in this day and age.

But to destroy a jewel that can never be recreated, that costs hundreds of millions of dollars of taxpayers money of America and ignoring those capital improvements, I think is a sin. And I've been willing to put my money where my mouth is and I've brought a lot of deals at you and there are a lot more coming your way. But I apologize that I had to take it to the point of our group pursuing litigation and I'm really sorry I'm not going to be there short term to see my project, the Grumman Museum project, to its fruition. But I have much respect for the town and the Board and I just think we made a big mistake. Thank you."

Councilman Cardinale: "Yeah, Steve, I have a question. Aside from the larger issues which you laid out, this resolution you were addressing indicates that Ken Euring, John Caruso, Steve Palmer, Robert Siemon, Monty Oakes and you had access to the plane in order to keep it maintained while we were awaiting getting it on the pedestal, are those people on the Board?"

Steve Kirschenbaum: "Yes. The majority of those people are on the Board."

Councilman Cardinale: "Are any of them not on the Board?"

Steve Kirschenbaum: "A couple of them are not on the Board."

Councilman Cardinale: "So why couldn't you- why can't you have access to the place just simply because you stepped off the Board in view of the fact that you have another issue?"

Steve Kirschenbaum: "I have no idea."

Councilman Cardinale: "Do you object to- would you like to have access to the plane so you could go see the plane when you want to? I mean, it doesn't seem to me that it makes any difference if you have or have not got access. There are people on this access list that do not- are not directors, and you're not a director at the moment."

Councilman Densieski: "Phil, I believe it's because of the litigation against the town. I do have a point, too, that I will state later about Steve's resolution here. But I think the reason why Steve took a leave of absence from his organization is due to litigation which some of those points are valid. I think that's why Steve- "

Councilman Cardinale: "You mean the distinction between him and the other members who are not directors is that he's bringing litigation and they're not?"

Councilman Densieski: "I believe that's correct."

Councilman Cardinale: "But if we- "

Steve Kirschenbaum: "I think I got Andrea angry, is what happened."

Councilman Cardinale: "Yeah. There's a lot of people suing us and they use Town Hall all the time."

Steve Kirschenbaum: "In fact, fellow directors of mine have also."

Councilman Cardinale: "Do you care to come pat the plane or whatever you do at- "

Steve Kirschenbaum: "Actually, right now I'm not directly involved in the project but, hopefully, in the future once all this

subsides, at that point in time I would hope you would reconsider and make me available to go to the site. But right now I guess if I had to for some reason, I would call the Town Board and ask permission. But I just figured I wanted to clarify the- "

Councilman Cardinale: "Okay. We certainly appreciate your efforts in regard to the memorial."

Steve Kirschenbaum: "Thank you."

Supervisor Kozakiewicz: "Steve Haizlip?"

Steve Haizlip: "Steve Haizlip of Calverton. I want to expand just a little bit more on that resolution 65. The way I read this, it is authorizing representatives from East End Aircraft to conduct required maintenance for the F-14 aircraft. Is this the aircraft itself while it's up in the hanger or is it when it's going to be erected into a park?"

Councilman Densieski: "The aircraft itself and the equipment and there is other things towards the monument that they work on and clean."

Steve Haizlip: "So this is authorization to be into the field and go into the hanger. All right. Got you. On 69, we've got a lot going on. You are reappointing legal representatives. You're going to do planning consultants, engineering, computer, court reporting, board transcription, appraisers, land surveyors and interpretation and consultants."

Supervisor Kozakiewicz: "These are different types of consultants. We're putting them all in one resolution. There's legal representatives, there's consultants who are helping out the water district and the sewer district. There's computer consultants. Court reporters, Board transcribing, that's Jacqueline O'Sullivan who we talked about earlier, and police interpreters. So it's different consultants, different contractors that we deal with. Not one group that's doing all these things."

Councilman Lull: "Steve, if the police department picks up somebody who does not speak English and they need a translator, Polish-American translator in order to get the processing done, they can get somebody to do it but if we didn't have this resolution which approved everybody up front, then in order for that person to be paid he probably would have to wait a month until we go through the

individual resolutions for each person to be paid. So we do it ahead of time so they can be paid on time."

Steve Haizlip: "Okay, thank you, I understand."

Supervisor Kozakiewicz: "Thank you. Ginger Lewin."

Virginia Lewin: "Yes, Hi. I'm Virginia Lewin. I live in South Jamesport. I own a business in Riverhead, Lewin Medical Supply, as you might know and I'm involved in Calverton project. I'm one of the people that was named suing the town which I'm sorry to say it's something I feel that I need to do."

I'll tell you a little bit about remodeling and renovation. I want to tell you about my building. If anybody knows Lewin Medical Supply, my building was built as a Jehovah Witness church. It was that for 10 years. After that, renovation was done, it was remodeled and it was made into a restaurant. My office is currently the old bar. Okay. Originally the (inaudible) for that church became the kitchen for a restaurant and it's now my conference room. These are renovations. This is remodeling. And this is transition because business uses has changed. That's acceptable and we were able to make those modifications.

I'll tell you. You look at that-- those runways. Okay. I went to the hanger party. I'm pleased to say I had a very nice time and the crew that worked that did a beautiful job. But it really brought home the fact that those buildings really are. Anybody that went there and found out first hand what a hanger is. You can't possibly think, gee, what can I remodel this into? It is a hanger. You can't even think about remodeling it into something else. It is so bizarre to think that those buildings should be trashed to be made into something else and what else could they possible be? You can't look at this room and say, gee, let's put offices in here. You just can't. The infrastructure is totally different.

Also, that whole area was built with what-- can I say the Navy checkbook? Kind of like carte blanche. Let's make it because we want to make these Grumman planes there. We want to save, you know, save the world with these planes. We spared no expense to build that place. Why let it be trashed and make it another golf course? Here we are telling people on your open space you can't have a golf course. We're going to break up millions and millions of dollars of stuff to change the use of this property.

I think it needs to be re-looked at. And also the price involved is another bizarre issue. Yes, Chris?"

Councilman Kent: "There's no golf course. No golf course proposed in the industrial park."

Virginia Lewin: "Well, that really makes me rest easy to know. You know. That is an important thing."

Councilman Kent: "There is no proposal to break up buildings. That's not what this is all about. This is about using buildings that exist. It's not about tearing them down to build a golf course. The property has got an industrial core which is zoned industrial and the outer area which is raw land is zoned recreational. And that is where the golf courses would be built."

