

Minutes of a Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, on Tuesday, April 16, 2002, at 7:00 p.m.

Present:

Robert Kozakiewicz,	Supervisor
Edward Densieski,	Councilman
James Lull,	Councilman
Barbara Blass,	Councilperson
Rose Sanders,	Councilperson

Also Present:

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

Supervisor Kozakiewicz called the meeting to order at 7:02 p.m.

Supervisor Kozakiewicz: "Let the record reflect that the time of 7:02 has arrived and, Steve, since you're up first, do you want to lead us in the Pledge of Allegiance?"

(The Pledge of Allegiance was recited, led by Steve Haizlip)

Steve Haizlip: "Don't believe that last part."

Supervisor Kozakiewicz: "All right. I am going to ask the Board to join with me and break the usual procedure and ask if there would be any objection to taking Resolution 362 which is appointing Tax Receiver to- the luck person is Marianne Wowack Heilbrunn- maybe she won't be feeling so lucky after she does it for a while, but, if there's no objection? Is there any objection from the Board?"

Councilman Lull: "Mr. Supervisor, I'll move Resolution #362 appointing Marianne Wowack Heilbrunn, Tax Receiver, Town of Riverhead."

Councilman Densieski: "I'll second it."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Yes. I'd like to first thank Diane

Stuke for all her years of commitment, dedication. She was certainly an asset to the Town of Riverhead and I'd like to welcome Marianne to her new position and wish her well. Yes."

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

Councilwoman Blass: "Yes. And I would also like to thank Miss Stuke and further add that we had some very wonderful well qualified individuals that came forward to serve the town and I thank each and every one of them. I welcome Marianne. I know that she will do a fine job as everyone else could have done and I encourage anyone that came forward to continue to pursue their interests in serving the people of the town. My vote is yes."

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

Councilman Densieski: "Yes. I'd also like to thank Diane and welcome Marianne. I know she's going to do a great job as she's done for the Suffolk County Legislature for the past several years. So I'm going to vote yes."

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

Councilman Lull: "Yes. I would also like to thank Diane. I would also like to thank Trish Green for the job she has done while Diane has been gone in the interim period, our Deputy Tax Receiver. And I also want to thank on behalf of the Personnel Committee the people who came before us to interview for this position. Yes."

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

Supervisor Kozakiewicz: "One of the things of being last is that everyone usually takes all of my words from me. But I, too, want to thank Diane for her years of service to the town, commend and thank Trisha for hanging in there while we were deliberating. Thank those who came forward and offered themselves for public service. It's great to see that there's still many, many people who are interested in doing the right thing for the public and serving this town. And, finally, thank Marianne for being one of those and look forward to working with her in the town of Riverhead. I vote yes."

And if I may, I would like to ask her to come forward at this time so that we can swear her in.

What I'm going to do then is ask you to place your right hand up

and repeat after me. I, state your name-, (Marianne Wowack Heilbrunn was sworn in as Tax Receiver)-- I, Marianne Wowack Heilbrunn, do solemnly swear that I will uphold the constitution of the State of New York, the constitution of the United States, and that I will faithfully discharge my duties as tax receiver for the town of Riverhead to the best of my abilities, so help me God.

Okay. We'll resume at this point. Is there a motion to approve the minutes of the Town Board meeting of April 2, 2002?"

Councilwoman Blass: "So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Okay, moved by Councilwoman Blass and seconded by Councilwoman Sanders. Vote, please."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes."

Supervisor Kozakiewicz: "Actually, I also see that we need to approve the minutes of the Special Board Meeting of March 21, 2002. I should have done it together."

Councilwoman Sanders: "So moved."

Supervisor Kozakiewicz: "Moved by Councilwoman Sanders."

Councilwoman Blass: "Seconded."

Supervisor Kozakiewicz: "Is there a second?"

Councilwoman Blass: "Yes."

Supervisor Kozakiewicz: "Blass. Okay, moved and seconded."

The Vote: "Blass, yes; Sanders, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The minutes are approved."

Supervisor Kozakiewicz: "Reports, please."

REPORTS:

Receiver of Taxes	Total taxes collected to date: \$39,659,194.01
Juvenile Aid Bureau	Monthly report for March
Town Historian	Annual report for 2001

Barbara Grattan: "That concludes Reports."

Supervisor Kozakiewicz: "Thank you, Barbara. Applications."

APPLICATIONS:

Site Plan	LIPA substation - north side Sound Avenue, Jamesport
Special Permit	Peter Soullas - renovations to become a two family dwelling
Parade Permit	Wading River Civic Association May 5, 2002, 12:00 p.m.

Barbara Grattan: "That concludes Applications."

Supervisor Kozakiewicz: "Thank you. Correspondence."

CORRESPONDENCE:

Steve Haizlip	Comment on Crown Sanitation Special permit and change of zone
D. van Rooyen	Regarding 4 wheelers on Hulse Landing and Wading River town beach

Barbara Grattan: "We've got a short agenda. And that concludes Correspondence."

Supervisor Kozakiewicz: "Thank you, Barbara. Any Committee reports? Do we have STOP day coming up?"

Councilman Densieski: "I'll give you advance notice."

(Inaudible)

Supervisor Kozakiewicz: "Okay. I just wanted to- if we did have a STOP hazardous day coming up- okay, all right."

Councilman Densieski: "I'm sure I did something. I just can't think anything right now."

Supervisor Kozakiewicz: "Well, not being any, the time being 7:10 p.m., Barbara, would you read the affidavits of publishing and posting for tonight's first public hearing?"

Public Hearing opened: 7:10 p.m.

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on April 16, 2002, at 7:05 p.m. regarding the consideration of a Local Law to repeal and replace Chapter 107 entitled Wetlands, Floodplains and Drainage."

Supervisor Kozakiewicz: "I think this is probably what, the fourth time- third? Okay. George, George Bartunek from the CAC, do you wish to make an preparatory comments with respect to the proposed legislation which repeals existing Chapter 107 and replaces it with a new Chapter 107?"

George Bartunek: "My name is George Bartunek. I'm the Chairman of the Conservation Advisory Council and the changes from the last hearing were that we have eliminated references to floodplains. We have eliminated the special permit reference and also we finally got the pages numbered."

Supervisor Kozakiewicz: "Excellent."

George Bartunek: "I don't have a copy of the code myself so if anybody has any questions, I kind of have to wing it from my memory."

Supervisor Kozakiewicz: "Okay. That's fair. Anybody who wishes to provide comments, either for or against the proposed change to Chapter 107? Come on up. Name and address, please."

Patricia Holland: "My name is Patricia Holland. I live at 585 Sound Shore Road in Riverhead. I had already addressed the Committee a couple of times before. I- after seeing some- Mr. Danowski reading from this at the last meeting, I thought I should read it myself

instead of just saying we're changing Chapter- I want to see what it was."

Supervisor Kozakiewicz: "Right."

Patricia Holland: "And so now I can tell you that I agree absolutely positively that we should change it to be 150 foot- but some of the wording in here- "

Supervisor Kozakiewicz: "Well, it's 150 foot jurisdiction, correct, George? That's- I just want to make sure that's clear. What this does is it defines the jurisdictional area as opposed to setbacks. It's- but- what the idea is to be able to, I think delineate or demarcate where the jurisdiction of the CAC starts and where it ends as opposed to the way it's been in the past."

Patricia Holland: "Well, after you read through this, there comes to a whole section which more or less negates everything that you've written before- not you personally, but- because it's going to be giving people the opportunity to get permits to ignore everything else that's been said. And that doesn't make any sense to me when the intent is supposed to be preserve the wetland and to protect the citizens and what have you.

Those of us who live north of- the particular thing I'm thinking about is this North Shore Preserve because I know- "

Supervisor Kozakiewicz: "The North Fork Preserve."

Patricia Holland: "North Fork Preserve because I know in there there are freshwater wetlands and I know that it flows north which means it flows past me plus a lot of other people and if we are going to let people get permits to do whatever they choose to do, then we're negating everything we've just said.

Why not make it hard and fast? It's ironclad, cross the "t's", dot the "i's", you cannot build, you cannot do- you cannot do all those things that we're now saying if you get a permit, you can do it? That I don't understand.

Because if you open the News Review or the Suffolk Life, every week somebody, somewhere is suing our town. We are now saying, okay, you are going to- "

Councilman Densieski: "That's true."

Patricia Holland: "-- let- person A is going to apply for a permit. We'll give him the permit. His next door neighbor applies, he doesn't get it, now he'll sue because he didn't get it and you gave it to A. Before you know it, that one permit has become 12 or 57 or 93 or 104 or whatever and we're opening ourselves to litigation that we don't need. Just make it ironclad. You cannot build; you cannot do; this is it. This is how it is."

Supervisor Kozakiewicz: "Okay, thank you."

Patricia Holland: "Does this make sense?"

Supervisor Kozakiewicz: "I, I'm not sure if you are saying that- I don't think the intent or desire is to allow any building within wetlands. I think the idea is to put forth boundaries and then define what activities can be permitted. But it's not, as I see it, something that's going to be allowed in the wetlands. I don't think that's what the ordinance is saying at all."

Patricia Holland: "Well, that's another thing. I'd like to ask on page 19, the gentleman says it's now currently been put in the right numerical order. It says no new construction, structures, dwellings or operations shall be permitted after the effective date except by permitted- by permit as provided herein."

Now, does this mean that anything that's already in front of the board that hasn't been acted on is sort of grandfathered? That they're not going to have to worry about this legislation?"

Supervisor Kozakiewicz: "I think that if there are wetlands that are denoted either by a town map or by DEC, they're going to need to abide by the current regulations if they are presently in the process. After the effective date herein, once this change is filed with the Secretary of State and becomes effective by operation thereof, they will be obligated to adhere to those rules. If they do not have a permit by that date and time, unless we've grandfathered them which I don't think we've indicated any applications or projects that are grandfathered in the new Chapter 107, they must abide by the law in effect."

That's what the New York State law is pretty clear on. If you don't have an approval by a certain date your approval is- if it's after an effective date of a change in law, it's guided by that effective date thereafter. That's the way I understand the law."

Patricia Holland: "Well that's what I was trying to ask."

Supervisor Kozakiewicz: "Okay."

Patricia Holland: "Because, you know, sometimes you have the wherefores and therefores and then you never can tell what this really says."

Supervisor Kozakiewicz: "Sure."

Patricia Holland: "Because if you don't speak legalese, you're in trouble."

Supervisor Kozakiewicz: "Right."

Patricia Holland: "So basically we all think that we're not grandfathering anything?"

Supervisor Kozakiewicz: "I don't- I don't recall from reviewing Chapter 107 that there's anything that's been grandfathered. Of course, if it gets through the process before this gets approved and adopted, filed with the Secretary of State, then it would go under the old Chapter 107 as we refer to it. Once the effective- if, in fact, the Board says yes, we agree, we adopt it, it's filed, it then becomes the effective law, the rule of the land."

Patricia Holland: "When will the Board be voting and filing and doing whatever?"

Supervisor Kozakiewicz: "I'm sure we're going to take the comments in we've had already, as pointed out three public hearings. We've gone through a lot of changes. This has gone to code revision. I would have to say within a month."

Patricia Holland: "Okay. Thank you."

Supervisor Kozakiewicz: "All right? Anybody else who would like to address the Board? Not seeing anybody else indicate wish to do so, close the public hearing, the time being 7:17 p.m."

Supervisor Kozakiewicz: "And before we do that, I'd like to thank George for all his labor and work and sweat and blood and guts

that he's put into this thing. Thank you, George."

Public Hearing closed: 7:17 p.m.

Public Hearing opened: 7:17 p.m.

Supervisor Kozakiewicz: "The time being 7:17, still, can we open up the next public hearing, Barbara? Read the affidavits of publishing and posting, please."

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on April 16, 2002, at 7:10 p.m. regarding the increase and improvements of the facilities of the Riverhead Sewer District, estimated cost being \$845,000."

Supervisor Kozakiewicz: "Mr. Russo."

Frank Russo: "Good evening. I'm Frank Russo. I'm with H2M. The project is the improvements to the Middle Road pump station. The Middle Road pump station was constructed in 1973. For the last 25 years of so, the station has been working admirably.

The last few years though it's become increasingly difficult to operate and maintain the equipment thus requiring really a total replacement of all the equipment in the station. The- I'd like to draw an analogy to an automobile. If you were to drive a car for 30 years, 24 hours a day, sooner or later that equipment would fail and here's where- this is where we are now with the Middle Road pump station.

The project generally includes the replacement of the pumps, the emergency generator and electrical equipment as well.

Since 1973, there's been changes in standards and protocols to improve the safety for stations like this. Currently the Middle Road pump station does not meet those requirements. This project would correct those deficiencies.

The summary of the improvements are as follows: replace the three pumps; replace the existing emergency generator in a sound proof walk in enclosure. In that walk in enclosure, also move all the electrical equipment out of the building and put it in that enclosure. That

would satisfy one of those safety standards. Install new electric service; re-pipe the diesel fuel system from the existing above grade storage tank; remove and re-install all the valve fittings, pipe, those- they leak. They're corroded. We would move them outside the station in a valve vault. We would replace the motor control center, the automatic transfer switch, and the system control panel.

In addition, the interior lighting, hatches, slide gates, and the flow meter and flow recorder all need replacement. In addition, the ventilation system does not meet current code. And as Barbara stated, the estimated cost of the project is \$845,000."

Supervisor Kozakiewicz: "Thank you. Is there any questions for Mr. Russo? If not, is there anybody else who would like to address the Board with respect to this 202B hearing which involves improvements to the Middle Road pump station for the Sewer District? Not seeing anybody, declare the public hearing closed, the time of 7:20 p.m. having arrived."

Public Hearing closed: 7:20 p.m.

Public Hearing opened: 7:20 p.m.

Supervisor Kozakiewicz: "The time still being 7:20, Barbara, I'd like you to read the affidavits of publishing and posting for tonight's third public hearing."

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on April 16, 2002, at 7:15 p.m. regarding whether North East LLC should be designated the qualified and eligible sponsor for the non-exclusive leasing of the eastern runway at the Agency owned Calverton site."

Supervisor Kozakiewicz: "As indicated, this hearing is a hearing in order to determine under the State law whether the company, North East Holdings, LLC, should be qualified- declared a qualified and eligible sponsor under the Community Development Agency rules.

This is not to discuss the project itself but to determine whether they, in fact, meet the qualifications as they are generally enumerated in the State law and they are going to have to set forth why they believe they do that today, and with that said, would you

please state your name and address for the record?"

Bernard Burton: "Good evening, Mr. Supervisor and members of the Town Board. My name is Bernard Burton. I am an attorney and my office is at 510 Broad Hollow Road in Melville, New York. I'm here tonight in connection with the notice of public hearing. We are here to demonstrate on behalf of North East LLC that we are certainly highly qualified and very eligible to sponsor the non-exclusive leasing on runway 1432 at the Calverton site.

Just as a preference, I just want to reassure everyone that our purpose is to run a private use airport in connection with the town ownership of that runway and at the same time observe all of the requirements of the local zoning code. And with that in mind, I'd like to introduce the general manager of North East LLC, he's sitting to my left, Mark Hareny (phonetic), who will tell you a little bit about himself and the company, and the others that are here tonight to help him with this project."

Mark Hareny: "Thank you very much. My name is Mark Hareny. I live in East Patchogue, New York. I appreciate your time. I'm an independent aviation consultant and basically I am funding this project on my own. I feel it's a very valuable and worthwhile project. I've been in the aviation industry for over 18 years as a consultant. I have several friends/consultants who will be aiding me with the project who are going to use the facility basically to store and maintain aircraft.

It will be an exciting venture and I would like to just introduce a couple of people that will be supporting me, all of which live locally on Long Island, one or two in Riverhead, and basically we're all working somehow in the aviation industry.

First, I'd like to introduce Joe Freshetti (phonetic) and have him stand up and just say a word or two about his qualifications."

Supervisor Kozakiewicz: "Yes. We have to get it on the record, Mr. Freshetti."