Virginia Lewin: "Okay. So, why don't you sell the raw land and save the buildings that already there for- "

Councilman Kent: "Save them for what?"

Virginia Lewin: "For a use that would be most fitting for them. "

Councilman Kent: "Okay. We'll subsidize this place until we find somebody who- "

Virginia Lewin: "You don't need to subsidize it."

Councilman Kent: "We don't need to subsidize it?"

Virginia Lewin: "Just like Steve just told you about. Why would you think of keeping a place up and running if nobody is using it for now? Why would you- "

Councilman Kent: "Let's take a look just to the south of us in Westhampton Beach. They have an airport there, probably it has never made money and probably never well make money. The County subsidizes that every year. Is that what you want us to do, the Town of Riverhead to subsidize this airport?"

Virginia Lewin: "Have you looked into the potential for the opportunity that has been presented to us already as a town? Just as far with the NTSB and the Flight 800 Flight, the fact that- do you know that they were looking for an area to have a national crash

center? Wouldn't that be something that would be a big plus for Riverhead?"

Councilman Kent: "I believe that that's being looked into by the town. I think the town looked- "

Councilman Densieski: "Actually, that's no. Proposals were due by December 31<sup>st</sup>. I wrote an unofficial letter to the NTSB but I have not received any correspondence back. I, too, would also like to see high paying aviation jobs in the core. While I still don't believe we need an airport there- "

Virginia Lewin: "Nobody is asking for- "

Councilman Densieski: "- I think we need some high paying jobs at Grumman. We have the people that can fill those jobs. They're a couple years older now but I think we have the people and I, too, would like to see those jobs come back to town."

Virginia Lewin: "And, also, you have to think about the future. And I'm not saying I want an airport or an airfield. But I'm looking forward to 30, 40 years from now. You know, how is the town going to develop? Maybe we're going to need some place, some way- I think about a tragedy that could happen. What if you need an evacuation? Because I've been involved in evacuation issues before because of family jobs whatever, but I mean, why would you want to close down a link with the rest of the country here? And with an airport? With the potential of having a place like that. It just seems kind of bizarre."

Councilman Kent: "I don't think any proposal we have to date is to close down that runway. That runway is- we want that runway to stay. We have a 10,000 foot runway and we want to keep it. I don't know, really, what you're referring to. You know, really."

Supervisor Kozakiewicz: "We have discussed that and I think the Board is in agreement that the 10,000 foot runway should be saved. We're working to do that. All right. Just so you know that. That is something that we're concerned about. As far as aviation uses, I understand there's been some receptiveness to that. There are some mixed use industrial/aviation uses which involve the refitting of planes which as you point out would be- fit well into a hanger type of space. Those people are out there. I think they're being courted and asked to consider the site and, hopefully, we can attract them to the facility because that would be something as you point out that would

not require a lot of retrofitting or remodeling as you point out. So, thank you for your comments."

Councilman Densieski: "Up to the mike, Steve."

Supervisor Kozakiewicz: "Just- you have to restate who you are."

Steve Kirschenbaum: "Oh, Steve Kirschenbaum, from the Grumman-Peconic Alliance. (Inaudible) the manager at Gabreski has been turning away corporate flight departments, turning away users. She has virtually no usable space there. The National Guard occupies all of it. She has two hangers that are packed to capacity. She told me that this airfield would be in no way competition with hers and that's where some of these- that airfield is not making money because it's paralyzed by the Westhampton Beach community that virtually lies on top of the airfield. They only have 50 acres of expansion and every time she goes to build, they stop her. In fact, right now, the space shuttle wants to land there as an alternate landing strip and the funniest thing is I was trying to get the space shuttle to come to Calverton. I mentioned it to the Air Guard and they went and got it for Westhampton. But the Westhampton Beach community is fighting the space shuttle. That's what they're up against over there and that's why Gabreski is stagnant and that's why it's losing money."

A community that has the best buffered airfield built in the country with an unlimited federal budget could never be up against that from the community. But that's why they're losing money over there. And we're not talking an airport at Calverton. We're talking an air access industrial park. And an air access industrial park needs two legs. An airfield with one runway is like a person with one leg. If you want to attract the proper clientele and people who will bring in top dollar jobs, a Lockheed, a Grumman, a Boeing or somebody to bring in real jobs, you need both legs on that airfield. Thank you."

Supervisor Kozakiewicz: "Is there anybody else who would like to address the Board? Henry Pfeiffer, please, and then I'll finish up with you, George. Unless there's someone else who wants to- Sal? Yes, oh, okay, I'm sorry."

Henry Pfeiffer: "Henry Pfeiffer, Wading River. I used to be somebody but now I'm old. I'm old and I'm suffering from the pain and old age. There are things I don't understand that I knew so well some years ago. Going back a little bit, I was formerly an inspector of

customs, I was an agent for the US Customs. I was a member of the Foreign Trade (inaudible) Board. I understood and managed the bonded warehouses in the Port of New York as far as Albany into New Jersey, and so forth. (Inaudible) shook up a little bit, by reading some of the propaganda that has been going into the newspapers all in the name of Steve Kirschenbaum. And I wonder if the rationale, and perhaps you might be able to straighten me out and bring me into the 21<sup>st</sup> century.

One of the first things that I noticed was that we need an airport out here and that the people who are fighting it in the Calverton area knew there was an airport out here when they moved out here. Where was the airport out here? If you think that thing at Calverton, the old Grumman, was an airport, you don't know what you're talking about. It's not an airport.

Number two, to have- there are two types of airports, one would be the subject ourselves to international trade and so forth up to and including foreign (inaudible). Who in the vicinity on the east end imports goods from foreign countries? Who on the east end exports goods? Why do you need an airport for that purpose? Are the farmers going to pay airport rates to ship out potatoes?

Then there was a question of why- first of all, why should the people (inaudible) talk against this particular airport, have a right to direct you? Wasn't this the same one who appeared and filed a petition with some 200 names with the County Clerk (inaudible) not locals? And then, of course, you read about the accusation (inaudible) which is, of course, an attempt to label somebody with something as atrocious when you don't have (inaudible) reason behind your own arguments.

Further we talk about it being able to produce taxes. There is not one single airport on the east coast, I don't know about the ones in the central United States and on the west coast, that operates on a profit. Every one is supported by your taxpayers dollars either directly or indirectly in the form of military support. You can check that out. And if you don't think that's so, consider what's taking place with JFK right now where they're attempting to put a communication center between the airport and Jamaica. Who's going to pay for that? The taxpayer (inaudible).

And of course the other thing is that we're going to bring jobs out here. But if you know anything about an airport an international airport for example, what do you need out here? You need customs inspectors, you need immigration inspectors, health inspectors,

Department of Agriculture, you need a whole series of government employees that you do not have out here that are all civil service and you simply move them out here.

So what I'm saying is this. That until you build up an industrial setup that demands some sort of transportation of that nature, of an international nature like that, think about bringing in and forcing a bloody nuisance such as an airport out there. Thank you."

Supervisor Kozakiewicz: "Sal Mastropolo? You had submitted two different cards."

Sal Mastropolo: "Sal Mastropolo, Calverton. There was a special on TV, I think it was Sunday night about the clean air purification act of the 1980's and the fact that the chemical that was added to the gasoline is now causing water pollution- Santa Monica, can't use their own wells. Can you tell me if the Town of Riverhead is testing for I think the chemical is called MBTE- MTBE?"

Supervisor Kozakiewicz: "We had that particular problem- we do test for MTBE or MBTE, Gary?"

Sal Mastropolo: "Either way. But we are testing for it?"

Councilman Lull: "Yes."

Sal Mastropolo: "Okay."

Councilman Lull: "Gary will tell you about it."

Gary Pendzick: "Gary Pendzick, Superintendent of Riverhead Water District. (Inaudible) is an additive required by the federal EPA to be added to gasoline to oxygenate it in heavily populated areas, New York City and Long Island are one of them. We test- we began testing well before it was required by drinking water standards- New York State and Federal standards and currently we have to MTBE anywhere in the water district."

Sal Mastropolo: "Great. Thank you. I'm glad I asked the question. The second question is, you print reports in the brochure for the Town Board meeting but I never see any reports from the police department, okay, reporting the fines that are collected for traffic summonses, etc. So I asked Barbara and Barbara said well, those fines get collected by the Justice Court, but I never see anything printed

here from the Justice Court as far as revenues are concerned. Should we be reporting Justice Court revenue? And, if so, when can we start? Because I'd like to understand- I understand how much it costs us for the police department, okay, from a budget point of view, but I never see any revenues coming in and I was wondering, you know, like do they ever put up roadblocks to check for registrations? Do they ever, you know, put speed traps up and how much are we getting out of the police department in the form of traffic summonses and revenues? So it would be helpful if you would publish how much Justice Court brings in as a result of traffic violations."

Supervisor Kozakiewicz: "They do collect the fines, the Justice Court personnel and depending upon whether it's a state violation or a town violation, it depends upon how much of that money we actually see. If it's, for example, a vehicle and traffic law violation or a penal law violation, most of the money is sent to the state. A small portion of that comes back to us. If it's a town code violation or a town ordinance, I understand we're allowed to keep most of that money. But we'll take- I'll ask the Justice Court if there's a way we can get that added on and to make people aware of how much money is collected."

Sal Mastropolo: "Okay, thank you."

Supervisor Kozakiewicz: "Thank you. George Schmelzer."

George Schmelzer: "Most of the (inaudible) for the airport is really the (inaudible). I don't care what they say. Their back yard, they want it so nice, they don't want any people around. They don't want any people around we should have a good airport. Some of the people would leave, no one else would come in they'd have all this space. And I told the two previous administrations why don't you let the people decide? Have a referendum. Stark didn't want it. Vinny didn't want it. They both lost. I think you should have it next November. These people from Laurel to Manorville will decide. Not just Wading River. I live near it, I'd rather have an airport for the future. They say Riverhead doesn't know how to run it, well, I guess that's an insult to the Town Board if they say it doesn't know how to run it. It doesn't know how to run anything then. And they consented to give all the land away to the State, voted for the pine barrens, and on River Road, Calverton there were houses there for 100 years, they're in the pine barrens now. You've got this nonsense, even the doctor on the north side of the track on the westerly side of Roanoke Avenue couldn't build a ramp for his patients. It took him over a year to do it because of this damn nonsense."

I suggest you have a referendum next November about the airport and the campaign was critical of the 17 million dollar deal to sell the central part (inaudible). What's your position on that now? Are you going to go through with it or are you going to kill it? Huh? Who said that?"

Supervisor Kozakiewicz: "That's- somebody in the back is saying we shouldn't. We have a contract and we're in a contract. So I don't think we can just simply say well, let's forget about the contract now."

George Schmelzer: "What's your position on it?"

Councilman Densieski: "We're negotiating, George."

George Schmelzer: "Well, that's a weasel answer now."

Councilman Densieski: "No, it's not. It's the truth."

George Schmelzer: "Are you for it or against it?"

Supervisor Kozakiewicz: "Am I for the deal or against the deal?"

George Schmelzer: "Yeah, yeah."

Supervisor Kozakiewicz: "I had indicated that I, you know, during the campaign that I did not feel- "

George Schmelzer: "Right now. Right now. What's your position? Are you for it?"

Supervisor Kozakiewicz: "I do not wish to buy the town a lawsuit by simply saying that we're- "

George Schmelzer: "I didn't ask you that. Don't weasel, come on, give me the truth. Are you for it or against it right now?"

Supervisor Kozakiewicz: "If I say I'm against it, I'm buying the town a lawsuit. If I say I'm for it then you're saying I'm changing my mind."

George Schmelzer: "Yeah, I think you are."

Supervisor Kozakiewicz: "George, I- if you want to talk about

this later, I'll talk about it but I'm not going to make a statement."

George Schmelzer: "Why are you afraid to talk about it for? This is very important. Why don't you talk? What are you afraid of?"

Supervisor Kozakiewicz: "The deal I thought could have been a better deal. I think there's other people who felt the contract could have been a better negotiated contract. But we have a contract and for you to- "

George Schmelzer: "Maybe you do and maybe you don't."

Supervisor Kozakiewicz: "We have a contract. It's been signed. I mean, there's a document that's down in the Town Clerk's Office. You are free to go look at it. It's signed by Mr. Villella in his capacity as Town Supervisor and by Mr. Burman. It's a signed contract."

George Schmelzer: "Well, let's have- furnish a copy of it so we can see what it says, all the side deals, if any."

Supervisor Kozakiewicz: "The contract is on display. You can see it and look at a copy at the Town Clerk's Office."