Joe Freshetti: "My name is Joe- Joseph Freshetti. I live in Southold, New York. I'm a licensed professional engineer specializing in civil engineering. I have been retained by North East to evaluate the facilities and to stay with them as facilities consultant during this project."

Supervisor Kozakiewicz: "Thank you."

Mark Harenny: "Mr. DiAngelo."

Frank DiAngelo: "My name is Frank DiAngelo and I live in South Setauket. I've been connected in aviation on Long Island since 1967. Currently operate out of Bayport Aerodrome. I've been the airport manager there for- well, since 1984."

Supervisor Kozakiewicz: "And your relationship to Mr. Harenny or North East?"

Frank DiAngelo: "I've been associated with Mark since, well, 1978."

Mark Harenny (from the audience): "And he is one of my consultants."

Supervisor Kozakiewicz: "Okay. And consultant in what regard?"

Mark Harenny (from the audience): "(inaudible) airport operator."

Supervisor Kozakiewicz: "Okay. Thank you."

Frank DiAngelo: "Okay."

Mark Harenny: "Tom Baird."

Tom Baird: "Good evening. My name is Tom Baird (phonetic). I am a resident of Wading River in the town of Riverhead. I've been involved with aviation for 27 years and my background is avionics."

Supervisor Kozakiewicz: "Thank you."

Mark Harenny: "Basically we've examined the facilities, the runway, and etc. that we will be maintaining. We looked at approximately our cost of anywhere between \$120- \$100 to \$125,000 that we will be paying out to be able to maintain the runway and to get it back into, you know, a little better condition. It is in very good condition. We will be maintaining it for our operations which will be, you know, once in a while a week, it's not that frequent because our plains don't just come in for oil changes or whatever. They come in and stay long term."

Basically the people you've just met have different variations of experience to help me with this project. We're starting off fairly small but we plan on creating jobs and revenues for the town and not using any of the town tax money."

Supervisor Kozakiewicz: "Can you tell us a little bit about North East Holdings, your company? How long it's been in existence? Is it a publicly traded company? Its worth?"

Mark Hareny: "No. It's a privately held company by myself and basically my consulting firm is funding it."

Supervisor Kozakiewicz: "Okay."

Mark Hareny: "It's only been in- I set up North East Holdings to be able to do this project separately from the consulting firm."

Supervisor Kozakiewicz: "Okay. And the consulting firm is, I'm sorry, what is the consulting firm's name?"

Mark Hareny: "Mark J. Associates."

Supervisor Kozakiewicz: "Okay."

Bernard Burton: "For the record, the-- North East Holdings is also the contract vendee of 20 acres in the industrial park at the present time so that represents a major commitment on their part as far as their ability to adequately service the facility."

Supervisor Kozakiewicz: "Okay. And how long- are they presently in operation, Mr. Burton?"

Bernard Burton: "Yes, yes."

Supervisor Kozakiewicz: "And how long have they been in operation? Is this going to be similar to the current operation?"

Bernard Burton: "I'm not sure I follow you."

Supervisor Kozakiewicz: "I'm trying to, you know, I'm not getting into too much operation issue, but to develop a little bit so we understand the track record of the company and so that we can better judge their qualified and eligible determination."

Bernard Burton: "The company primarily will be engaged in the

management, operation and otherwise all the aspects of the runway operation itself so that it can service and provide these services to the owners, tenants and occupants of the industrial park. It's really going to be a- essentially a very benign use. It doesn't entail any kind of regularly scheduled service. It's strictly on a private basis and it will be there for the convenience primarily of the operators and users of the park, the industrial park.

It will enhance the value of the industrial park, it will increase the tax base of the entire industrial park. It will result in very significant additional revenues to the town of Riverhead without increasing their burden at the same time.

So with that, they are fully funded. They are ready to go. And that's why we're here in that respect."

Supervisor Kozakiewicz: "Thank you."

Councilwoman Sanders: "I have a question."

Supervisor Kozakiewicz: "Yes. Councilwoman Sanders."

Councilwoman Sanders: "I just have a question regarding the maintenance cost about you projected approximately between \$100 and \$125,000. Is that a one time, is that an annual, is that a cost to you annually, your burden?"

Bernard Burton: "That would be an annual- an annual. Yes, it's an annual cost to us which we're willing to undertake. And in addition to that, we will provide a rental to the town and at the same time, of course, we are going to be owners in the park so there will be an increased tax base that the town would benefit from as well.

In addition, there will be a good many new jobs opening in that area. And it will all be a win-win situation for everyone concerned."

Councilwoman Sanders: "Okay, thank you."

Supervisor Kozakiewicz: "All right. Mr. Harenny, do you wish to say anything else before I open it up to comment from the public?"

Mark Harenny: "Basically just to say thanks for your time and we look forward to working with you. Thanks."

Supervisor Kozakiewicz: "Thank you. Is there anybody who would

like- Sandra Mott."

Sandra Mott: "Sandra Mott, Riverhead. I don't think they ever answered how long they were in existence. You asked several times and I never heard an answer. Could they answer that?"

Supervisor Kozakiewicz: "Sure."

Sandra Mott: "And- "

Supervisor Kozakiewicz: "Do you have any other questions?"

Sandra Mott: "Yes."

Supervisor Kozakiewicz: "What we'll do is take them and- "

Sandra Mott: "In this age of high risk and high security concerns, do they have adequate insurance coverage or are we co-insuring this situation or- "

Supervisor Kozakiewicz: "I think any arrangement we would have with them would be similar to prior arrangements we've had for the non-exclusive use and we would ask them to provide us with a certificate of some insurance."

Sandra Mott: "Okay, so- "

Supervisor Kozakiewicz: "So- "

Sandra Mott: "-- it would be adequately covered God forbid something crashes?"

Supervisor Kozakiewicz: "We would certainly do our most to make sure that they have insurance and are holding us safe and harmless from that occurrence. Yes."

Sandra Mott: "Okay. Thank you."

Supervisor Kozakiewicz: "All right. So with that said, Mr. Hareny, can you respond to those two comments?"

Mark Hareny: "Yes. This is- basically it is a new venture. North East Holdings was created to be able to put this venture together. My business has been in business for 17 years so, yes, it is a new venture, this one, but it's being- right, but it's- I'm

taking my experience from the other business and monies from the other business to apply it to this."

Supervisor Kozakiewicz: "Okay. Thank you. Joan Griffin."

Joan Griffin: "Good evening, Joan Griffin. Just two quick questions. This is for the 10,000 foot runway?"

Supervisor Kozakiewicz: "Yes."

Joan Griffin: "Okay. And if I'm understanding this correctly, this is so they can refurbish planes?"

Supervisor Kozakiewicz: "I'm sorry?"

Joan Griffin: "So they can refurbish airplanes?"

Supervisor Kozakiewicz: "I think he said store and maintain. Yes."

Joan Griffin: "Maintain?"

Councilman Densieski: "Maintenance."

Joan Griffin: "Thank you."

Supervisor Kozakiewicz: "Okay? Another hand in the back. Yes, gentleman. Your name and address when you come up."

Tony Mancuso: "Tony Mancuso, East Meadow Road, Baiting Hollow. I just have a question on what type of aircraft would be utilized and what would be the hours of operation?"

Bernard Burton: "There are no specific types of aircraft. The aircraft that would be involved will be aircraft for the most part that would be coming from the other users of the park.

The hours of operation would be normal business hours. Certainly not in the evenings after 9:00 and in the very rare occasion when there may be an emergency. That would be the only time they would digress from those hours."

Supervisor Kozakiewicz: "I think in the beginning you stated that this would be in accordance with the zoning."

Bernard Burton: "Yes."

Supervisor Kozakiewicz: "In other words, there's not going to be regularly scheduled flights. This- "

Bernard Burton: "There will be no regularly scheduled flights. There are no specific aircraft involved. We're there to maintain and operate the runway."

Supervisor Kozakiewicz: "Okay. Yes, Mrs. Lindstrom."

Kathy Lindstrom: "Kathy Lindstrom, Calverton. I was just wondering, is there a maximum number of flights per day?"

Supervisor Kozakiewicz: "Understand. This is not- this is really to determine whether they are qualified and eligible under the sponsorship rules."

Kathy Lindstrom: "Oh, okay."

Supervisor Kozakiewicz: "That's what this- and if it's a question about their ability to make it happen or whether they have the fiscal resolve to get it done, that's really what we're trying to find out. What their background is and what they've done and whether they have any track record here."

Kathy Lindstrom: "All right."

Supervisor Kozakiewicz: "Okay?"

Kathy Lindstrom: "Thank you."

Supervisor Kozakiewicz: "You're welcome. Anybody else who would like to address the Board? Steve Haizlip."

Steve Haizlip: "Steve Haizlip of Calverton. Is the town going to be able to have some kind of control over this runway even though this North East Holdings are going to be operating and maintaining it? In the lease agreement, do they get the whole hog?"

Supervisor Kozakiewicz: "I don't know- do you mean do they have the control of it or do they take over ownership? It's a license arrangement is what we're talking about which is similar- "

Councilman Densieski: "Same thing we have with Sky Dive."

Supervisor Kozakiewicz: "-- to what we did with the Sky Dive operation."

Steve Haizlip: "Oh, all right."

Supervisor Kozakiewicz: "So it would be- the town would still own the land. I think what Mr. Hareny and Mr. Burton are talking about is an FBO arrangement somewhere down the road. And I don't think we've actually talked about that yet but that could be something down the road possibly."

Steve Haizlip: "All right."

Supervisor Kozakiewicz: "The understanding is that they would- as indicated they're buying land. They've put down a down payment for land within the core where they would store and maintain aircraft and, therefore, in order to make that operation effective, they need obviously need use of the runway which is still in the Community Development Agency's hands and, therefore, the need for the hearing that we're having today. Because the CDA rules require us to do this, or the law does I should say."

Steve Haizlip: "I understand at this time they have no building to go into to storage and maintain."

Supervisor Kozakiewicz: "They are- I think they're looking to take- "

Councilman Densieski: "They are in contract."

Supervisor Kozakiewicz: "-- two buildings. They're in contract. Two buildings that exist presently."

Steve Haizlip: "Oh, they've got two buildings."

Supervisor Kozakiewicz: "Right. And I think they would be looking to build later as the need arises."

Steve Haizlip: "All right. And then I guess their maintenance agenda is probably going to be annual inspections and re-license, 100 hour inspections of the aircraft. That's usually what you do when you maintain and storage aircraft and they'll probably be by a (inaudible) of these aircraft, owners will call in and get schedules lined up so they can bring in their ship and maintain it."

And my last question. I don't suppose there's going to be any 727's and 737's involved in this. It will probably be no more than twin engines in there."

Supervisor Kozakiewicz: "Mr. Burton, do you wish to address that?"

Steve Haizlip: "Yeah, I'd like to hear that."

Bernard Burton: "We certainly have no plans for any 727's or 747's. It really depends on what the users of the airpark are going to be using for purposes of maintenance and storage."

Supervisor Kozakiewicz: "I think what- something that was a little bit unclear in the presentation so far, is there going to be a need for financing to be obtained in order to make this transaction and from whom would that financing- I know we're prying a little bit but we need to know these things for this hearing."

Bernard Burton: "As I said before, we're in contract- what is it- right now we're in contract for \$1.5 million for the 20 acres that we intend to purchase. The financing is in place and I think that we are dealing with General Electric Capital at the time and they're fully aware of all of our qualifications and eligibility and they pre-approved us."

Supervisor Kozakiewicz: "Okay. Is- do we have- should we have any of those documents? If there's a- "

Bernard Burton: "If you need them, I'd be glad to furnish them."

Supervisor Kozakiewicz: "Fine. Fine. We probably should have them just to review for ourselves."

Councilman Densieski: "I believe- did our broker also do financials?"

Supervisor Kozakiewicz: "Yeah. We keep that open for you to submit that? Is that all right if we close the public- the oral comment today but we keep it open for a week to have those written documents provided and then anybody else who wants to supply any comment in response?"

Mark Hareny: "We'll do. Sure."

Supervisor Kozakiewicz: "Okay. Great. Thank you. Anybody else who would like to address the Board with respect to North East Holdings and this qualified and eligible sponsorship matter? If not- Barbara?"

Councilwoman Blass: "Mr. Kasperovich has- "

Supervisor Kozakiewicz: "Oh, I'm sorry. Mr. Kasperovich."

William Kasperovich: "William Kasperovich from Wading River. In the many discussions about the Grumman works, I always heard about the excessive- very high cost of maintaining the guides and controls that go along with the runway, that it would be a real burden on Riverhead to maintain. Now they're talking about 120 odd thousand dollars for maintenance but now we don't know what this includes. The controls and the guides and the lighting and the what have you is all part of the using the runway."

Councilman Densieski: "Bill, I think I can probably answer that for Mr. Burton. I'm assuming that Mr. Hareny is going to have it up to FAA specification. Is that correct? Safety standards or what- ever- "

Mark Hareny: "Yes. We'll have it up to that and it will be for basically for our operations. We don't operate every day so if it snows one day, obviously we're going to take care of items that need to be taken care of when the planes are coming in. And it may be every other day or whatever. So the cost factors, we're going to keep it up to FAA standards but we're not going to do as much as the town was going to do and that's why- "

Councilman Densieski: "I think he's referring to safety standards, aren't you, Bill? Or no?"

William Kasperovich: "Well, to me when a plane comes in (inaudible), there are lights and there are controls and radio contact and what have you, all of which precisely what is there and what has to be added to meet their needs, maintenance of that alone seems not being spelled out. The runway itself physically is one thing, that which is attached to the runway is another. But that which controls the flight itself is what I am really targeting into and this in the past months and years that discussions have been made was always an excessive cost to maintain such a- "

Councilman Densieski: "Yeah. Bill, these- we're not talking about license agreement tonight, but the license agreements when they do come through, specify as is, so there's no commitment from the town to put money. Does that answer your question or no?"

William Kasperovich: "No."

Councilman Densieski: "Well, I tried."

Mark Hareny: "I think what he's saying is that when you-- before the numbers were high, why are they so low now? Is that what you're asking?"

William Kasperovich: "Well, I don't know what the low numbers include. I'm quite conscious by past experiences in this township that after we get into a deal and we bring the people in, all of a sudden everything breaks loose with big monies that cost us. Now, bringing a plane besides the physical surface to put a plane down on, you need all other kinds of gadgets."

Supervisor Kozakiewicz: "Understood. Your comments are- "

William Kasperovich: "(inaudible) and what have you and this 20 odd thousand dollars seem to be a little too loose and I think of it as being ambiguous."

Supervisor Kozakiewicz: "Understood but we're not- "

William Kasperovich: "(inaudible) how and actually what their definition when they say runway includes."

Councilwoman Blass: "And I think that will all come out- oh, I don't want to take your comment, but- "

Bernard Burton: "If I could address that for a moment for this gentleman. I want to make it perfectly clear that we're not here to run an airport, not at all, furthest thing from that. This is a very benign use to accommodate essentially the uses of the park. So obviously if you have a highway, you have to have that swept. You have to have the snow removed, you have to maintain it. Well, it's no different with a runway. There's snow, there's sweeping to be done, all in the interests of safety. That's really what it's all about.

Whatever it takes to have a safe and efficient operation is what we're prepared to do and the estimate that Mr. Hareny gave you is a

very fair estimate from what we've already observed as far as what the runway is going to need in terms of being maintained properly for the uses intended. We're not going to be an airport. This is the furthest thing from what we have in mind. We're there just simply to use what's there now, to accommodate the park, hopefully, to increase all the property values that go with it, increase the tax base, and have more jobs for the town of Riverhead."

Supervisor Kozakiewicz: "Okay. And as I mentioned earlier, today's hearing is the prelude to entering into that transaction with North East. Before we can enter into any sort of lease or even a sale or even a lease, we have to go through the process, since this is Community Development Agency property, of determining whether this particular LLC is a qualified and eligible company that we should deal with as the Community Development Agency Board.

The questions that you're raising as far as operation and terms and conditions of an agreement are items that we will be getting to if we reach the first threshold and the first question is, is North East Holdings LLC a qualified and eligible sponsor as defined under the State law."