Councilman Cardinale: "George, there is a contract. However, it's conditional upon the town designating Burman as a sponsor and that decision was delayed the last week of the current- previous administration to allow the new administration to make that decision. They have to decide whether- how they're going to vote on that resolution and I would imagine we're going to have to do that pretty soon. That resolution says that we accept or do not accept Burman as a sponsor for the renewal that is supposed to be going on up there."

George Schmelzer: "Renewal of what?"

Councilman Cardinale: "The renewal of the area. The renewal, yeah, they call it the urban renewal district. But- "

George Schmelzer: "Urban renewal?"

Councilman Cardinale: "Urban renewal, yeah, believe it or not, that's what it's in. But that's the decision that has to be made and I'm expecting that will be made in the next two weeks because we deferred that vote at the end of December in order to give the new members of the Board an opportunity to consider the issues. And I

would expect that you'll have your answer within the next few weeks."

George Schmelzer: "Well, if they (inaudible) in favor of it, I'd call them all hypocrites. Like what Wendall Wilke said when they pinned him down when he lost, he said that was nothing but campaign oratory. That's all you got now is campaign oratory? It looks that way. Really."

About this expressway, Route 58. I think it was almost a year ago that Vinny appointed a committee to look into it. I've got a copy over here about 58, (inaudible) Sound Avenue, people said they can't cross during the summer time, there's too much traffic. Nothing mentioned about the expressway. What's- who's running this town? Some automobile dealers on 58 like the people to crawl by so they might stop and look at some new cars? Why don't we consider the expressway?"

Councilman Lull: "George, I'll speak to that because I'm not going to ask Phil to do it because it was his committee. But we received a report- a full report from that committee when they handed in their final report."

George Schmelzer: "Yeah, I know."

Councilman Lull: "No, you don't. They did a thorough- "

George Schmelzer: "How do you know I don't?"

Councilman Lull: "They did a thorough investigation of a variety of different opportunities, one of them was the expressway. As far as they were concerned, they pursued the ones that they thought was- were the most important, the most logical. But they- "

George Schmelzer: "But it's not even mentioned."

Councilman Lull: "The report that I got from the committee after different deliberations they did, in fact, do that. Okay."

George Schmelzer: "They must have given me a- "

Councilman Lull: "They gave you a final report. The final report was that they decided that that was not the direction that they wanted to go in."

George Schmelzer: "They never mentioned it. The word was never

mentioned."

Councilman Cardinale: "George, in that report, the fundamental determination which you laughingly predicted and you were right, was that that recommendation was- of that committee was that we needed a further determination by an up to date study as to whether the people on 58 wanted to be there or didn't. If they wanted to be on 58, then another road to get them off of 58 wasn't going to help. If they wanted not to be on 58 but really wanted to be further east, then one of the alternatives was to consider an alternate route, including an extension of the expressway. So we did not indicate that it was precluded. We simply indicated how- you can't tell whether- unless you do a proper study, what percentage of the people of Route 58 want to be there for the services that that road offers and what percentage want to be out of there to Southold. If a good percentage wants to be in Southold one option is an alternate route. The alternate routes considered were- are the extension of the expressway, the better utilization of exit 71, better utilization of exit 71 north or south, and reconfiguration of Route 58, including using, for example, two lanes of eastbound traffic on Saturday night and two lanes of westbound traffic on vice versa, westbound Sunday and eastbound on Friday. So we did not preclude it but we suggested as you yourself predicted. Remember you said that the result of this study is going to be a recommendation of another study? And you were right."

George Schmelzer: "What's the (inaudible) - this has been going out for so long that I think it's like a joke."

Councilman Cardinale: "Well, it kind of it and one of the reasons it is is because it isn't the Town of Riverhead's road to begin with. It's a county road. So maybe the county ought to decide what they want to do with their road which is a hell of a mess."

George Schmelzer: "You can't blame the Marx Brothers or Laurel and Hardy, they're all dead, you know. Otherwise maybe you'd say they were hired. Really. I was told last spring they're waiting for aerial maps- from the county."

Councilman Cardinale: "Yeah, I got that. They're very nice."

George Schmelzer: "You've got them?"

Councilman Cardinale: "Yeah, you gave them to me."

George Schmelzer: "Well, (inaudible) I figured they'd do

something, did nothing."

Councilman Cardinale: "We enjoyed looking at them and we better understood the roadways but they didn't help in any other way but they were nice to look at."

George Schmelzer: "You've still got them there, right?"

Councilman Cardinale: "Well they were. Last I saw them, they were right over there. I think they've been removed to a safer place or stolen, either one. I'm not sure which."

George Schmelzer: "Mark has them. Mark Heffner has them. If you stole them- somebody in town stole them, well, my opinion of the town has gone down a bit."

Councilman Cardinale: "Mark has them, I believe."

George Schmelzer: "I think- I hope so. I ordered them to be 650 feet to the square inch, to the inch, that means every square inch is 10 acres. You can figure out the (inaudible). And everything from east of 105 to the runways. So I don't know why you need all these studies for. Somebody talking about widening 58, (inaudible) when you get to East Main Street, it goes down to two lanes again."

Supervisor Kozakiewicz: "George, I know you're going to say that you've been interrupted a number of times and that's the reason why you've been unable to stay within the five minute rule. You've been up approximately 10 minutes and- "

George Schmelzer: (Inaudible)

Supervisor Kozakiewicz: "Well, George, there was only I think one other person who stayed up longer than the 10 minutes- "

George Schmelzer: "Tonight or other nights?"

Supervisor Kozakiewicz: "Tonight. Tonight. I think everyone else has been gracious enough and considerate of the people in the audience as well as the Board. We've asked if we could adhere to the five minute rule. Everyone else has been I think very kind to do that, I think just with the exception of one who wanted to make a very strong point in how they felt about a particular item. But if you could conclude your comments. I think we'd appreciate it and I think everyone else in the audience would be most appreciative, too."

George Schmelzer: "Yeah, okay."

Councilman Cardinale: "And you'll always be remembered by me as gracious and considerate."

George Schmelzer: "Just give me a direct answer, not a weasel answer. What are you going to do about this scenic river nonsense? Are you going to try to get rid of that?"

Supervisor Kozakiewicz: "If I answer and say yes, it will be what you want to hear. I don't know how much I can do but I'll certainly look at that but I don't have an answer for this. It's not an easy solution. You've been asking I don't know how many different Town Boards what are you going to do about the scenic rivers? What are you going to do about the school tax problem? What are you going to do about Flanders? What are you going to do about Brookhaven? And they're not easy answers. They're not easy solutions. I think the only thing I can say to you is I don't have an easy solution for you today. I'll be honest enough to say I don't have an answer for you that will solve all of the problems. I will certainly take time to sit down with you if you want to sit down rather than on a Town Board night while the camera is running to talk about solutions that you have in your mind, let's make an appointment and we'll see if they'll work."

I know that you've talked about the Adirondacks and examples they've given and what they've done up there. Chris has mentioned at last years' Association of Towns meeting that this is something they talked about. We could explore that possibility down here. I would like to look at that possibility. Today, January 18<sup>th</sup>, I don't have an answer for you, George. And I'll be honest enough to tell you I don't have an answer for you on the school tax.

I obviously am not happy about the school tax situation if that's what you want to know. I mean, it's not something that people feel comfortable with. Ma'am, ma'am, so that we can- you know, rather than get into a long winded- I don't have an answer. Okay. George, I don't like the school tax situation, I don't think anyone likes paying three-quarters- "

George Schmelzer: "The subsidy of Southampton and Brookhaven, we're paying 5 million dollars extra in this town just for that and no Town Board has done- don't seem to care. I asked Vinny about it. He gave me a stupid answer so I could prove he's doing a good job."

Councilman Cardinale: "George, the Scenic River Act is one of the stupidest pieces of legislation I have seen in 20 years. However, it was the State legislature that passed it so we are limited as a Town Board to telling Mr. LaValle and Patricia Acampora that we think that is the stupidest piece of legislation as it affects Riverhead that they've ever passed. But they still haven't repealed it. So what are we supposed to do?"

George Schmelzer: "Well, I heard at the time the Town Board wanted it, I heard. Or the Supervisor did."

Councilman Cardinale: "They wanted the Scenic River- that would have been truly absurd."

George Schmelzer: "I heard Joe Janoski wanted it."

Councilman Lull: "Very shortly after that was passed, the Town of Riverhead sent- well, not shortly, it took a while to put it together, the Town of Riverhead sent to the DEC the Peconic River Management Plan which is a management plan meant to deal with the Peconic River specifically in the same way that the Scenic River Act deals with other rivers. It changes the boundaries, it changes locations. The answer to that from the DEC, would you like to guess?"

George Schmelzer: "No good."

Councilman Cardinale: "Did we ever get an answer? I bet you we never even got an answer from them. They never even answer. That was how many years ago? Four years ago we asked the question."

George Schmelzer: "And you should get after them. They can't even clean out the drain on East Main Street there that goes into- it drains all the way from 58, that pipe is almost closed up, you'll have a couple inches of water down here sometimes."

Supervisor Kozakiewicz: "Thank you, George."

George Schmelzer: "Yeah."

Supervisor Kozakiewicz: "All right."

George Schmelzer: "Yeah, I'll see you sometimes. You'll be busy anyway."

Supervisor Kozakiewicz: "Thank you, please. No, no. Make an

appointment and please come in."

George Schmelzer: "(inaudible) put a little window in your office door so we can see you sitting there."

Supervisor Kozakiewicz: "Thank you, George. All right. Thank you."

Virginia Lewin: "I have a very minor question that just requires a one word answer and it's not yes or no (inaudible). And this is really for Phil Cardinale and Chris Kent because they're with the former Board."

Councilman Kent: "Jim Lull was also there."

Virginia Lewin: "No, I'm sorry. I didn't mean that as far as with the former Board. Because you're lawyers, that's the reason that I meant. When you sell property it's usually the seller's attorney that draws the contract. I was just wondering because I have read the contract and I have a copy of it if anybody wants to look it up, look it over and they're busy at Town Hall, you can come to my office and look at the contract for the Burman deal. I'm wondering who actually drew up that contract? Was it Adam Grossman, the attorney?"

Supervisor Kozakiewicz: "No."

Councilman Kent: "Steve Klein, Wilke, Farr and Gallagher, who represents the town."

Supervisor Kozakiewicz: "The Town Community Development Agency who is represented by Wilke, Farr and in particular Steve Klein, he drew up the contract."

Virginia Lewin: "Where is that firm from?"

Supervisor Kozakiewicz: "Manhattan."

Virginia Lewin: "Okay. Did Adam Grossman, the Town Attorney, and our two legal wizards on the Town Board at the time, did they review that contract?"

Councilman Kent: "I'm a Town Board member. I'm not an attorney on the Board."

Virginia Lewin: "Well because that's your background. As an

attorney, I thought you might have like perused it as an attorney. Did you do that prior to the signing?"

Councilman Kent: "I read the contract in its entirety."

Virginia Lewin: "And you felt this was a good contract? The writing of it is what I'm saying."

Councilman Kent: "There was- this property has been marketed I would say aggressively for four years, maybe more than four years now- five years at this point."

Virginia Lewin: "I'm talking about- I'm not talking about the property, I'm talking about the document itself as far as legalese wise."

Councilman Kent: "And this was- if you'd let me answer, I will give you an answer."

Virginia Lewin: "Sure."

Councilman Kent: "I thought the contract was fairly sound in almost every point. There may have been some minor points that are not as great to the town as they might be. But a contract is a negotiated agreement between two parties and you have to remember that Mr. Burman has also got- has some interests that he has in the contract as well as the Town has in the contract. So you have to remember that a contract is a negotiated agreement between two parties."

Virginia Lewin: "Right. But you did feel that this was- "

Councilman Kent: "There was some give and take in the contract. The contract that was signed was not the original version. There were many versions drafted over and over again, many changes back and forth, give and take between the parties, until we reached that final agreement. And I think the agreement was well negotiated and well thought out, yes. Am I happy about every single thing in the contract? No, I'm not. Some are favorable to Mr. Burman than to us. But some of them is more favorable to us than Mr. Burman. So there's give and take."

Virginia Lewin: "Is it favorable to us?"

Councilman Kent: "Is it favorable to us?"

Virginia Lewin: "Yes."

Councilman Kent: "I think we're getting a very good price. I think Mr. Burman is picking up a lot of expenses that other purchasers may have demanded that we pick up and I think there's a give and take there. We also retain ownership of the runway other than selling the runway as we were doing in a prior transaction."

Supervisor Kozakiewicz: "Thank you. Yes, Steve, one more time and Steve Haizlip, sure, but and then we want to get the resolutions if we could."