William Kasperovich: "I always lack the choice of the proper words but whether it's one plane coming in or a scheduled plane coming in, 365 days a year at whatever time that plane- one plane comes in, needs the facilities to come in that a scheduled plane would require. This does not preclude-- the fact that it will be an individual plane on a periodic basis or an interim basis, that plane still needs all the facilities of a functional airfield.

Now, maybe this might not be a good example, but you need the standard guide lights, you need inclusion or exclusion of blind flying. The plane is coming in for maintenance and it happens to really get into trouble to come down, whether it could be guided in, that means a guidance system. That one plane whether it's-- got to be all seasons, all conditions, and so if it's the fact that it's not a scheduled airport, any one plane coming in needs all the facilities of a modern airport. And this 120 odd thousand dollars seems like a low figure and so I question its inclusion as to what is involved.

I mean, we- "

Bernard Burton: "May I address- "

Supervisor Kozakiewicz: "Mr. Burton, yeah, I'll allow you to

rebut. Mr. Burton would like to respond to the question or the comment."

Bernard Burton: "The questions put by this gentleman are very appropriate and I'll try my best to answer them. Please bear in mind that we are not going to be servicing passengers so we don't have the obligations that a regularly scheduled airline would have. Our immediate needs obviously for purposes of safety would be to have a common traffic facility there so that all of the planes in the area will know of our comings and goings for safety purposes. And also probably we would install a GPS system, Global Positioning System for more safety which would be the vehicle under which aircraft can be guided right down to the runway, all at our own expense."

Supervisor Kozakiewicz: "Thank you."

Councilman Lull: "Mr. Supervisor, can I interrupt for just a second?"

Supervisor Kozakiewicz: "I'm not sure if I said no what you would do, but go ahead."

Councilman Lull: "I would interrupt anyway. But the questions that we are talking about right now are questions that are-- some of the questions that I believe are going to be approached by Mrs. Lindstrom before. At that point, we told her that this was, in fact, not what was appropriate."

To break it down as simply as possible, the public hearing today is a public hearing on the people involved in this project. It is not a public hearing on the project. It's a public hearing on whether or not this company is a qualified and eligible sponsor to be considered to be able to purchase, rent, lease land from the town under this situation.

The project itself will come to a hearing at a separate time that is later. First we must declare that this is a qualified and eligible sponsor. So I would humbly ask you to narrow down the discussions to keep away from the project because that's not what we're talking about. That's not what this public hearing is supposed to do and the record shouldn't show that. The record which is-- part of the record which is used for these purposes shouldn't show any discussion of the project. That's not what this is about."

Supervisor Kozakiewicz: "Saying that, I'm not sure if you have

any other comments, Mr. Kasperovich. I know there's some others who indicated some interest to address the Board and I know Barbara Blass had some questions."

Councilwoman Blass: "It was a separate issue but thank you. Yes."

Supervisor Kozakiewicz: "Okay."

William Kasperovich: "You are not getting my point at all, Mr. Lull. You've got to have some semblance of thinking of what the project will be in order to ascertain what monies will be involved. Now, this whether they qualify technically is one thing; managerial is something else. But financially you can't look away from it. You have to have some semblance of thinking into the extent of capability of handling what amount of finance."

Councilman Lull: "And they will be giving us- "

William Kasperovich: "(inaudible) to have an amount- "

Supervisor Kozakiewicz: "Your comments- I understand where you're trying to come from. That your argument is that the size or scope of the type of project in part has some play in what they need to have financially in their pockets and what they can bring to the table. And it's well taken. And with that, I know Mr. Burton has indicated he's prepared to follow up with a written summary which will, I think, point out some of these things, the financing, what the project entails."

I do have one question. Do we have anticipation of how many individuals would be employed with this operation?"

Bernard Burton: "My client tells me about 25 initially."

Supervisor Kozakiewicz: "Okay. Thank you. Anything else, Mr. Kasperovich?"

William Kasperovich: "I think that's- I'm just not prepared to throw out the questions on this."

Supervisor Kozakiewicz: "Thank you."

William Kasperovich: "But I do- "

Supervisor Kozakiewicz: "As I say, I'm going to keep this open for one week to have further written comment in order to allow both sides or anybody who wishes to provide additional information to us so that we can gauge this application."

William Kasperovich: "Okay."

Supervisor Kozakiewicz: "Okay?"

William Kasperovich: "All right."

Supervisor Kozakiewicz: "Thank you. Yes, Mr. Harenny."

Mark Harenny: "I'm sorry. Just- if it makes the town and the people feel more comfortable. Obviously it's a new venture even though my other company has been in business for years. I have no problem paying the runway fee a year in advance. Okay?"

Supervisor Kozakiewicz: "Thank you."

Mark Harenny: "So it makes everybody feel a lot more- "

Supervisor Kozakiewicz: "Barbara, you had a question?"

Councilwoman Blass: "No. I just actually had a separate- a comment about a separate issue and it was actually to thank you, Mr. Harenny, to responding to our request to submit some, perhaps operating guidelines. You know, we're trying to formulate a management policy on the operation of that runway and have asked individuals and I know you responded to that and we're amassing those comments. And I appreciate your responding to the request."

Mark Harenny: "You're welcome and again we look forward to working with the town. We do. And we want a safe, clean facility that's financially feasible for everybody and clients are looking forward to it because it's not a commercial airport, you know. It really is a plus for everybody."

And as far as the aircraft. Any aircraft coming in there will be of a newer model which they call level 3 which is the quietest aircraft out there."

Supervisor Kozakiewicz: "Thank you. Anybody else before I close the- okay. I don't see anybody else moving, so I'll close the public comment for tonight. I'll leave it open for written comment"

for one week. Thank you. Okay. And let the record reflect that the time of 7:54 has arrived and we close that public hearing."

Public Hearing closed: 7:54 p.m.
(Left open for written comment for one week)

Public Hearing opened: 7:54 p.m.

Supervisor Kozakiewicz: "And the time still being 7:54, Barbara, read the affidavits of publishing and posting, please, for tonight's fourth public hearing."

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on April 16, 2002, at 7:20 p.m. regarding the consideration of a Local Law to amend Chapter 106 Waterways."

Supervisor Kozakiewicz: "Yeah. This is a change to Section 106-8, specifically what it does is three things. It takes three current delineated prohibitions on the operations of watercraft and increases the distances.

The first will go from 100 to 150 and prohibits the operation of a vehicle within a bathing line or a bathing float. The second takes the prohibition from 100 feet to 250 feet and prohibits the operation of watercraft within 250 feet and this is the proposal, within a public or semi-public beach. And the third would prohibit the operation of a watercraft, increasing that distance from 100 feet to 150 feet of any person swimming.

Anybody who wishes to address the Board with respect to these proposed changes of Section 106-8 of Chapter 106 Waterways? Anybody? I guess everybody thinks it's a good idea to keep those boats away from people. Right? Mr. Haizlip, do you wish to comment?"

Steve Haizlip: "Steve Haizlip from Calverton. Just to get it on the record. You summed up already what most of the people are thinking and what I'm thinking. I've been down to the end of Edward Avenue and Iron Pier and boats come right up, pick up people, drop them off out in the water and take off again and ski and be skiing behind them. So that would prohibit this then. They couldn't come in then where there's people gathered in the water and wading in the water and playing with kids with their balloons and fishtank, you know, blown up balloon fishes and lifesaver rings. They wouldn't be

able to come in and mingle with them. They'd have to say out. Good enough."

Supervisor Kozakiewicz: "Thank you. Anybody else? Mr. Schmelzer. George Schmelzer."

George Schmelzer: "Is this good fresh water?"

Councilman Densieski: "No. Salt."

George Schmelzer: "Does it include fresh water in the river?"

Supervisor Kozakiewicz: "I don't think it does."

Councilman Densieski: "You're not allowed to have motorized boats in the fresh water section."

Supervisor Kozakiewicz: "Right."

George Schmelzer: "How far out from the shoreline does the town have authority on salt water?"

Supervisor Kozakiewicz: "The town line, I- "

Councilman Densieski: "It would be 150 feet, I guess, right?"

Supervisor Kozakiewicz: "No. It's quite a bit out if you look at the town line. But I don't know what the distance is off the top of my head. I remember- I remember being involved in the prosecution of a case where a fellow went through a lobster pot with a trawler and the question was whether it was within the jurisdiction of the town of Riverhead. That was the big issue of the case. And that was- there's all those formulas of where the land lies so, yes, we do have jurisdiction."

George Schmelzer: "I hear authority before that the federal authority says you can't stop any going up and down the beach so I don't know who owns the beach."

Supervisor Kozakiewicz: "Well, this is just a question of whether you are in favor of what we are proposing to do or not."

George Schmelzer: "Well, I don't really care either way."

Supervisor Kozakiewicz: "You don't have a jet ski."

George Schmelzer: "No. I don't want to just make trouble."

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

George Schmelzer: "Unless I- unless it's a good case."

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

George Schmelzer: "I'll talk to you later on that."

Supervisor Kozakiewicz: "I'm sure you will."

George Schmelzer: "Yeah."

Supervisor Kozakiewicz: "Thank you. Anybody else? If not, declare the public hearing closed, the time of 7:57 having arrived, or is that 7:58?"

Public Hearing closed: 7:58 p.m.

Public Hearing opened: 7:58 p.m.

Supervisor Kozakiewicz: "All right. And the time still being, well, let's say 7:58, we'll call the last public hearing, Barbara. Read the affidavits of publishing and posting, please."

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on April 16, 2002, at 7:30 p.m. regarding the consideration of a Local Law to amend Chapter 108-Article X Business D District (General Business)."

Supervisor Kozakiewicz: "Okay. This one is pretty straightforward. What it's doing is, is looking at the Business D as in David zoning district and removing as a permitted use offices and making those subject to a special permit application.

Anybody who would like to address the Board either for or against the proposed change to Chapter 108 to the Business D zoning text? Not seeing anybody indicate a desire to speak, I declare the public hearing closed, the time of 7:59 p.m. having arrived."

Public Hearing closed: 7:59 p.m.

Supervisor Kozakiewicz: "Okay. The- it's now time to open this up to public comment. As indicated and as there's been a lot of coverage recently, we do have a five minute rule. There are a couple of resolutions which were not included in the packet which may or may not come up for discussion today and I wanted to address those before anybody get up just in case they wish to address them. That is there was an application to- from Tanger Outlet Centers to conduct an annual garden festival in the Liz Clairborn parking lot, May 2, May 3, May 4, May 5. There is a resolution which is discussing an amended site plan for Cherry Creek Golf, Inc. located at Reeves Avenue. And, finally, a resolution which is authorizing the publication of a public hearing on a petition to amend and approve special permit of Riverhead Center, LLC.

Saying that, I do have some cards and I will go to the cards. That is, Sandra Mott first."

Sandra Mott: "Sandra Mott, Riverhead. I read in the News Review that the proposed 82 unit- it's now 82 unit expansion, I use that word lightly, of the Glenwood Mobile Home Park at Mill Road and Route 58 will be coming up for discussion at the town board meeting. I called this afternoon. They said it wasn't on the agenda. I looked at the agenda, it's not on it. You just indicated the three proposals- resolutions that are going to be brought up in addition to what's here. At what point in time is that going to be brought forward?"

Supervisor Kozakiewicz: "Well, I- we have a planning report which I'm not sure everybody- or an engineering report which has been provided to us from our engineer firm. This is a tabled resolution."

Sandra Mott: "Right."

Supervisor Kozakiewicz: "So this is one that could come off the table. I expect that we're going to need to break or I'll share this report with my colleagues and see what they wish to do. But if you wish to comment on it- "

Sandra Mott: "Tonight?"

Supervisor Kozakiewicz: "Yeah. It could. I'm not saying it's

impossible but given some of the information we have, it's highly unlikely."

Sandra Mott: "It's highly unlikely."

Supervisor Kozakiewicz: "Yeah."

Sandra Mott: "Okay. That's encouraging. My concern is basically the fact that- actually almost two years ago, almost to the date April 19, 2000, was the original scoping of that original application which was 103 units at the time. Then it was brought down to 99, now down to 82 to conform with the exemption- to get around the moratorium in order to preserve the 70% of the property.

The problem is during this entire process the word lead in the soil investigate if it's there or not, I brought up from the very get go, and to date my understanding is it hasn't been done. It's an important issue, concerning the fact that it's adjacent to the race track that was there for 25 to 30 years whatever it is now, and the gasoline that was at that point in time had lead in it and when lead goes up in the air, it settles and where it's going to settle is adjacent to the race track, which is where they want to put this community, new community might I add. It's not really an extension at all.

It was never addressed. I want to make sure it's on record that it was never addressed. It needs to be addressed and I talked to Mr. (inaudible) from the North Fork Environmental Council to ask was anyone going to attend to be protective of the current 500 approximately unit owners- well, there's more than that in population. He- when I said lead, he said that that was a very important concern. It certainly is since we're going to be living across from the construction site and our road is going to be the construction roadway.

They've changed the site plan. They've made adaptations as to access to this property. And, you know, I'm always going on the habitat preservation. I'm trying to preserve our own habitat.

And also the concern of the 80/20 situation which I asked Dawn Thomas years ago to get a definition from the State which is on the record in regard to the fact that there are children in the community. Again in the News Review, the same edition, there's reference to the fact that the Glenwood community children would be considered for rearrangement from one school to another so- and I was also told point

blank that they couldn't discriminate against children.

So what they're selling you is not an adult only community. It will have an effect on the school system. It will have an effect on the current residents who only own the home and not the property and it's a landlord/tenant relationship and my concern is that these considerations be made. As I said, two years I've been here. As you can see, the papers are gathering but the answers aren't coming forward.

Never have we been notified that the change from adult community to an 80/20 situation. People didn't move in there to live with children necessarily but that's the situation now. I don't know what they're going to do when the next 82 units that they're planning. Again, no one was notified. My concern again is the traffic. There has been numerous issues as to accessing in and out. You don't make a left because it's dangerous. Go out on Mill Road. Well, going out on Mill Road won't help you anymore because Home Depot is now there.

You people need to help us. We are not the rich and famous of the community. We haven't been here our whole lives but we were enticed out here. It's your responsibility to be protective of our health, safety and well-being and quality of life.

My concern is not a question of gee whiz wouldn't it be nice- someone once made a nasty remark, why don't we move? If we wanted to move, we would have done that. We moved here to be enjoying the community. Now whether or not you want to hear me time and time again. I'm tired of coming here time and time again. Two years later- two years later and I still don't have any answers as to 80/20 and what the story is as to the lead. It has to be tested. It's part of the process and it needs to be considered.

If you're going to consider it for the Crown extension that shouldn't go through either, then you need to consider it for the 500 elderly who live in that community. They're not going to come here. Their families live elsewhere. I'm here and I'm telling you that there are people who are concerned and you need to be protective of our health.

This property should not be exempted from any moratorium. I said hurrah when you did it. You should extend it another year. That was the whole point of it. You've got multiple issues and in addition to that, it's very tiring to have to repeat yourself time and again. And just read the papers, you'll find out a lot of information. They're

very factual, whether it's by Mr. Gannon or Tim Kelly or Mr. Haines, you can learn a lot of you read your local papers. It would be a real help."

Supervisor Kozakiewicz: "Thank you. Rolph Kestling."

Rolph Kestling: "Rolph Kestling, Wading River. At the last Town Board meeting, I expressed concern about a certain building that was being rented."

Supervisor Kozakiewicz: "Little Flower, yes. And I understand Leroy did have the code enforcement go up there the next day. I have not seen his report of what the findings were. There were renovations that were going on, I know that. He was going to provide a report to all the Board members on what the findings were. I haven't seen it."

Rolph Kestling: "Two weeks have elapsed since then and you haven't seen the report?"

Supervisor Kozakiewicz: "I haven't seen it. I'm not sure if a report issued. If any of the other Board members- I haven't seen a report."

Rolph Kestling: "I think- "

Supervisor Kozakiewicz: "But I know he did go up there the next day, Mr. Kestling, because I called the next morning, I asked him to do so."

Rolph Kestling: "I know he called me first."

Supervisor Kozakiewicz: "Okay, all right."