Steve Haizlip: "Steve Haizlip of Calverton. I want to bring up a point that George brought up. You speak of Mr. LaValle. I don't intend to criticize Mr. LaValle in any way against the Town Board- helping the Town Board. But when you write Mr. LaValle, I wrote three letters to him, and I have highlighted the point about this Wild River Scenic Act. I have highlighted the point about the 5 million in taxes that George talks about. And I highlighted to him about the fact was he proud that he sent Joe out here in 1979. I don't get no answers from him whatsoever. So the nickname that George has given is very appropriate. He weasels. He won't give us an answer on anything. So I wanted to get that out there."

Supervisor Kozakiewicz: "Thank you. If we can take up the resolutions?"

Resolution #47

Councilman Cardinale: "Resolution #47 is an order calling a public hearing on an alarm system upgrade for the Riverhead Sewer District. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #48

Councilman Densieski: "Approves special permit petition - East End Commons."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "I'm going to vote yes on this but as I indicated at the work session, we routinely as is recited in this #5 do modify our 15% ground coverage in commercial zones. I don't think that's a good policy. I'd like to see the Board consider an amendment where appropriate to enlarge it rather than to do it by piecemeal variances which we tend to do. This is a very minor amendment. It's 15.3% as opposed to 15% so I'm going to vote yes but I want to make that statement."

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

Councilman Kent: "In addition to the fact that it's just a minor increase above the allowed 15%, it was also as a result of the applicant withdrawing a second petition to increase building area and that is one of the conditions placed upon this approval that they will withdraw their existing additional petition for increased building area. So with the fact that it's only a small increase above the zoning requirement of 15% coverage and the fact that they are going to withdraw their second pending petition, I'll vote yes."

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

Councilman Lull: "That and in addition to the fact that they will have- in their final project they will have some serious responsibilities to the Fire Marshal since he has done his work on this project, but to this point, yes."

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

Resolution #49

Councilman Kent: "Authorizes the Town Clerk to publish and post notice to bidders for Riverhead Water District renovations to administrative building. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #50

Councilman Lull: "Extends bid contract for water service materials. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #51

Councilman Kent: "This authorizes the Town Clerk to publish and post public hearing notice to consider the demolition of buildings owned by Harold Mason at 343 Maple Avenue, Riverhead, pursuant to Chapter 54 of the code of the Town of Riverhead entitled Unsafe Buildings and Collapsed Structures. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #52

Councilman Cardinale: "This is a resolution which authorizes the Supervisor to execute a project amendment to the Local Waterfront Revitalization Program. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

Councilman Cardinale: "Before the vote, I have a question. I see that there is attached a document which I presume is the agreement but I can't figure out what it says. Can somebody help me out here?"

Councilman Kent: "Didn't we already approve this once? Didn't

we do this?"

Andrea Lohneiss: "Yeah, Phil, the attachment is just a signature page that extends the agreement for another year."

Councilman Cardinale: "Okay, so then that's all we're doing here because, yeah, that's it said it was modifying it but there was no modification other than the date."

Andrea Lohneiss: "It was modified and extended in order to follow the process of the master plan. It's one component of the master plan- "

Councilman Cardinale: "In order to extend it is the only thing we're doing here. Okay, fine."

Councilman Kent: "Is it extended to March 31, 2001 because in the body of the resolution it says March, 2000. The agreement says 2001."

Andrea Lohneiss: "That's right."

Councilman Kent: "Okay, so I would move to amend the resolution to say March 31, 2001."

Councilman Cardinale: "It's at the fourth whereas clause."

Supervisor Kozakiewicz: "The fourth whereas, okay."

Barbara Grattan: "That's to amend."

Councilman Lull: "Yeah, I'll second."

Supervisor Kozakiewicz: "Motion to amend. Moved and seconded."

Councilman Kent: "We can just move it as amended."

Supervisor Kozakiewicz: "Yes."

The Vote: "Densieski."

Councilman Densieski: "Yes, as amended."

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

Councilman Cardinale: "Yes, as amended."

The Vote (Cont'd.): "Kent, yes; Lull, yes; Kozakiewicz, yes.  
The resolution is adopted as amended."

Resolution #53

Councilman Densieski: "Ratifies authority for the Town Clerk to publish and post a help wanted ad for automotive equipment operator. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "Yes, I'm going to vote yes and at some point before we do make the personnel committee go through interviews on this, I would like to again ask that we have some kind of a process by which we review whether this job needs filling. But yes to publish and post."

The Vote (Cont'd.): "Kent, yes; Lull, yes; Kozakiewicz, yes.  
The resolution is adopted."

Resolution #54

Councilman Cardinale: "54 authorizes the attendance at the New York State GFOA 2000 annual conference of Jack Hansen our financial administrator, March 22 to 24 in Albany. So moved."

Councilman Lull: "That's actually in Tallahassee, right?"

Councilman Kent: "I thought it was Honolulu."

Councilman Lull: "I'll second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #55

Councilman Densieski: "I have Cardinale on that."

Supervisor Kozakiewicz: "This is being substituted."

Councilman Densieski: "Authorizes the Supervisor to execute a third party sub license agreement between the Town of Riverhead and Holzmacher, McLendon and Murrell, P.C. and Suffolk County Real Property Tax Service Agency. So moved."

Councilman Lull: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #56

Councilman Densieski: "Authorizes Highway Superintendent to attend association meetings. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #57

Councilman Densieski: "Authorizes the Town Attorney as petty cash officer for the office of the Town of Riverhead. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "That's moved and seconded. And that's for the office of the Town Attorney."

Councilman Densieski: "What did I say?"

Supervisor Kozakiewicz: "You said Town of Riverhead."

Councilman Densieski: "Oh, sorry."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull,

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

Resolution #58

Councilman Kent: "This sets the fees for the usage of recreation facilities (inaudible). So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #59

Councilman Cardinale: "This accepts the resignation of school crossing guard in the police department, William Teves. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #60

Councilman Lull: "Accepts the resignation of Kerri Scherman as detention attendant in the police department. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #61

Councilman Kent: "I'd like to move to table this resolution. Inasmuch as we- I think the town officially received the final supplemental environmental impact statement today. I think it's premature to act upon it this evening. So I move to table it."

Councilman Cardinale: "I'll second it. If I could find the resolution I'd second your motion to table it. Thank you. Okay."

Councilman Kent: "This is accepting the final supplemental environmental impact statement and change of zone and special permit petitions of Riverhead Center, LLC."

Councilman Cardinale: "Okay. I'll second to table."

Supervisor Kozakiewicz: "Motion to table moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Yes, to table."