Rolph Kestling: "So, now but you have after two weeks you don't know- "

Supervisor Kozakiewicz: "Mr. Kestling, that's what I'm saying. Yes."

Rolph Kestling: "I don't think that's right. Okay. Next thing. That dirt pile going up next to Stove and Stones. I thought there was a stop order on that. We went past there Thursday, Friday and as we drive past, I said, my gosh, those piles are getting bigger and bigger and I glanced a bulldozer working down there. And they're getting to be tremendous those piles in the back, not the one in the front, and I

can see it's fresh dirt on top. The stop order still- "

Supervisor Kozakiewicz: "There was- are we talking about the trade shop- PRC?"

Rolph Kestling: "I believe that's what's supposed to be going there."

Supervisor Kozakiewicz: "I think there was initially a stop work order that had been issued because they had not applied for their necessary permits. But my understanding is they did come in and apply for permits and they have permits."

Rolph Kestling: "And it's not going to be another sand mine?"

Supervisor Kozakiewicz: "No, it's not."

Rolph Kestling: "Okay. Now, the next thing. On your last meeting somebody asked will there be any more sand mines and- "

Supervisor Kozakiewicz: "And I gave an opinion."

Rolph Kestling: "-- you gave an opinion and you chose your words very carefully. Very carefully. All of a sudden- "

Supervisor Kozakiewicz: "Well, when I don't, I have them turned around on me."

Rolph Kestling: "That's okay. I that's lawyer talk. All of a sudden the thought struck me. T&S Haulers, they bought about, what is it, 40 acres next to them from the Hodun family about a year or two years ago. Can they turn that into a sand mine?"

Supervisor Kozakiewicz: "I guess it's a question of who you ask. We believe they cannot. We have taken the position they cannot."

Rolph Kestling: "That's the thought that struck me. You know, after you go home, you listen to what you say and then you try to pick it apart and I came up with this. So, so far they can't make a sand mine there?"

Supervisor Kozakiewicz: "And as you know we had a court decision that just came in."

Rolph Kestling: "Okay two weeks from now, I'll be here- or Mr. Barnes can let me know?"

Supervisor Kozakiewicz: "I will ask- I will ask Mr. Barnes to follow up with you as far as his findings because I was looking for his report as well to know what they're doing out there and what the uses are."

Rolph Kestling: "If there's a- I mean, if it's the buildings I suspect it is and there's a covenant on them, they can't do anything. He should issue a stop order then. Thank you."

Supervisor Kozakiewicz: "Thank you. Tony Mancuso."

Tony Mancuso: "Good evening. Tony Mancuso, (inaudible) Road, Baiting Hollow. Mr. Supervisor, I am here to voice my opinion against- now let me rephrase that, adamantly against the zoning change for Crown Sanitation.

The first time you ran for election, sir, I voted for you right off the bat. The second time, you were my second choice. The third time, I hope I don't have to change my party affiliation."

Supervisor Kozakiewicz: "I can't speak to that. That's your personal decision."

Tony Mancuso: "Part of your platform was that you would revitalize downtown Riverhead, you would resolve some of the old Grumman site controversy, and you would preserve the quality of life here in Riverhead. And the other day I went on our website, which Riverhead has a beautiful website, and what struck me first off was to see the Peconic riverboat going down the serene Peconic River site, to see the little sign with the flowers-- the daisies all around that says Welcome to Riverhead, and then to see all of that beautiful, beautiful farmland, that agricultural farmland. But no matter where I went on that site, I couldn't find a concrete crusher anywhere.

And I feel that what Crown is proposing to do will destroy the quality of life not only for my family, but for 80 residences in a two mile square radius.

I also feel that there are environmental issues that were not covered in that impact study, that are very detrimental to the health, not only to the local residents here, but to our groundwater and to an extended geographic area throughout Riverhead. I'm very concerned

with Crown Sanitation because from what I understand, they were given two acres of zoned Industrial property to work on. I know for a fact, because I drive by there and I stopped by again today. Their trucks are being utilized on the agricultural portion of those 13.9 acres of land. I don't know how far they have extended themselves onto the agricultural land which would be a violation of their permit.

They're still parking their trucks on a public road. I saw pictures last night at a town- not a town meeting but a local neighborhood meeting which by the way there was about 85 people there at the Riley School on this subject, where Youngs Avenue was closed because of flooding due to the berm that they had installed there.

So my questions lies in the fact that if they have not been civically responsible at this point on what they have been granted, what can we look forward from them in the future, and if I may inquire what is the town position at this time with regards to the zoning change?"

Supervisor Kozakiewicz: "I think at this point in time, we're still gathering the information. We are looking at what you've asked us to look at. We are asking them to file the final environmental impact statement and I think our decision is still reserved. I'm speaking for myself. My decision is still reserved. We have to look at everything and we have to do- as a Town Board member, I have to look at this, determine whether it fits the criteria and it's reserved at this point. I'm speaking for myself. I'm not going to speak for my colleagues."

Tony Mancuso: "When they do file their final environmental impact study, would the community have an opportunity to review that and address that again? Will there be another public forum- "

Supervisor Kozakiwicz: "I'd have to have Mr. Hanley respond to that. I'm not sure if there's another public forum that's called out at that time. I don't think so, sir. No."

Tony Mancuso: "So the results would be published? How would the community know the results of this impact study and- "

Supervisor Kozakiewicz: "They get distributed. They get put on the environmental news bulletin. There's public notice, so there's ways that that information goes out to the public."

Tony Mancuso: "Okay. One more question. And I appreciate your

indulgence. When the final decision is made to change the zone or not change the zone, hopefully, would there be a public forum for that?"

Supervisor Kozakiewicz: "That is the question that I think- we had a public hearing a while back on this particular project and I think that that's the question that we're going to have to decide, whether it's changed or whether we should have another public hearing or need to hold another public- I don't know the answer to that tonight. I'm going to be very honest with you. I don't know. I think we may have had a public hearing on this already last year but I'm not, you know, I'd have to examine the record closer, Mr. Mancuso."

Tony Mancuso: "And the concrete crusher is already up. I believe it's already installed. Do they have the right to do that before they've been given the zoning change?"

Supervisor Kozakiewicz: "Is it on that property and it's operating?"

Tony Mancuso: "I don't believe it's operating but I believe it's up."

Supervisor Kozakiewicz: "Okay. Okay. Good question. I'll ask the code enforcement- I would think not. I would think not. I mean it shouldn't be there. If it's there, it shouldn't be. You know. All right, thank you. Steve Haizlip. If it's- it's on their property. It's on the agricultural piece, the crusher?"

Tony Mancuso: "I just saw it- I couldn't see if it's on- "

Supervisor Kozakiewicz: "Okay. So that will be the question. Yes. Okay. We'll have to send someone up there to make sure it's not. Thank you."

Steve Haizlip: "Steve Haizlip of Calverton. I want to question Resolution 384 and 387. This seems like to me it's in direct conflict of what the attorney set up there and asked to hold it open until the 25th of April on this here subject of the Harris house."

Supervisor Kozakiewicz: "Different property."

Councilman Lull: "Steve, they're two different properties."

Steve Haizlip: "Oh."

Councilman Lull: "One's on Melene Street and one's on Lewis Street."

Steve Haizlip: "That will take care of that. Good. Okay. Resolution 403, that's the one what I remember awarding a bid for one articulated wheel loader and I was a little confused as to what was that type of equipment. I found out what it is. It's equipment that will flex in the middle by hydraulics and the word wheel means it's mounted on wheels, normally they're on tracks."

Supervisor Kozakiewicz: "Right."

Steve Haizlip: "What's this, the second bid? The first one didn't go through?"

Supervisor Kozakiewicz: "This is awarding the bid."

Councilman Lull: "This is awarding."

Supervisor Kozakiewicz: "This is awarding."

Steve Haizlip: "Oh, right."

Supervisor Kozakiewicz: "So, no, it did."

Steve Haizlip: "Oh, okay, okay, I get you. Bob, I think you were the town attorney under Jim Stark, right?"

Supervisor Kozakiewicz: "I was."

Steve Haizlip: "Okay. I remember a bunch of DEC guys coming in here one night and signing some papers. Was that amount for \$60,000 at the time? Was that a fine of \$60,000, even though we had been sanctioned by the courts that you could go ahead and operate the landfill and the court is the highest domination in the land, you know. And then- and even- "

Supervisor Kozakiewicz: "I don't recall the exact amount. What you are referring to is when the town authorized the execution of a settlement with the DEC concerning the Youngs Avenue landfill. The town had fought that closure. We argued that the State law was fatal and that it shouldn't apply. We went through about three years of court battles. At the end of the process, the court finally ordered the landfill closed in 1993. The discussions with the DEC started thereafter and in 1995 we entered into a stipulation of settlement

with the DEC and I know that the fines could have been a great deal. I know that there was a- instead of just paying fines to the DEC, we paid them into a fund that was used for projects as opposed to just giving them to the DEC. I remember that. But I do not recall whether it was \$60,000 or \$600,000 to be honest with you."

Councilman Lull: "I think it was substantially more than \$60,000."

Steve Haizlip: "Somehow- "

Supervisor Kozakiewicz: "I thought it was more, I agree with my colleagues. I thought it was a larger sum of money but I don't recall the exact amount."

Steve Haizlip: "Yeah, it's been a while. It's been a while."

Supervisor Kozakiewicz: "1995."

Steve Haizlip: "Yeah. And the thing that puzzled me in that case was the judge, Mary Werner, stated that we were- I'm talking about the people and the residents of the town, we were in blatant violation of the law. You're not in blatant violation of the law if the courts extend it. That's all there is to it. But that's the way she looked at it.

Now, oh, yeah. Eddie, I hope you don't mind me bringing this up, but- "

Councilman Densieski: "I do, Steve."

Steve Haizlip: "But you did bring it up to the public and you said that you were establishing a three person committee to look after the finances at Grumman. It was getting a little too expensive. I think you mentioned Stark and Otto Wittmeier."

Councilman Densieski: "I think that was my buddy to the right here."

Supervisor Kozakiewicz: "I think that was me."

Steve Haizlip: "Oh, the person was you."

Councilman Densieski: "I'll take the blame if you want, Steve."

Steve Haizlip: "No, the only question is I'm asking- only reason I'm bringing this up, has there been any result- "

Supervisor Kozakiewicz: "That was an analysis done before the closing to Mr. Burman and it was addressing some immediate operational questions and those items, I think the report basically said either get to a closing, make the closing happen, or make some major changes in the way you were operating. And, of course, the closing took place last October."

Steve Haizlip: "All right. Well, you've got it in that category. I took it to be overall operation with security and maintenance and so forth."

Councilman Lull: "It is- it was, Steve. But remember security and maintenance have been given over to Mr. Burman at this point so that those expenses that Bob was talking about are now- have been- were passed over with the sale."

Steve Haizlip: "Okay. This here 500 acres of land over in Jamesport that Key Span owns. The North Fork Environmental Council is pushing to get letters written to get this as a state park in the town. Well, I guess state parks is okay but the only thing is state parks don't pay any taxes. So now when this- if this goes into effect and they push it and it's successful, then that's 500 acres of land coming out- off of Key Span- we won't be getting from Key Span and they'll be glad. And now- "

Supervisor Kozakiewicz: "It's upwards- upper \$600,000 in taxes that we receive- 680, I think, \$680,000."

Steve Haizlip: "I think I remember you saying that at the work session."

Supervisor Kozakiewicz: "Yeah. Right."

Steve Haizlip: "But you're not answering my question. If it goes into a state park and that's what they're pushing for. We will lose tax revenue and me and Rolph and George are going to have to make this up. And I'm not in favor of it. No way- "

Supervisor Kozakiewicz: "I think you spoke for me. You need to make your position known to the state and to those who are asking that it be made a state park and totally preserved. That you're- "

Steve Haizlip: "I'm making it know right now- "

Supervisor Kozakiewicz: "All right."

Steve Haizlip: "To the DEC- I mean to the NFEC."

Supervisor Kozakiewicz: "All right."

Steve Haizlip: "I don't want them going out and trying to get land approved to take money out of my pocket to pay for it. And I've got enough expense in taxes now."

Supervisor Kozakiewicz: "And with that said, I'm going to need to have you sum up, Mr. Haizlip."

Steve Haizlip: "Okay. I will. At the work session Thursday, it was brought up about that Charter school in Calverton needing some safety signs, speed signs. I want it known and on record that Rita Hodun had brought this up the day that school practically opened and it went unheeded until just the other day. But I want it known that she did have input right here in this Town Board and it's in the record. So please recommend- I mean honor- never mind the word."

Supervisor Kozakiewicz: "Thank you, Steve."

Steve Haizlip: "Right."

Councilman Lull: "We certainly would thank Rita for her input on that but one of the reasons it's so slow, you can say anything you want to the Town Board, it's a state highway."

Steve Haizlip: "I know, Jim."

Councilman Lull: "They do not move very fast."

Steve Haizlip: "I know, Jim. It takes two years."

Supervisor Kozakiewicz: "Bill Kasperovich."

William Kasperovich: "William Kasperovich from Wading River. The state doesn't move any slower than the town of Riverhead. When I see the surveyors markings on the roads and on- markings that would indicate a study, I assume that the highway department- state highway department is not spending money on these people to go out there and do all this work without any particular projects in mind that are not

just a potential but a probable project.

Whenever I go down to the state highway department, they tell me continually without fail every time I've been there, well, you know, Kasperovich, we never see anybody from Riverhead when we have a public hearing. When we're open to the public. We never have anybody down here. So when it comes to state highways in the township, a good portion of the problems are of our own making. Why do we have to wait for the Commissioner to come pay us a visit before we discuss the needs and shortcomings or corrections that are necessary in the township?

Back-- since somebody had mentioned the period of time that you, Mr. Kozakiewicz, was the town attorney and I was in your office, made various requests, gave you some papers to so indicate, trying to get the street I live on to be listed in the Town Clerk's office as a public road. To date, in the Town Clerk's office there is no indication of the existence of the road that I live on. So I bring it up once again. I'm looking for the street that I live on, 15th Street in Wading River, to be listed as a public road. And it should so be recorded in the Town Clerk's office.

This evening working without the resolutions, I can't comment on them other than I see 409 says approves application of Central Suffolk Hospital and then I see some place 380 authorizes the Supervisor to enter into an agreement between the town of Riverhead and Central Suffolk for the acquisition, installation and management of two bus passenger waiting shelters. Is this one and the same or- "

Councilman Lull: "One is for a plant sale. One's for their annual plant sale."

William Kasperovich: "Well, okay. That's it."

Supervisor Kozakiewicz: "Thank you. George Schmelzer."

George Schmelzer: "We've got a new kind of an arsonist around here- the environmental arsonist. The Nature Conservancy is part of it, the Pine Barrens involved and it's really dangerous. They recommend burning our woods down, 100 acres at a time. These idiots, they ought to be in jail. Now we have town laws to protect these trees and these bastards come around and say they want to burn the forest down. The same mentality tried that in Yellowstone a few years back and what it did, it burned houses and everything. No private person with any brains would do that. Any place on Long Island where

you've had no fire for a long time, the trees are beautiful. The oak trees are big and straight; the pine trees are big and tall. They come up with this nonsense that oh, we've got to have fires for the pine cones to pop out. You ought to tie them to the trees first, then burn the forest. And that's enough of that.

So this letter that you wrote to the state, the Education Department, about Southampton- "

Supervisor Kozakiewicz: "The Office of Real Property Service, ORPS."

George Schmelzer: "Yeah. Did you make any counteroffer to them, a counter-proposal?"

Supervisor Kozakiewicz: "To whom? To whom? The school?"

George Schmelzer: "No. To the state."

Supervisor Kozakiewicz: "I'm not going to reveal my case. If they do make a proposal for a segment equalization rate, I'd rather hold that in my pocket and go up and argue it."

George Schmelzer: "What's the secret?"

Supervisor Kozakiewicz: "That it's going to adversely affect our taxpayers."

George Schmelzer: "The town- a few years back it cost them a half a million a year in extra taxes to support Southampton. Now their taxes are- they're almost breaking even now, they don't like it because the sucker, Riverhead, is not paying for it, see. We're the laughingstock of the county, the town of Riverhead (inaudible) the state, too.

The state troopers (inaudible), the town did nothing. Not a damn thing."

Councilman Densieski: "That's not true."

George Schmelzer: "That would have been a good thing for the town. You didn't- why not?"

Supervisor Kozakiewicz: "First, you're wrong."

George Schmelzer: "Huh?"

Supervisor Kozakiewicz: "First you're wrong."

George Schmelzer: "What did you do?"

Supervisor Kozakiewicz: "We made- they didn't want to come. Contrary to what you think, they did not want to come into Riverhead."

George Schmelzer: "Well, stir it up a bit."

Supervisor Kozakiewicz: "They're coming- a nine iron, a pitching wedge away from the circle. That's going to happen."

George Schmelzer: "Yeah, yeah. I wonder why they didn't want to come. Somebody wink at somebody in Southampton?"

Supervisor Kozakiewicz: "Keep going."

George Schmelzer: "Find out why?"

Supervisor Kozakiewicz: "I know. Let's keep going far afield. Go ahead."

Councilman Lull: "George, if they're in Riverhead town, they're not paying taxes."

Supervisor Kozakiewicz: "I think I know why you think we're the laughingstock."

George Schmelzer: "What's this?"

Councilman Lull: "If they're in Riverhead town, they're not paying taxes."

George Schmelzer: "Oh, well, it's about time we had a new law. You should propose it. If the district is in more than one town, each town pays the proportion of the students. If Southampton has 15% of the students, they pay 15% of the taxes. How they get it is their problem. Right now, Brookhaven has 8% of the kids and pays 2% of the taxes. Riverhead town does nothing. We're the laughingstock of the county; maybe the state, too. Yeah. When they open the door, write a letter, go right after them, propose something. Well, what's the secret. You keep the secret, we'll never get anywhere."

Supervisor Kozakiewicz: "This is dealing with their proposal to get a segment- equalization rate. You know what they're proposing and you know they may not even make the application."

George Schmelzer: "You should do something on your own without them."

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

George Schmelzer: "Yeah. So, how about when they went to Washington, like a bunch of professional panhandlers looking for money from the federal government. Really, you ought to be ashamed of yourselves. Did you ask the- "

Supervisor Kozakiewicz: "I disagree with you on that. I think that it's time that the federal government chipped in. Since 1976 when the farmland program was put in effect, the total amount of money that has been paid by the federal government to this region for farmland acquisition is \$400,000. That's it."

George Schmelzer: "Why should they pay anything?"

Supervisor Kozakiewicz: "You and I disagree on this philosophically and we've talked about this- "

George Schmelzer: "Wait a minute. Did you ask to change the inheritance laws so farmland is- "

Supervisor Kozakiewicz: "We are asking them to do that, too. We are asking them to change."

George Schmelzer: "I don't see anything about it. Well, did you ask them- "

Supervisor Kozakiewicz: "That was part of the discussions with the Farm Bureau, Mr. Schmelzer. If you were there, you would know that. We asked them to do that. We asked them to consider installment sales. We asked them to consider other incentives to help these things happen so that when the state situations arise, it does not put the burden on the taxpayer and the farmer the way it does."

George Schmelzer: "Well, all they'd have to do- "

Supervisor Kozakiewicz: "If you had asked, I would have told you we did ask that, yes."

George Schmelzer: "Yeah, but you didn't say it on your own; I don't think you did."

Supervisor Kozakiewicz: "Thank you for your vote of confidence, Mr. Schmelzer."

George Schmelzer: "Yeah, so if you had an inheritance tax law, any farm- "

Supervisor Kozakiewicz: "We're talking about, you know- "

George Schmelzer: "-- that's being run as a farm by tenants or by the owner, it's assessed for farm use only. If the heirs later decide to sell, then the government gets its taxes. Right now, say if somebody had a good farm on 58, they'd have to sell half their farm to pay the taxes. Then (inaudible) it isn't worth to keep because you can't run it efficiently. Some brains, really."

Supervisor Kozakiewicz: "You're not getting any disagreement from me. I think that the situation with the inheritance tax and with the state taxes are abominable. You're right. So your point is well taken."

George Schmelzer: "Yeah, well, push on it. Stir them up a bit. We heard nothing in the papers about that so I doubt if you said but a whisper to them."

Supervisor Kozakiewicz: "Well, you can have your opinion, Mr. Schmelzer. I'll tell you that it was addressed."

George Schmelzer: "Yeah. I didn't read it in the paper. They put everything else in there."

Supervisor Kozakiewicz: "Well, thank you. Five minutes are up."

George Schmelzer: "I've got something else, but I'm not- you ought to be ashamed with stuff going on."

Supervisor Kozakiewicz: "Well, thank you."

George Schmelzer: "400 acres down there, I tried for a few years, that land by Grumman, don't give it to the state unless they agreed to pay taxes. I was laughed at. Now, what have you got now, nothing. They're not going to pay taxes. Why should then? The 400

acres down there, if they want to make a state park, pay taxes or else they don't get it. Then up in the Adirondacks, the government spends over 100 million a year paying local taxes. Of course, our weasel Senator won't tell you that, State Senator. Really."

Supervisor Kozakiewicz: "You've told us that numerous times."

George Schmelzer: "Yeah, well I've got to refresh your memory on this."

Supervisor Kozakiewicz: "Thank you."

George Schmelzer: "Okay, you're very welcome."

Supervisor Kozakiewicz: "Okay."

George Schmelzer: "So long."

Supervisor Kozakiewicz: "So long. Anybody else who would like to address the Board? Hand in the back. Yes."

Larry Stenson: "Good evening. My name is Larry Stenson and- "

Barbara Grattan: "What's your name? Could I have your name again?"

Supervisor Kozakiewicz: "Stenson."

Barbara Grattan: "Stenson."

Larry Stenson: "Stenson. S-T-E-N-S-O-N."

Barbara Grattan: "Okay. First name?"

Larry Stenson: "Larry. The reason why I'm here is that, well, I'm, not actually a town resident. I just recently put a binder on a piece of property on Youngs Road in a place called the Preserves. And I'm here because I just found out tonight that there's this issue with this Crown Recycling.

Now, when I heard this, I just- to my mind I'm paying \$350,000 to live next to a concrete crusher and a wood chipper? I mean just to let you know and it shows support for the community, that's scary, it's scary for myself. I don't think people would want to actually move into the area knowing that.

And also, you're not going to really see the full support because most of the people who have now purchased these properties are in contract already. They don't even know about this. In fact, I just found out tonight because there happened to have been a person, a young woman, who had a contract, was driving around and saw us looking around.

So the reason why I'm approaching you people today is to let you know that first of all I may rescind my binder because of this issue. I'm a little concerned. And also you have a full community out there that's also very concerned. You don't see them right now, there actually are. There's a lot of people representing (inaudible). And, you know, something to seriously consider because the quality of life will definitely go down and those people's home values will probably go down, too."

Supervisor Kozakiewicz: "Thank you, Mr. Stenson. Harold Lindstrom."

(Speaker from the audience: "Would you remind the people to speak into the microphone? We can't hear back here)."

Supervisor Kozakiewicz: "So noted."

Harold Lindstrom: "Hal Lindstrom, Riverhead. I want to speak on the Crown issue. Since this issue came up, I've heard all kinds of accusations against Crown. I've heard the doomsday scenario; I've heard the toxic dust plumes; I've heard ground water contamination; I've heard unacceptable noise levels; I've heard cement coming from the World Trade Center that is going to release asbestos into the atmosphere. I have not seen any proof that this is going to take place once Crown gets the zoning change.

Most businesses have to expand and change to keep up with today, especially with the inflation and to be competitive in the business world. And this is the case with Crown. Crown Sanitation has served the town and the public for 30 years. They do a needed and growing recycling garbage. They do a growing needed service and they do a good job of it considering they recycle garbage. This is going to be playing a larger part in the garbage process in the future. As our community grows, we need places like this.

Crown Sanitation has a very good environmental record with the DEC and the Board of Health. Anybody can check on that. The owners of Crown have conveyed to me that they will work with the community

and the town to resolve any concerns they may have on the zone change. Part of the zone change is needed to construct the parking area for the vehicles Crown now parks in the road. That was one of the complaints here.

When I talked to the people at Crown which a lot of people didn't give them the courtesy of going down there and finding out all the facts on this particular issue. They just came up with all these accusations against Crown and did not find out all the facts in this case. I just- there have been so many accusations on this issue, I hope that you will base your decision on only the facts and all of the facts. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like- yes, a hand right in the middle, please. Listen, listen. Hold it, hold it. I'm going to stop things short. This is not- everyone has an opportunity. We're in America, I think, the last time I checked where the right to speak out and say your piece is something that we value. It's the first amendment if my memory serves me correctly.

I would ask that people have a right to speak, they have a right to tell us what they think as far as a project. That's why we're here. We're here to hear from the people. If there's going to be any semblance of disorder or anybody who's not respectful of anybody else's right to speak, we'll stop and we'll ask that individual to go outside or if need be leave. I mean, let's respect one another. Let's hear what everybody has to say. Let's listen to the five- obey the five minute rule, and let's go.

I mean I think that we're supposed to be in a society where we're tolerant of one another. We're in an age where we're supposed to be more knowledgeable, more worldly, internet capable, yet we seem to not respect what one another says. Please give the speakers the right to speak, say their piece, whether you agree with it or not. Thank you."

Joan DiCaro: "My name is Joan DiCaro. I live at 4 Pleasant Court, Calverton in the Manors development. I'm very much against what- the application that Crown has and I just want to say that I think that we'd be setting a very bad precedent if we change from farming zoning to industrial because what is to prevent all of the farming zoning to become different zones than what they were originally set out for?

When we moved here 12 years ago, we were very happy in the

community. We loved it. Our children go to school. We work here. And I have to say that we were told that the Riverhead town dump was going to close and that was one of the reasons that we didn't mind living there because we knew that it would close. I never, ever thought that they would do something like expand, even if it is for what they say recycling. I never thought that they would expand something like this and I really am against having something like this and really so close to a residential zone.

One thing is that I really do expect that it's going to cause a lot more noise. As it is, anywhere between 5:00 and 6:00 in the morning you can hear the trucks leaving to go out to their duties, backing up. You can hear them all the time from that time in the morning, they're quite noisy. And I can only imagine how much noise and how much pollution this is going to bring to that community.

And I'm sure that if you lived right there you wouldn't want that in your backyard. That's pretty much what I have to say."

Supervisor Kozakiewicz: "Thank you."

Bob Morse: "Good evening. Bob Morse, Calverton. The gentleman that spoke before says that they are going to expand their operation. They're not going to expand their operation because they're not going to collect garbage. They're going to go into a new business. And I believe a new business should be in an industrial park. It shouldn't be in my backyard. I'm not too far away from there.

And I don't understand why the town would even consider doing that, concrete crushing, stone crushing, water- I just can't believe that you would take a beautiful piece of property and do that. You know, I don't know. I just can't figure out why you would want to do that.

Crown is on a bid from this town for garbage. Next year they might lose the bid and Crown does not pick up your garbage. Some other company will pick up your garbage. I'm not worried about Crown taking the garbage out of my backyard. Somebody will take it. Because the town will put it out for bid. So I can't see why I owe Crown anything. Crown has a business. We pay them to take the rubbish. And that's what we're paying them for.

They want to expand it. They don't want to buy industrial property. They want to buy farm property which is much cheaper than industrial property. So they bought that acreage, sat on it, and now

they want to change the zoning. I'm dead against changing the zoning."

Supervisor Kozakiewicz: "Thank you. Mr. Griffin."

John Griffin: "Tough crowd tonight. Just a couple questions that I have. I'll try to keep it under my five minutes."

The- at the last meeting, Bob, I asked you about the decision that came down from the judges on the Calverton Industries site. You're up for tonight, you're voting on 420. Miss- Councilwomen Blass and Sanders had the foresight to read the same thing that I read and that was that the town could not go onto that site to inspect without the permission and with the authorization of the DEC. Okay. They're looking to change that, that the town can go on at any time, which I firmly believe they should have the right to do. I hope you guys support them, too, in that and that you vote that up.

One thing- I've got a second question or statement. For the first time I read about lights for the Town Board. I wasn't exactly sure what that is. Is that still a possibility?"

Supervisor Kozakiewicz: "Well, given the way some of the meetings run, I think there is, yes."

John Griffin: "Okay. Putting lights up is not going to do the job. What are you looking at? \$1,300, \$1,500, \$1,800?"

Supervisor Kozakiewicz: "That's correct."

John Griffin: "Pay me \$100 bucks a night and I'll stay here and shut them up in five minutes. Okay?"

Councilman Densieski: "Pay you 500."

John Griffin: "Okay. What you have to do- "

Supervisor Kozakiewicz: "Are you going to carry a bat?"

John Griffin: "-- you have to tell certain individuals and we, most of the people respect the five minute rule. Some individuals don't. Those are the people you have to be firm with. Okay? Putting up lights and shutting somebody off at five minutes is not the right thing to do guys."

Councilman Densieski: "That's how they do it in the Senate."

John Griffin: "My opinion. This is not the Senate. This is my opinion."

Councilman Densieski: "And other legislative bodies also."

John Griffin: "This is my five minutes, Ed, please. Somebody asked about a public hearing on the Crown Sanitation. By the way, I don't think anybody has to know my position on the Crown Sanitation issue. I'm dead set against it."

I'm not sure but there may have been a public hearing last year. Of course, that was with the last Town Board. I suspect that you might give these two ladies the respect to let them hear from the townspeople themselves and have another Town Board meeting- another public hearing on that issue. To let them hear it first hand, not that you three guys, not that you do something, but you three guys have got the upper hand because they weren't privy to that information or weren't at that- at the meetings.

Anything on the train?"

Supervisor Kozakiewicz: "Actually that is a possibility. Barbara, is there a chance that with the train they may relocate that? I know you're working with the Atlantic and Pacific Railway."

Councilwoman Blass: "The original contention was that there was no alternate site for the Long Island Railroad to locate that train until such time it was exceeded as part of a bid for trains that are in other locations as well. We have actually located two alternate sites that they are looking at very carefully and now that they know that we know that there is an alternative, I have been assured that they are going to look into it within a reasonable period of time which is, originally between six and nine months. We said was not reasonable. We're asking them to consider relocation and certainly before our tourist season starts. That's really the most I can offer at this point."

John Griffin: "I don't think I want to look at that while I'm golfing."

Councilwoman Blass: "No."

John Griffin: "Okay. Just one thing on the Crown Recycling."

They are not- nobody is trying to put them out of business. I think everybody understands that. Everybody understands that they have a business that is growing. Everybody who grows a business has to take the responsibility of moving to a location that is appropriate for what they want to do. Every- all- if they want to build a business, that's the American way of doing it. But they have to move to it. They can't- they have to move to an area that's approved for what they want to do and I know, Ed, my five minutes is up. I'm sorry."

Supervisor Kozakiewicz: "Thank you. Yes. I saw, yes, in the back. Ask a question. If we do call for a public hearing, will all these repeated appearances at these town board meetings disappear?"

(From the audience: "This is only a rehearsal.")

Supervisor Kozakiewicz: "I'm sure."

Bob Signolfi: "Hi. I'm Bob Signolfi. I live at 24 Pleasant Court."

(From the audience: "We can't hear you.")

Bob Signolfi: "I'm Bob Signolfi. I live at 24 Pleasant Court. I'd like to apologize for the comment I made when the other person spoke. I apologize for that. I just find it hard to swallow things when people are talking about my neighborhood, not theirs.

In our neighborhood, we moved here 10 years ago. I bought the house because of the farmland. I bought the house because of where it was. At that time, it was a depressed neighborhood. We all know that. The developer went bad. There were boarded up houses and, yeah, we got a deal. Here's the deal. We don't want a dump. We don't want a sanitation. We bought it knowing that there was one there. It closed in '95. We didn't expect to get 14 more acres of it.

And, no, they're not changed- they're changing their business. They're going to be grinding. And the question I have for you is isn't it illegal to park your cars on a town street?"