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

Councilman Cardinale: "Yes, to table."

The Vote (Cont'd.): "Kent, yes; Lull."

Councilman Lull: "Because of the discussion we had before prior, we heard from some of the audience about the Riverhead Center, I want you to understand that what Chris said is that this supplemental environmental impact statement that they delivered to us was delivered this morning and you have seen what's happened with the Riverhead Center before and it is unwise we believe and I trust Chris' instincts on this one. I think it's unwise to take a stand at this point and say yeah, we got it this morning, we digested it, we know it all and we're going to approve it."

Councilman Kent: "I think it's required to take what is called a hard look."

Councilman Lull: "A hard look, exactly. So we'll take two weeks and take a hard look and come back and talk about it in two weeks. Yes, I agree, tabled."

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

Supervisor Kozakiewicz: "Actually the supplemental environmental impact statement had been dropped off earlier. However, it was not distributed formally until today. And for the reasons set forth by Councilman Kent since it hasn't had a chance to be circulated amongst all the Town Board members and for all of us to take a hard

look, I would vote yes to table."

Barbara Grattan:     "The resolution is tabled."

Resolution #62

Councilman Cardinale:    "This resolution calls for a public hearing of Stoll Associates at Riverhead for a lateral water main in the Riverhead Water District.  So moved."

Councilman Lull:        "Second."

Supervisor Kozakiewicz:    "Moved and seconded."

The Vote:     "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes.  The resolution is adopted."

Resolution #63

Councilman Cardinale:    "This next resolution calls for a public hearing of the Hubbard Estates at Riverhead lateral water main in the Riverhead Water District.  So moved."

Councilman Kent:        "Seconded."

Supervisor Kozakiewicz:    "Moved and seconded."

The Vote:     "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes.  The resolution is adopted."

Resolution #64

Councilman Densieski:    "Awards bid for Calverton Enterprise Park Riverhead Water District.  So moved."

Councilman Lull:        "Second."

Supervisor Kozakiewicz:    "Moved and seconded."

The Vote:     "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes; The resolution is adopted."

Resolution #65

Councilman Densieski:    "Amends Resolution #1170 of 1998

authorizing representatives of East End Aircraft to conduct required maintenance of F-14 aircraft at Calverton Enterprise Park."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Before I vote I would just like to thank Mr. Kirschenbaum for really doing all the hard work that he did to bring the F-14 and a lot of the good work he's done for the town and I look forward to reinstating him once the litigation is over. So I vote yes."

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

Councilman Cardinale: "I agree with the remarks of Mr. Densieski and vote yes as well."

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

Councilman Kent: "I don't think we would have taken this action if it hadn't been for a letter we received from the East End Aircraft Long Island Corporation which informed us that he was asked to step down while the litigation was pending and that he was not- well, during that time he would no longer be associated with East End Aircraft or represent them in any way. So that's why we took this action and I vote yes."

The Vote (Cont'd.): "Null, yes; Kozakiewicz."

Supervisor Kozakiewicz: "Before I vote, my vote is by no means a slap at Steve Kirschenbaum. As Town Attorney, Steve came in very enthusiastic about bringing one of Grumman's own aircraft back to Grumman and he was very enthusiastic about it, he was very persistent about it and as a result of both of that enthusiasm and that persistence he was able to get the Town Board to agree that this would be something that they should extend themselves on. We did get the F-14 here. I think it's something that's proud to the heritage of the Grumman corporation."

As pointed out by Chris, this action is being done because it was brought to our attention that as a result of the litigation, Steve was asked to step down. I look forward to a point when he can go back on

the property. Saying all that, I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #66

Councilman Kent: "Authorizes fee schedule for police athletic league programs for the year 2000. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #67

Councilman Cardinale: "67 authorizes the Supervisor to execute an agreement with Jacqueline O'Sullivan for Town Clerk stenographer. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes."

Councilman Cardinale: "And Ed had earlier indicated that every word was taken down at some price, \$2.50 a page and there are wide margins. So, George, if you want to save some money, and I could take my own advise, so I vote yes. "

The Vote (Cont'd.): "Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #68

Councilman Lull: "Authorizes Dawn C. Thomas to act as special prosecutor for violations of the code of the Town of Riverhead. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "I can't resist. We should ask her if she-Dawn, is it true that Dawn is in Disneyland?"

Councilman Kent: "Yes."

Supervisor Kozakiewicz: "I knew we were going- "

Councilman Cardinale: "I believe it appropriate that she went to Disneyland and I vote yes."

Councilman Kent: "Actually Disneyworld, I think."

Councilman Cardinale: "I'm sorry."

The Vote (Cont'd.): "Kent, yes; Lull, yes; Kozakiewicz, yes.  
The resolution is adopted."

Resolution #69

Councilman Kent: "Reappoints legal representation, planning consultants, engineering, computer, court reporting, board transcription, appraisers, land surveyors and interpretation consultants. A whole slew. So moved."

Councilman Lull: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Before I vote on this, I'd just like to say that just because these people's names are on these papers, does not mean that we necessarily use all them. It just means that we can use them so with that said, I'll vote yes."

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

Resolution #70

Councilman Cardinale: "This ratifies the appointment of a school crossing guard to the police department at a salary of \$9.30 per hour, Michael Raughter. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #71

Councilman Cardinale: "This resolution authorizes rates for the umpires and referees for police athletic league programs for the year 2000. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #72

Councilman Lull: "The resolution we passed on January 4<sup>th</sup> set the towing fee for- excuse me the storage fee for automobiles that we impound at \$2.00 a day. That was incorrect. This resolution changes it to read \$20.00 a day. So moved."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "A tribute to the closeness of how you read these things. Yes, I vote yes."

The Vote (Cont'd.): "Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #73

Councilman Densieski: "73. Suffolk Theater Curb and Alleyway improvements capital project budget adoption. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #74

Barbara Grattan: "Resolution to pay bills, #74."

Councilman Lull: "So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Councilman Kent: "I'd like to move resolution 26 which authorizes the Supervisor to execute an agreement with Peconic Land Trust for services in the Farmland Preservation Program. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

Barbara Grattan: "To bring if off the table?"

Supervisor Kozakiewicz: "Right."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution has been brought off the table."

Councilman Kent: "Now I'll move the resolution for a vote."

Councilman Lull: "Why don't you explain why we tabled it in the first place?"