Supervisor Kozakiewicz: "If there's no parking signs and we've enacted no parking rules. Yes."

Bob Signolfi: "And how do you get no parking rules enacted?"

Supervisor Kozakiewicz: "We hold a public hearing and hear from the citizens."

Bob Signolfi: "You have both sides of that road, Youngs Avenue, in front of their establishment with trucks, cars and, I mean, literally you get stopped for five minutes at a time and you can't get through. And I think it's ridiculous. If you look at what they're using now, they're using far more than two acres for industrial. I don't know if parking dump trucks, 18 or 20 of them at a time, is that considered agricultural? I don't think it's agricultural but maybe in Riverhead. I don't understand."

And all I'm asking is for you to really consider this. I know we're a small part of your community but we are part of your community and we ask you to look at us, not Crown. Thank you."

Supervisor Kozakiewicz: "Thank you. I see a hand. Yes."

Tom Lassandro: "Tom Lassandro, Baiting Hollow, East Meadow Road. I appreciate what you said, you know, about this being America, you know. And we do have a choice, you know, and we are very united, you know. This community- our community is a very united community and we're asking you all to be on our side and to vote on this. It has to be turned down."

The photographs that I turned in two weeks ago, I'd like to know if you thought about them. If they were viewed."

Supervisor Kozakiewicz: "We looked at them that evening if you remember. And clearly they show an operation that's a solid waste facility that's operating and collecting garbage. I- and there need to be buffering if it was, you know, obviously, I don't know how to comment. I mean- it doesn't look good."

Tom Lassandro: "It does look good?"

Supervisor Kozakiewicz: "It does not."

Tom Lassandro: "Does not. Oh, okay. Because if I had taken more photographs today you would have seen that it has gotten worse."

Supervisor Kozakiewicz: "The way it is presently, the site apparently is too small for what they're doing. You're suggesting that they close up shop there. I think that's what everybody is suggesting here. Correct?"

Tom Lassandro: "Not close up shop."

Supervisor Kozakiewicz: "I mean- but how do they operate given their current confines, the two acres of land that they're on?"

Tom Lassandro: "The two acres of land that they have that is zoned for industrial, okay?"

Supervisor Kozakiewicz: "I'm asking the gentleman at the podium."

Tom Lassandro: "In my opinion should be only used for their vehicles, that's it. And whatever trash that they do collect so that it can be picked up. Okay. As far as their expansion and everything, okay, I don't blame them for looking to expand their business, but it's not industrial. They bought that land five years ago as it was as agricultural and they knew then that down the road they were going to put in for a rezoning. You can't tell me different. And they can't tell me different. Okay?"

If they didn't want to be in the garbage business and they bought that land, then they should have went in to the farming business and gotten out of it. But they know that there's good money to be made in the trash business and in the cement business. You know. So I don't blame them for trying but I don't think they're going to succeed.

You know, because we're going around with a petition, okay? And if you would like to sign it, I'd be more than happy to bring it up there and you could sign it right here. We'll have it on record, you know. We're going to get enough signatures to let everybody know that this community is united and we are willing to do whatever it takes to get the Board and you, Mr. Supervisor, to say nice try, Crown, but you've got to look for an industrial area. This is an area that's a community and this stuff cannot be done. It's too much- it will be too much of an impact on the quality of life.

We've got new homes that are going up and even right across the street, right before you get to Waste Management's property, I heard that they're thinking about building homes in there also. I don't know where that's at. You know. And plus, less than a mile away there's an elementary school, Riley Avenue Elementary School. And I'm sure on a good windy day, that dust will fly over that far."

Supervisor Kozakiewicz: "Okay. I'm going to ask you to sum up, sir."

Tom Lassandro: "You know, so I can't emphasize it enough, you know, and those photographs, there's even more trees and, oh, I know what I wanted to ask you. At the highway department, I drove by there yesterday, I drove by there today and I noticed that they have four or five Crown dumpsters there with trees and branches and everything. Where is that being taken?"

Supervisor Kozakiewicz: "It's- I don't- I think it was being taken to Water Mill but I'm not sure if it still is. Crown- that's part of our yard waste program and that's a service that we offer to the public. That anybody who is cleaning up the yard does not want to wait around, they can bring their trees and their clippings and their yard waste to the highway."

Tom Lassandro: "I mean, I'm even willing to help- "

Supervisor Kozakiewicz: "Is that a bad service that we're providing to the town? Is that something that's not- "

Tom Lassandro: "As long as it's not going to Youngs Avenue. That's what, you know- "

Councilman Lull: "We started that because we couldn't have it there."

Tom Lassandro: "What?"

Councilman Lull: "We started having it brought to the highway department because we couldn't have it on Youngs Avenue."

Tom Lassandro: "Okay. No, I saw that it was in their dumpsters and everything. I didn't know if it was being brought there and then being brought to Youngs Avenue or what. I didn't know what the- I just, you know, like to know why it was there."

And I want this to go on record. Yes, I live in that community and for me to, you know, go to- to get into Produce Warehouse or Waldbaums, I've got to- I go that way. Yesterday I was driving there slow because there's, you know, a lot of tractor trailers and, you know, I'm driving slow and I look at my left and all of a sudden this guy, out of that trailer that they have, hey, what are you doing? What are you looking at? What are you talking about? I'm just driving slow. He says, are you sure? I says, yeah, you know. So I just want this on record that I don't know if they're scared because we're trying to fight them or what but I mean I thought that was very

in appropriate. I wasn't even on his property and he had to come out and say something like that. You know. So I just want to have that on record and if it happens again, I will be forced to go to the police and have that on record also."

Barbara Grattan: "Bob, can I have your name, please?"

Tom Lassandro: "Tom."

Barbara Grattan: "Tom, see, okay."

Supervisor Kozakiewicz: "All right. I'm not going to get into a debate with you as far as that comment, so, I mean, I don't think that's- I'm trying to understand the criminal conduct there, but that's okay. Thank you- "

Tom Lassandro: "No. I'm not looking to get into a debate."

Supervisor Kozakiewicz: "Rather than get into that, yes. Hand in the back."

Barbara Grattan: "Tom, I need your last name."

Tom Lassandro: "Lassandro."

Barbara Grattan: "Okay. Spell it, please."

Tom Lassandro: "L-A-S-S-A-N-D-R-O."

Barbara Grattan: "Okay, thank you."

Sylvia Elliot: "Good evening. My name is Sylvia Elliot. I'm from Riverhead. I'm about a thousand feet from Crown Sanitation. And I'm also against any change of code on that property because I'm going to crank it up a little bit.

You ladies and gentlemen have a difficult decision and I say it's a moral decision. Because like the gentleman said that came in, he has a contract to build a new home. I have a home up there and I believe there are about 85 other homes involved, maybe even more. I don't know the total figure. If you were to change that zoning, Crown would be making a profit on what they're doing and the rest of us would have to sacrifice for their profit because our property values would go down. So I'm going to say it's a moral decision. I'm going to say it's family values because there are children up there,

elderly, middle aged, anything.

No one really knows about this study, what's going to happen. We don't know what kind of situation we're in and if you approve of that change, then we have to bear the brunt of that. We will be the one that has to deal with any sickness that might happen. We don't know. And neither do you. So I'm asking you to please consider this morally. Because if that happens, how can you sell your property after that? I do not have a house- I never bought a house that cost \$350,000 like this gentleman is saying. And the building permits were issued on both the south and the north sides of Youngs Avenue.

And last Sunday I went past there and there were new cars, nice cars, and I guess they're anxious to see how things are going. And they're stopped on the side of the road on Sunday morning. And I felt bad after that because I should have stopped and told them what I knew. But I'm going to tell you folks, when I go past next Sunday morning if I see cars, I'm going to tell them what I know.

I'm going to ask you please to consider all the investments that these people have put into their homes. Myself, too. I have grandchildren. And when that wind blows in my direction, I generally get westerly wind or northwest wind and that's just what I'm going to get, any debris that's in the air. I have no idea what danger we're in. I'm going to ask you to please consider all that. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else? Yes, hand in the front."

John Pavuk: "Good evening. My name is John Pavuk and I'm a homeowner in Baiting Hollow. I just want to take a few moments to express my complete opposition to Crown Sanitation's request for a change of zone.

Many of my statements are going to add to the opinions of my fellow homeowners. I'm sure and I beg of your indulgence that many of these comments you've heard countless times before but that in itself should say something to you. I have a more formalized draft, three copies for the Board.

I have several concerns about what this zone change could do to our community. And since my time to speak is limited, I will only present my most worrisome concern. This is a definite threat to the health of our community. It is my understand that Crown intends to include concrete grinding and wood mulching as part of their new

business venture. My immediate fear is the inevitable debris that will fill the air due to these activities. With the very high winds that we have here in this area, I cannot see how Crown could possibly control the concrete dust and keep it from blowing into our neighborhoods, our backyards, and most dangerously, into the lungs of our families.

There is also the terrifying possibility that this scrap concrete could have been at one time or another exposed to asbestos that was so widely used years ago. The devastating effects of this poisonous dust and debris is unthinkable.

I have a similar concern for the wood mulching process. Not just for the air, but also for the groundwater. If this colorized wooden mulch as I read in the environmental impact study is allowed to sit uncontained or near any bare ground for any length of time, how can Crown possibly assure us that traces of these colorants as they claim and other contaminants will not seep into our groundwater over time.

My wife and I did not scrimp and save every penny that we had to buy a house of our dreams for ourselves, for our newborn baby girl, to have our health put in danger. My wife and I bought our home here because of the peace, serenity, and a clean, fresh atmosphere. We moved from our apartment in Kings Park, largely due to the Kings Park recycling facility just a mile and a half down the road from us. The Kings Park recycling facility started much like Crown did as a small transfer station. Within five years, the facility grew to include more and more recycling activities. Eventually the air became so foul that you could hardly bear to sit in your backyard in the summer time.

The surrounding neighborhoods were also concerned as we were by the fact that all of the trees within a three-quarter mile radius were mysteriously dying.

To sum up, if you approve the Crown Sanitation request, I see the same unthinkable fate for Baiting Hollow, Calverton and Riverhead townships that I sadly witnessed in Kings Park. Although I have learned that quality of life quote unquote is not a deciding factor for a zone change request, I do sincerely hope and pray that the health of our community, our taxpayers, our voters, and our families is. Thank you very much for your attention."

Supervisor Kozakiewicz: "Anybody else would like to address the Board? Yes, hand up in the right hand side there. Yes, you. Yup."

Rita Maloney: "My name is Rita Maloney. I'm a schoolteacher at Riley Avenue School. My son attends that school and, hopefully, my two year old will eventually go there as well.

Once a week the teachers have yard duty and we take the children outside and to think that on days that it's very windy that we, the children, myself, anyone out there, especially the children, are going to be exposed to possible- possibly very harmful toxins in the air due to Crown and their recycling is appalling, needless to say, very upsetting as a parent and as a teacher.

We moved out here two years ago from Center Moriches, not only because I wanted to be close to my children and my job, but because of the beauty that Riverhead has to offer. Sound Avenue is beautiful to drive on. We love the idea that you look outside and there's the farm- the farms.

What's happening in our community is really devastating to myself and to my neighbors. I'm just asking as a parent and as a community server that you really reconsider what this could mean to the children of Riverhead. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board? Bob Miller."

Bob Miller: "Bob Miller, Calverton. I haven't been here in a while but Crown Sanitation is why I'm here also. Now, I don't live too far from there. I listened to the fellow before making his five points of objections basically, so he knew the objections. But he couldn't overcome those objections even with what he said. He's just saying they are objections. Everything would be conjecture to me.

I think what we have to- I don't- this is not a time to be cavalier. I think Calverton has been in a fight for a couple years now and we haven't won too many battles. We have sand mining that doesn't stop. We have Grumman that's still to be fought. Now we have a dump that is going to go into something other than what it was supposed to be. It was- you know, it's not expanding what they do; it's expanding into another business. The one fellow was absolutely right.

And I don't want to take more than my one or two minutes, but I don't think to belabor the point there was one guy that's pro. Now I'm not going to say that money is the root of all evil. I'm going to say that in business, money makes a difference. Now maybe this guy

works for them or whatever his intentions. But in a democratic society, so far we've had a majority that's come up here and say, hey, we're against it. We live there. We bought into a pristine part of Riverhead which is Calverton. That's what we bought into. And I think we need our leaders to stand up for us. We are the people. We are the ones.

So I would hope that you'll see it and, again, don't be cavalier with it. Give us a shot this time. Protect us, vote against that, and protect what we bought into. Thank you."

Supervisor Kozakiewicz: "Thank you."

Steve Shauger: "Steve Shauger, Baiting Hollow. I'd just like to thank my neighbors for speaking so eloquently about the Crown Sanitation change of zone. I believe one of your biggest roles is to really maintain the quality of life around Riverhead. Certainly our community is that. And as servants of us, I think that you should certainly be very, very careful on how you decide on this.

Last night we had a citizen group get together and we had well over 100 homeowners in the area get together. We're going to have- just to let you know, we're going to have probably in excess of 500 signatures. We are prepared to go a long way with this, okay? We as a community have great resolve and we want to see the right thing done.

There is absolutely no reason to rezone this. There's no need. That's the point here. There is no need for this recycling where it's proposed to be put. Okay? What- the new business they're going into, there's very, very little demand from Riverhead. They- and people can say well, how do you know? Show your proof. They haven't show us where they're going to be getting all this construction debris and demolition debris from. The only thing I can surmise, it's going to be coming from out of town. And this is exactly the reason why the Omni site was put down, because most of the product going into that facility was coming from other towns, not our town. It's not benefitting our town. The same thing is going to happen here.

What's also going to happen is and, again, you can look down the road. There's a couple big parcels, two five acre parcels right next to it. Those people are not going to want to be next to a crushing facility. They're going to sell; Crown's going to buy agriculture again and the next thing you know, it will be rezoned and then we'll have a whole strip of- and that's not what we want, you know.

We have the foresight. We can look at some of the other towns and see the mistakes but Riverhead- and they're developed. Riverhead is still developing. You have a chance to make a difference. And I think you should make the right decision.

You've heard from-- 99% of the community is against this and we hope that you would be as well. Thank you very much."

Supervisor Kozakiewicz: "Thank you. Yes, come on up. Yes. Sorry, I don't know all the names."

Connie Farr: "I'm Connie Farr from Calverton, sir. There's a few things that I have issue with. Number one is that Crown is not playing by the rules. Number one, they are already bulldozing more area than that two acres that they say they have. If you go back there and look they have- and, plus, they have already brought in debris. They have big piles of cement and stuff piled up everywhere waiting for the crusher and big piles of wood.

And, also, I know that they are going around to businesses. They're not giving them correct information. They're saying, I want to expand my business. Are you on my side? Will you sign a letter or a paper to that effect? Well, this is not the whole truth. They're not expanding the business they're supposed to be in. They're making a whole total different business.

So, number one, they're not playing by the rules. They're doing this without any approval and they've been doing this for a long time because I live down the road and I see those trucks going by every day and I promise you those trucks are coming from New Jersey and other places because there is not that much debris on all of Long Island that they've been bringing in there.

And I just think that number one if we're going to get the same kind of recognition that they are, do we start fighting dirty? We've been going by the rules and trying to do what's right and we want to protect our rights and it's not fair that they can do this and get away with it. So, I just think that you should close them down from doing that. And it's not like there aren't already places that can crush this and can grind up the wood. There are a lot of places around that are not that far away so, again, it's a matter of money."

Supervisor Kozakiewicz: "Thank you, Mrs. Farr. Is there anybody else? I see another hand. Yes, sir."

Robert LaVelle: "Good evening, how are you? LaVelle from Baiting Hollow. I won't go over what you've already heard tonight. There is no value in me replicating that.

Two quick things. The reason that (inaudible) as a law exists and the reason that the EPA exists, the reason that the New York DEC exists is to preclude damage to the environment. When you perform an environmental impact statement, either draft or final, the burden of proof that you are not going to damage the environment lies with you. So when someone says earlier, and I understand the comment that he made, when someone says you bring up all these accusations and these suppositions but you don't prove them, it's not- the burden doesn't lie with us. The burden of proof lies with the environmental impact statement to show us that they're not going to do that. That's how the system is set up. Okay.

To wit, when I spoke to you last, I told you that I was going to submit you a formal report on the environmental impact statement. I have not had the opportunity to do that. I have this pesky day job."

Supervisor Kozakiewicz: "I hate when that happens."

Robert LaVelle: "Oh, it's horrible. I go to work and they give me money. It's worked out okay so far. I'm not sure at this point whether the period for comment on the DEIS is open or closed. If it's open and it's going to remain open through the end of the week- "

Supervisor Kozakiewicz: "I think it was until tomorrow, I think is what we said at the public hearing which- "

Robert LaVelle: "Well, let me cut to the chase. What I really want is the opportunity to submit this paper to you but I can't do it until this coming Monday. What does that do to your schedule?"

Supervisor Kozakiewicz: "It's not my schedule. I, you know, put it in and we'll consider it. I'm not opening up the public comment period but I'm sure it will be made part of the record."

Councilman Lull: "We certainly will consider it. It can be part of the record."

Robert LaVelle: "Because it will cite rhyme and verse what's wrong with the environmental impact statement which talks directly to one of the key issues of whether or not what they're going to do is going to damage the environment in the neighborhood. The other issues

are quality of life and aesthetics, while equally important are not why I'm here tonight.

Last question. The open public hearing on this rezoning and special permit, does that happen as a matter of course or is that at the discretion of the Board?"

Supervisor Kozakiewicz: "Special permit, change of zone requires a public hearing and as I stated earlier, I believe we held a public hearing on both of those applications last year as required by our code and by law."

Robert LaVelle: "Do you intend to hold a second one?"

Supervisor Kozakiewicz: "As I said earlier, if- would discontinue what has been occurring for the last eight public hearings, town board meetings, maybe I would seriously consider it."

Robert LaVelle: "Okay. So what- "

Supervisor Kozakiewicz: "Because we're constantly seeing the same thing. I think if I was to take a conservative guess, we've probably got 25 speakers, 20 speakers who got up and told us the same thing, that they would tell us at a public hearing. The question that I have for you is if we do that, does that stop this process?"

Robert LaVelle: "Well, I mean we can get into a philosophical or we can get into a philosophical debate."

Supervisor Kozakiewicz: "Maybe we should have this discussion elsewhere."

Robert LaVelle: "Well, what I'm saying, I mean, this process- this process- "

Supervisor Kozakiewicz: "Right."

Robert LaVelle: "-- as you called it earlier- "

Supervisor Kozakiewicz: "Right."

Robert LaVelle: "-- in fact, democracy, so I don't know whether you want to actually stop this process."

Supervisor Kozakiewicz: "I'm not suggesting that it stop. I'm

just- whatever. You have asked me a question and I think that- "

Robert LaVelle: "Is there a mechanism- "

Supervisor Kozakiewicz: "I think we are holding a public hearing every night to be quite honest. We have heard comments. There's a record and since January of this year I would tend to guess that we have spent conservatively speaking an hour at every town board meeting receiving comments from all of those in the community that's a public record, that's been received. So if we were to look at this, there's probably over eight hours, ten hours of cumulative testimony that's been given to this board since the beginning of the year."

Robert LaVelle: "Right."

Supervisor Kozakiewicz: "I guess the, you know, so- and we're here, we're listening to it, and it's a record. I mean I think if anybody pulls up the appearances, they're going to find the fact that you've appeared here probably four times in the last three months. And you've made comment with respect to the Crown Sanitation proposal."

Robert LaVelle: "Right."

Supervisor Kozakiewicz: "And you have indicated why, as your neighbors have, the application is not one that we should consider or if we should consider it, we should deny it."

Robert LaVelle: "So you're- "

Supervisor Kozakiewicz: "I'm not saying no but I mean I'm questioning whether the public hearing actually serves any other purpose other than what we've been going through these last four months. I mean we have received tremendous comment from your community. I think you cannot refute the fact that there has been many, many, many individuals who have come forth who are looking to locate to Calverton as we found out this evening and who are there who have been there 10 years, two years, five years, longer."

Robert LaVelle: "Sure. So there's no doubt in your mind then that the overwhelming majority of people in the area are- "

Supervisor Kozakiewicz: "Are opposed to it. No question about- like they say, no doubt about it."

Robert LaVelle: "No doubt about it. There's also no question in your mind that we will continue down this process to make sure that you do not forget that."

Supervisor Kozakiewicz: "I think there's someone who made that comment earlier that you are organized, you are strong, you are united."

Robert LaVelle: "Okay."

Barbara Grattan: "Don't leave, sir, because I need your name. I just came in. Can I have your name, please?"

Robert LeValle: "Sure. Robert LaVelle. L-A-V-E-L-L-E."

Barbara Grattan: "Thank you."

Robert LaVelle: "Troublemaker is the suffix on that."

Supervisor Kozakiewicz: "Thank you."

Robert LaVelle: "You're welcome."

Supervisor Kozakiewicz: "Okay. Anybody else who would like to address- Joan Griffin. John, I'll get to you next. I already asked John Griffin up."

Joan Griffin: "Good evening. Joan Griffin, Baiting Hollow, from the Manors. One thing that hasn't been mentioned is about the animal shelter right next door and there's also two farms that have horses, sheep and chickens and goats, and these animals will be affected by it also. Thank you very much."

Supervisor Kozakiewicz: "Thank you. John Altadonna."

John Altadonna: "Good evening. John Altadonna from Calverton. I'd just like to address the Board tonight. There's one issue with the Crown Sanitation project that has not been discussed. I think everybody sitting in this room tonight can give credence to the fact that this town board has tried to do the right thing for the Town of Riverhead especially in your efforts to obtain open space and keep farmland preserved."

If you go against that, as a town board, for the planning board, for the zoning board, about putting in an industrial waste facility

such as Crown wants on top of farmland or originally farmland, you are going against the same creed that you want to keep open space alive in the town of Riverhead. It's a strange dichotomy that you can't do one and say one thing and then do the other.

As a resident of this town for almost 12, 13 years now, this town is a beautiful town. It's got a long way to go. It's got a long history and I believe that if the people that are sitting right there where you're sitting right now will take into consideration the feelings, the attitudes, the personalities of everybody sitting in this room, and to feel what we're feeling right now about the Crown Sanitation, I think you guys should do the right thing and will do the right thing. Thank you very much."

Supervisor Kozakiewicz: "Thank you, John. Rex Farr."

Rex Farr: "Yeah, Rex Farr, Calverton. For the public record, I am against the zone changing and against Crown's request. I have a question for you gentlemen. You all received a copy of the letter that we sent you requesting a consultant? Have you made a decision on whether or not to get a consultant on this to go through the DEIS- "

Supervisor Kozakiewicz: "We have had a consultant provide us some information. We need to look at that bill and what he is proposing to do. But, yes, we have taken steps in that regard."

Rex Farr: "Can we get his name and his qualification, please?"

Supervisor Kozakiewicz: "Once we have that squared away, we will give that to you."

Rex Farr: "Okay, thank you."

Supervisor Kozakiewicz: "Yes. Rex, I believe it was on this one. I'm going to be- maybe I can call you up. Because I know we had something come in from a consultant. I'll tell you the name, it was Divirka & Bartilucci, but you know what? I'm going to maybe get back to you. Can I call you tomorrow to verify that because I know it came in, there was a proposal. And I'm not sure if it was this application or another one that was also controversial."

Rex Farr: "Okay."

Supervisor Kozakiewicz: "Okay? So let me verify that. As I think about it. Yes, hand in the back. I saw someone put up a hand."

Yes. Okay."

Lawrence Rehm: "Yes. Lawrence Rehm, Baiting Hollow. I've spoken many times about the Crown Sanitation which I'm against, being a resident for 13 years. I've been sitting back there tonight, I've heard a lot.

This goes more than a two mile radius. This affects the whole town of Riverhead, every citizen in it. I've heard that this is good for Riverhead. You tell me what's good for Riverhead. This does nothing for our downtown. We need a whole new downtown. This is what we should be working on, not expanding a recycling which is not really an expansion of an existing business but a whole new business.

I heard one gentleman say well, if we go down and meet with them. Sure, you can go down and meet with them and they'll tell you anything you want to hear. Anything. Because this man is in a position to get what he wants. He'll bend over backwards. He'll tell you what he wants and he'll tell you anything that you would like to hear.

I am totally against this. We need more things here in Riverhead than expansion of a recycling. This does nothing for the citizens of Riverhead. Nothing. Thank you very much."

Supervisor Kozakiewicz: "Thank you. Did I see another hand up in the back, someone who hasn't had a chance to speak. Yes. And then Marilyn, you can be next."

James Hookirk: "James Hookirk, Baiting Hollow. This is the first time you're seeing me here. I've only been in the area for one year. I have a three year old daughter, two month old baby and some of the things I've been hearing are somebody moved in here 10 years ago into the Manors and it was depressed and it was boarded up. I think to expand Crown you're only going to have that right over again.

There's a whole new development opening up which I run into some people that are just amazed and appalled at what's about to happen. Having a public hearing another one I think would be advisable because again, I'm just finding out now. This other gentleman, \$350,000 house, he's just finding out now. I think in the last 12 months there are so many other people that need to come here and speak out.

The pro guy that was here that said that nobody took the time to go down to Crown and find out what was going on, I'd like to know what they actually showed him as far as loud this thing is going to be at

at 5:00 in the morning. How much air pollution is going to be, you know, or dust is going to come from the cement. Did they show him records of where this cement is coming from to be crushed?

So, I don't think there's any need to go down to Crown because they're not going to actually tell us that at 5:00 in the morning they're going to be waking us up with these crushing machines.

The other question, too, that you have, you said that you've heard this for about eight, nine, ten hours over the last year, but yet you asked the question- "

Supervisor Kozakiewicz: "I think I responded to a question about the public hearing."

James Hookirk: "Right and you've heard this, this has been drilled into you guys time and time again, yet tonight you asked the question of the people, what do you want us to do, close it down? After that amount of drilling, I would think you'd know what they want. They don't want to close it down. Two point three acres is fine; leave it the way it is.

The other thing you did say, I mean no disrespect whatsoever, but you said now that they've outgrown this, what do we do? In 10 years from now, I could be sitting here saying, listening to you say, now that they've outgrown 14 acres, what do we do? And it's a very- "

Supervisor Kozakiewicz: "Good comments. But I think the questions were, maybe they're being taken out of context, but that's fine."

James Hookirk: "No. But I mean, the comments were made."

Supervisor Kozakiewicz: "Yes, they were."

James Hookirk: "What do we do now that Crown has outgrown 2.3 acres? I don't really give a crap. Sorry, sorry."

Supervisor Kozakiewicz: "Thank you, Mr. Hookirk. Unfortunately we can't just say we don't give a crap. All right?"

James Hookirk: "No, but I mean I spent \$300,000 on my house. And now I'm finding out that these guys want to go to 14 acres so to make Crown happy, how many homes- "

Supervisor Kozakiewicz: "This has nothing to do with making Crown happy."

James Hookirk: "I'm sure you're not going to make them happy if you say no. If you say yes to these people to make them happy because they've outgrown their business, they want to expand, what is it 120 homeowners are going to decide to get the heck out of this area, board up, depressed and turn it into God knows what. And that's my concern. I mean I cannot afford to sell this thing at a loss and go someplace else as nice as what I'm experiencing now. That's all."

Supervisor Kozakiewicz: "Thank you. Marilyn Binder."

Marilyn Binder: "Marilyn Binder, Baiting Hollow. For public record, my objection is against the change of zone for Crown Sanitation. They bought ag land and they expect to do a commercial business on it, industrial business. There is plenty of industrial property if you look at the map of Riverhead that is available to them. And when they bought it, they knew that they couldn't do this particular business. If we change it, everybody on my block who has ag property, we can change ours also and we can start doing the same thing. There's a lot more money in it than razing buffalo. Thank you."

Supervisor Kozakiewicz: "Thank you. Thank you. Anybody else who would like to address the Board? Yes, the gentleman to the right."

Brad Berthold: "Brad Berthold from Northville. I apologize to the Board. I got here late, about 9:00. I understand the wetlands hearing is open and closed already."

Supervisor Kozakiewicz: "That's correct."

Brad Berthold: "I just wanted to inquire whether that was still open for written comments or anything else."

Supervisor Kozakiewicz: "No."

Brad Berthold: "No? Okay."

Supervisor Kozakiewicz: "I don't think I kept it open for written comment."

Brad Berthold: "All right. Is that a done deal then?"

Supervisor Kozakiewicz: "No. Why don't you make your comments now? I mean, you're here now so if you wish to- "

Brad Berthold: "We had a few comments that it was a little confusing in the language. At first it seems that the setback requirements are enlarged to 150 feet which everybody was in favor of, but on closer reading, it sounds like the activities that are not permitted within the setback area, in fact, may be permitted within the setback area if a permit is granted by the town and the Conservation Advisory Council and the Town Board."

Supervisor Kozakiewicz: "And I think that's what very early on in some of the earlier prior Town Board meetings on this particular subject when the discussions were put forth, that 150 foot delineation was described not as a setback delineation but as a jurisdictional delineation and that's what seems to have been lost in the equation."

Brad Berthold: "Okay. I understand that, but the question we have then is, is there- there doesn't appear to be any hard and fast setback in the legislation closer in than 150 feet so it seems to say that if the Conservation Advisory Council deems it okay and the Town Board deems it okay, you can go right- you can do all those prohibited activities right into the wetlands, right into- through the whole 150 foot setback. Some of the legislation in other towns, I believe, has a hard and fast like you can get a permit to go 25 feet into the 150 feet setback or 50 feet into the 150 feet setback. There doesn't seem to be anything like that here so it's very fuzzy as far as what can be permitted on the conditions set by the Town Board and the Conservation Advisory Council.

And there's another section, 107D-E3 rather that says this is subject to judicial review, that if something happens and it goes to judicial review- let me find the page here, that the town can actually throw out the whole body of the code and grant a permit with no conditions. I don't understand. Is that boilerplate language to protect the town from lawsuits or is that a possibility? In other words, it seems to say if an applicant goes to court and fights the decision not to grant a permit and it says based upon the proceedings and decision of the court, when a taking is declared- "

Supervisor Kozakiewicz: "A taking is a condemnation proceeding."

Brad Berthold: "Right."

Supervisor Kozakiewicz: "So that would only be by a narrow sense. So anything else other than a condemnation proceeding would not be applicable."

Brad Berthold: "Oh, okay."

Supervisor Kozakiewicz: "So you would have to look at it from- once you get to that point, you're talking solely a condemnation scenario. Anything other than that is not applicable under that section."

Brad Berthold: "All right. Because they can evaluate all conditions in applications (inaudible) grant a permit without conditions. I can't imagine a case-- what would the permit grant?"

Supervisor Kozakiewicz: "As I just pointed out, that's the condemnation scenario we're talking about. You just read it, right?"

Brad Berthold: "Okay. Well, I don't see why that language is even in there then. If there's a condemnation proceeding, there is no permit, the town takes the property. So why does it say they can validate all conditions- "

Supervisor Kozakiewicz: "Well, I think all we're trying to do is set forth- "

Brad Berthold: "See what I'm saying?"

Supervisor Kozakiewicz: "I understand your comment. I- so what are you- you're saying that it still doesn't go far enough, is that what your point is?"

Brad Berthold: "It would seem so. It seems like it's a very good piece of legislation but it still leaves open the fact that an applicant can basically do all the prohibited activities if the Conservation Advisory Council and the Town Board grants a permit. You know, in the future an unscrupulous Board, not like this Board, could grant a permit to do what the whole purpose of this stuff is supposed to prohibit. And so it doesn't seem like that's- it's a loophole that allows the town, in fact, to grant a permit to do anything that's nominally prohibited by legislation. It just doesn't sound right to me.

What I'd like to see is some firmer setback so you can get a permit to go 50 feet into the setback area of 100 feet into the

setback area and no further but that's missing from this."