Councilman Kent: "Oh, the reason we tabled it two weeks ago was that the rate schedule that was attached to the agreement included many high priced consultants and advisors and employees that do not really provide services to the town. So we omitted them from the rate schedule and now we have attached to the agreement which is attached to the resolution the proper hourly rate schedule for the consultants and staff that we actually utilize for our program. And I'll move the

resolution."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Because of the reasons that Chris stated, I'll vote yes."

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

Councilman Cardinale: "Yeah, I will also vote yes. I would point out that Andrew Johnson, the principal, still has a \$175 an hour, which is higher than what we pay our counsel but I have been informed by Chris who closely works with this that we don't use him anyway."

Councilman Kent: "I've never seen anything from Andy Johnson on the bills. We usually use the draftspeople and the town operators."

Councilman Cardinale: "Good, let's keep it that way, right. Let's not use him at that rate. Yes, I vote yes to this."

The Vote (Cont'd.): "Kent, yes; Lull, yes; Kozakiewicz, yes."

Supervisor Kozakiewicz: "I understand the Farm Select Committee has found them most agreeable to work with and helpful."

Councilman Kent: "They're very helpful, yes. I- you do have to watch them though because sometimes they commence work that really hasn't been asked for yet or now we're very strict on the work that we authorize them to go forward with."

Councilman Lull: "We control the stopwatch instead of them?"

Councilman Kent: "Yes. They were proceeding with some offers and purchase agreements before we'd actually told them to go forward. So now it's been pretty good the last 10 or 11 months."

Barbara Grattan: "Okay, that resolution is adopted. Resolution #34 approves site plan of Bay Gas."

Supervisor Kozakiewicz: "That one actually, we found out can't

be brought off the table. If we can instead bring off Resolution 1102 from December 7<sup>th</sup> of 1999."

Councilman Kent: "Has this has been amended?"

Councilman Cardinale: "Yes."

Councilman Kent: "Now it's typed again."

Councilman Cardinale: "Chris, you moved this."

Councilman Kent: "I just want to read it for a second. I want to make sure the whereas clauses- the reason this was tabled in December was that we are- this resolution declares lead agency on a special permit and site plan application of Edward Meyer, Meyer Development, LLC and we're referring it to the Planning Board. Originally in the resolution we were making a determination of environmental significance which we don't feel it was appropriate at this time. We wanted to refer it to the Planning Board and have them investigate pursuant to SEQRA to make the recommendation to us as to what environmental significance there was to this application. So now we are just declaring ourselves lead agency and we are referring it to the Planning Board without a determination other than that it's an unlisted action."

Supervisor Kozakiewicz: "So you- "

Councilman Kent: "I'll move it off the table."

Supervisor Kozakiewicz: "Is there a second to move it off the table?"

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Cardinale, so it's moved and seconded to bring it off the table."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution has been brought off the table."

Councilman Kent: "I'll move the resolution."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Supervisor Kozakiewicz: "There was one other resolution which we talked about bringing off the floor and we're waiting for a fee to be paid so that concludes business for today. At this time, if there is no other further business, I declare the meeting adjourned at 9:12."

Councilman Kent: "There has been a request- "

Henry Saxtein: "My name is Henry Saxtein. I represent the applicant. The purpose for which this matter is before you is that your Board received a recommendation from the Planning Board in October that the Board declared a negative declaration pursuant to SEQRA so that that recommendation could be forwarded to the Suffolk County Planning Commission so they could complete their study. Once they complete their study they make the recommendation to you and then you can call a public hearing. And this has been sitting since October. So all we need is a resolution at this time based upon the Planning Department and the Planning Board's recommendation that there be a negative declaration so that the Suffolk County Planning Commission can consider it. Now their meeting is the 1<sup>st</sup>, I believe, Wednesday of the month, which is going to be the first week in February. Are you have any meeting- "

Supervisor Kozakiewicz: "February 1<sup>st</sup>."

Councilman Kent: "February 2<sup>nd</sup>."

Supervisor Kozakiewicz: "Yeah, but we have our first meeting the 1<sup>st</sup> Monday which will be February 1<sup>st</sup>."

Henry Saxtein: "That's not going to be within time- for them to get it and receive it and put it on their agenda. And this has been sitting since the end of October."

Councilman Cardinale: "I think incidentally that this was sitting because of- you are presuming that the Board will agree with the recommendation of the Planning Board. I think it wasn't sitting, it was being discussed in work session as to whether we were going to agree with the Planning Board and I think that we (inaudible) come to an agreement on whether we were or we're not and that's why it isn't

on tonight. I don't know if there is a consensus on the Board as to whether to neg dec it or not."

Henry Saxtein: "Well, I've been writing monthly letters to your Board asking you to do something and the inertia that is being demonstrated is terrible."

Councilman Cardinale: "Well, this is a- this is an application, is it not, for Peconic Propane for like gas tanks and it did strike some members of the Board that an environmental impact statement might be appropriate."

Henry Saxtein: "Well, it's in an industrial zone where it's a special permit use and you have approved similar applications in the past without environmental impact statements."

Councilman Cardinale: "That may be so but that's why it was- that's why we did not act on it because we were considering whether in this instance we should have an environmental impact statement. I think we discussed this at the work session this week."

Supervisor Kozakiewicz: "We had discussed it. I think we had asked to see if there was a public hearing or resolution on this and we thought there had been a resolution and- "

Rick Hanley: "The intent of tonight's resolution that I proposed this evening is to schedule a public hearing."

Councilman Cardinale: "So there's nothing particularly controversial about that. So that's fine."

Supervisor Kozakiewicz: "We'll still need to take a brief recess because we don't have the resolution before us at this particular time. Do we? I know we don't have one up in front of us right now."

Councilman Cardinale: "We'd like to see it, yes."

Supervisor Kozakiewicz: "I'm sorry. We will call a brief recess at this- why don't we call- "

Recess: 9:15 p.m.

Meeting reopened: 9:34 p.m.

Supervisor Kozakiewicz: "Are we on the air?"

Barbara Grattan: "We are on the air."

Supervisor Kozakiewicz: "Okay. I'm going to open the meeting. At this point in time it's now 9:34. We've discussed the matter which was the Peconic Propane application and after discussing it, because of the fact that it was- that it came to us so late in the meeting and for other reasons we can't bring it off the floor at this time and accordingly there's no further matters, so if I have a motion to adjourn."

Councilman Lull: "Motion to adjourn."

Supervisor Kozakiewicz: "Okay. Adjourned at 9:35."

Meeting adjourned: 9:35

*Barbara Grattan*  
Mayor Clerk