Supervisor Kozakiewicz: "Okay."

Brad Berthold: "All right. Thank you very much."

Supervisor Kozakiewicz: "Thank you for your comments."

Brad Berthold: "Thank you."

Supervisor Kozakiewicz: "Yes, hand in the back. Scrubs, that's what the word is I was looking for. I couldn't find it."

Edna Torres-Rios: "I know you've heard all about this but I really think you do need to- I keep hoping that with our democracy that one voice does count. And- "

Supervisor Kozakiewicz: "I'm not saying it doesn't."

Edna Torres-Rios: "Okay. As my first time here, the reason why I am here is for three reasons. Number- you know Crown is the issue- "

Supervisor Kozakiewicz: "Yes, I'm sorry. We didn't get your name and address."

Edna Torres-Rios: "18 East- "

Barbara Grattan: "Can you spell that last name?"

Edna Torres-Rios: "Hyphenated, Torres- T-O-R-R-E-S-R-I-O-S, and I regret it, too. Against Crown, I have three reasons. One, as a homeowner, no one wants to see the value of their house go down. And I was lucky enough to buy the house at a good value so I probably would sell it still at a gain. But no one wants to see today's value lost tomorrow. Okay.

Secondly, as a health practitioner, I treat my patients according to studies that are based on facts. What are the long term effects of certain things that are going on in the environment. In this case, you can't prove to me- where are the studies that say my children will not be affected? And that comes to my third point.

My third point being I have asthmatic children which is a reactive airway disease. You have kids in my development, it's not

just my children. I have neighbors who also have asthmatic kids and if you understand how that disease is affected by small things in the air, even certain smells, you would not want to be living next to a dump that's going to- that may throw your kids into asthmatic attacks. I have enough nights of being up with my kids that I don't need to worry about another thing affecting my children.

So, I am that one voice. I hope you will hear it. Thank you."

Supervisor Kozakiewicz: "Thank you. Gentleman with the black jacket."

Michael Warnken: "A little nervous. My name is Michael Warnken- W-A-R-N-K-E-N and my wife and I will be moving into the Preserve in Baiting Hollow. Basically- I will take just a little bit different route here- my wife and I basically were looking for a house for the last four years. And basically our dreams are now coming true. Now when people ask me about the house, it actually hurts to think about it because when I step in my backyard, I'm now going to have to worry about this new sanitation place that's occurring and the expansion of it.

Mr. Supervisor, you said something to the effect of about us being educated with the internet and so on and so forth. That's why we are here. We know what's going to happen as far as the health implications that we're now going to have to- excuse me- that we're now going to have to face, the environmental impacts that we're now going to be facing.

Also, as far as economics are concerned. A couple weeks ago you had a meeting during the day, I believe on a Wednesday, regarding the- "

Supervisor Kozakiewicz: "The EIS."

Michael Warnken: "-- environmental impact statement, okay. Crown mentioned how they're going to increase the tax base by \$57,000. If they took that land and built homes on it, you can increase your tax base between \$65-\$75,000. Also you also are going to help out with the local economy."

Supervisor Kozakiewicz: "But also one part of that aspect, and I'm not arguing with you, is that homes tend to have school age kids and the school taxes or the services tend to be, I think 9 to \$11,000 to educate each child."

Michael Warnken: "Okay, but also, too- "

Supervisor Kozakiewicz: "I'm not saying that- I'm just pointing that out because I know that- "

Michael Warnken: "Okay. Also, as far as the Town Board, to me it's to improve the quality of the community and also to improve the local economies. If this does get passed, people are going to just basically get rid of the houses and also by doing that, you're driving people out of the town which also is going to hurt the local economy also at the same time.

The last two comments I have is that if this was going in your backyard, I don't think we would be here tonight listening. I think it would just have been denied. Also no matter, you know, you are elected officials and as such there is another election coming up and no matter what type of contributions that may or may not make their way, you are not guaranteed any victory as far as any monies are concerned.

As far as the signatures that we have and so on and so forth, I think it could make a very big difference in this upcoming election. So basically I'm asking you, please, think about everything and, again, I apologize, I am a little nervous so everything comes out a little wrong but I think you have the idea. Thank you."

Supervisor Kozakiewicz: "Very good. Thank you. Anybody else who would like to address the Board? Eve Kaplan. Who has not had a chance to address the Board, I should say. Okay, yes."

Eve Kaplan: "Eve Kaplan, I'm the Riverhead coordinator for the North Fork Environmental Council. I'd like to talk about two issues tonight. The first issue is the Key Span property which is the property in Jamesport that some people know as the LIPA property or formerly the LILCO property and before that, I don't know.

The North Fork Environmental Council was actually founded 30 years ago to- by a group of citizens in Riverhead and Southold to prevent, to stop sand mining of the hills in Jamesport at that property. And at that time, there was a company called Lavon (phonetic) that was mining and shipping sand across the Sound to Connecticut and selling it. And the citizens became active and they stopped that from happening and then there was a proposal for a nuclear power plant on that site which a lot of people remember and through citizen activism again that proposal which would have changed

the entire face of Riverhead to this day, was also defeated. And to this day that property remains undeveloped, beautiful in its wild, natural state. It's got some farms on it.

I think that's something everybody would like to see continue and in our 30th anniversary we're hoping to see that property preserved. It's the number one priority of the Governor. It's the number one priority of the New York Audubon Society and there's a whole group of environmental organizations and public officials, like I said from the Governor all the way down to our County officials who have all come together to agree that this property is a jewel, it should be preserved.

Now I have a letter here from Supervisor Kozakiewicz to County Executive Robert Gaffney and the subject is the proposed acquisition of the Key Span property. But is this a letter in support of preservation? No, it's actually not. In fact, it's something of an angry letter expressing his disapproval, disappointment that the County has chosen to pass a resolution authorizing planning steps for the acquisition of this property.

The letter reads: The Key Span parcel is one of the most developable parcels in the town of Riverhead and perhaps the entire coast of the Long Island Sound. It is also the largest undeveloped parcel on the Long Island Sound in either Connecticut or New York which many see as an asset but not in Riverhead.

He says, if preservation must be part of any use of this land, it should be done with a realistic conservation and development plan.

So I would just like to say that I'm really shocked at this lack of vision. I'm shocked that when we see such a broad consensus of public officials, environmental groups, you have a cooperative energy authority. Key Span has done more than their share to express their desire to see this property preserved. It's disappointing. And as far as the taxes- "

Supervisor Kozakiewicz: "I'm sorry I've disappointed you, Eve. And as far as this piece of property, I have had discussions with Key Span as well. Key Span has indicated to me that they would like to do what's good for the town as well as for all the other officials who are telling the town what to do with this parcel. It does contribute almost \$700,000 a year in taxes, \$300,000- almost \$380,000 that goes to the school district. I would dare say that if you go talk to the school district, they will express concerns about it coming entirely

off the tax rolls as well.

I'm not proposing that. There's 300 some acres of land that's farmed- or had been farmed up until about two years ago. And I would love to see that farmland go back into the farmer's hand."

Eve Kaplan: "Right."

Supervisor Kozakiewicz: "Which would provide some taxes and tax generation as opposed to just being purely preserved and entirely off the tax rolls."

Eve Kaplan: "Okay, may I continue?"

Supervisor Kozakiewicz: "My letter is being taken out of context."

Eve Kaplan: "Okay. Well, if you'd like to make the letter public, then maybe people can judge for themselves."

Supervisor Kozakiewicz: "Well, it has been."

Eve Kaplan: "I think it's interesting that you speak against preservation for the people of Riverhead when the people of Riverhead have not had a chance to express their opinions on this issue. The fact is that the taxes, the free lunch, is going anyway. Key Span is selling this property no matter what in the next year and no one else is going to pay industrial taxes when they collect no services on the property. That's going to end either way.

In fact, you said tonight that residential development is quite a burden. It's a tax negative. So I'm not sure exactly what kind of scheme you have in mind that's going to provide as much as a boon to the area as a state park that would be an economic booster to agratourism, eco-tourism, and the general economy of the North Fork. And that might be something that you want to take into account.

The second issue is Calverton Industries and they have a resolution on tonight, Resolution 420. And I'd just like to share a couple of points with the Town Board and the people in the audience.

For the last two weeks, we've been calling- I've called personally your office almost daily asking for an opportunity to hear your side of the story."

Supervisor Kozakiewicz: "That's not what was said in the messages. You just- I asked you- I asked you to put what it was you wanted to speak to me about and it was never, ever stated what your reason for calling me was."

Eve Kaplan: "That's actually not true."

Supervisor Kozakiewicz: "Well- "

Eve Kaplan: "I talked to Joey; I talked to Tara- "

Supervisor Kozakiewicz: "Okay, fine. I'm a liar; you're not. Fine, okay."

Eve Kaplan: "And when you did call me back, I did- I faxed over my concerns in writing as you asked and I said that I had several concerns. The first one is that the settlement with Calverton Industries was not in conformance with Riverhead town law which- in which sand mining is illegal and the settlement allows the sand mining to continue.

The second point was that because sand mining continues under the settlement, it does not protect Riverhead residents and it does not protect the environment. Sand mining is a threat to groundwater and particularly in this area as the resolution so clearly states, you have a special groundwater protection area and some other special conditions, and what we were hoping was that the Town Board would take it upon itself to appeal this unacceptable settlement. So I'd like to know if you'd like to take this opportunity to tell your side of the story."

Supervisor Kozakiewicz: "I will when this resolution comes up. Yes."

Eve Kaplan: "Okay. But it's hard to- I mean, just for the record- "

Supervisor Kozakiewicz: "I responded yes, I will."

Eve Kaplan: "There were opportunities to tell it when it made a difference, not today, but maybe two weeks ago, maybe last week, maybe yesterday. And by not choosing to enter into a dialogue, you leave citizens' groups such as the North Fork Environmental Council no choice but to get involved on behalf of the citizens of Riverhead. Because if you will not protect people from illegal sand mining,

someone else must. Thank you very much."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board? If not, we'll take up resolutions."

Resolution #363

Councilwoman Sanders: "Excludes subdivision petition of Aquebogue Golf Resorts from the residential development moratorium imposed by local law number 16 of 2001. So moved."

Councilwoman Blass: "And seconded."

(From the audience unidentified: "Can't hear you.")

Supervisor Kozakiewicz: "Excuse me. Moved and seconded."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Discussion, please."

Supervisor Kozakiewicz: "Yes."

Councilwoman Blass: "Thank you. Okay. My concern that I was trying to get a question answered by the counsel to the Board here. My concern is that since the Planning Board hasn't concluded SEQRA on this matter, and since this particular plan hasn't been considered the preferred alternative by the Planning Board, by this Board's action in excluding a particular subdivision plan which is the one dated April 4, 2002, it hasn't been approved by the Planning Board, are we not usurping the Planning Board's authority and suggesting that this plan and only this plan is the one that should be considered excluded from the moratorium? There may be other plans that will emerge as a result of the SEQRA process here. They have not adopted findings to support this plan as opposed to another plan. Why would we choose this particular iteration and say, Planning Board, go ahead. This is the one we're excluding?"

Suppose at the end of the day the plan looks something other than this. Did we- what did we do? What are the consequences of our taking this action this evening?"

Dawn Thomas: "I think that the exclusion in- under the moratorium gives certain- I'm sorry. An exclusion under the moratorium gives certain applications as if they were not subject to

it."

Councilwoman Blass: "Right."

Dawn Thomas: "So if someone makes an application and basically what we're doing in this resolution is saying you are not required to- or you're not affected by the moratorium. They make that application- if this is their application, I think if it changes so that the facts that we used to say that is was excluded and that really is here the--"

Councilwoman Blass: "The 70/30."

Dawn Thomas: "(inaudible) now I indicated in my (inaudible) that- "

Councilwoman Blass: "I didn't get a chance to read the rest of it."

Dawn Thomas: "-- what we could say is that it is excluded under that section and say because of the- so that we're identifying why it's excluded and if it changes then it would no longer be excluded and I think that that's something that the Planning and the Town Board are going to have to coordinate on and this is something that's coming up, you know, as the fact (inaudible) the moratorium, it's sort of, you know, things that you don't always anticipate when you draft a legislation. But I think- I just made another note and there and I can't remember what it was."

Councilwoman Blass: "Wouldn't the Planning Board be prevented from reviewing the application if we excluded it or deemed it excluded now?"

Dawn Thomas: "Because the Planning Board is- has said that they're not accepting applications."

Councilwoman Blass: "That's correct."

Dawn Thomas: "So if we- "

Councilwoman Blass: "They're not continuing to review existing applications is what I understand."

Dawn Thomas: "So if they're not excluded, then they can't get reviewed and they can't do what- they couldn't even get a preliminary map approval on that application. So this is just a threshold. We're

saying this application that you submitted is excluded under the moratorium. If we don't- "

Councilman Lull: "If it follows the threshold."

Dawn Thomas: "If it follows that."

Councilwoman Blass: "So basically any application now that has a 70/30 split or 70/30 conservation to development area regardless of what it is typed and how it ultimately ends up, that particular application can continue to be processed if we exclude it?"

Dawn Thomas: "I would think that if we say it's excluded in that application what they put forth when we adopt this resolution- and I think the thing to do would be to make it clear in the resolution that this is the application (inaudible) draw the language so that the application is boxed into that, then the next step would be if it- there's going to have to be communication between the Planning Board and the Town Board to say that something has changed. But I think you have to exclude it and then the Planning Board treats it as any other application."

Councilwoman Blass: "Okay. Okay. And when- so we're not choosing one of the five maps that they've submitted saying to the Planning Board only this one is the one that you should continue to process. We're not doing that?"

Dawn Thomas: "I apologize for not being totally, totally familiar with this particular application. I don't know what maps were submitted or what's not. I'm just saying that if someone submits a map- "

Councilwoman Blass: "Where is Rick?"

Dawn Thomas: "-- and they are meeting those requirements of that section of the moratorium which provide exclusion then they would be- that application would be (inaudible)."

Councilwoman Blass: "That map. It's different from an application. An application under SEQRA is- there are many alternatives. And I apologize, we didn't have an opportunity during the work session to talk about this."

Supervisor Kozakiewicz: "Would you say that the moratorium did not describe a 70/30 exemption by which this Town Board can- "

Councilwoman Blass: "I didn't say that. No."

Supervisor Kozakiewicz: "-- move forward? Okay."

Councilwoman Blass: "I didn't say that. I'm asking a very specific question."

Supervisor Kozakiewicz: "I think that's the question."

Councilwoman Blass: "If this map, the moratorium- this resolution is specific to a map dated April 4 of 2002. It's specific to a map."

Supervisor Kozakiewicz: "Well, we have to identify a map that's achieved the goals. How do we get to the 70/30 calculation if we can't identify a map?"

Councilwoman Blass: "I would be happy to exclude a map that the Planning Board said that's the map that is appropriate for that subdivision. But they haven't done it. They haven't even figured SEQRA out. They haven't ended yet."

Supervisor Kozakiewicz: "I'm trying to understand- "

Councilwoman Blass: "So maybe- "

Supervisor Kozakiewicz: "We're just acting in a very narrow capacity here."

Councilwoman Blass: "Okay."

Supervisor Kozakiewicz: "We are looking at the moratorium. The local law that was adopted 16 of 2001 and saying in our judgment it meets the threshold, it meets the 70/30 test and, therefore, yes, it should go forward or no, it cannot. I think that's our decision."

Councilwoman Blass: "Okay."

Supervisor Kozakiewicz: "And then I think all the other things that come with the Planning Board- the Planning Board takes over from there. Obviously they're going to go from the base threshold and they're going to say let's finish SEQRA. Maybe what you are doing here isn't enough. We want you to give up more and do 80% open space. I don't know."

Councilwoman Blass: "Okay. All right."

Supervisor Kozakiewicz: "We're not going to be the judgment, the body that's going to be the arbiters of the final map."

Dawn Thomas: "Really it isn't in your jurisdiction."

Supervisor Kozakiewicz: "Absolutely not."

Councilwoman Blass: "Well, that was my concern. I was asking for clarification. We're not talking about an application. We're talking about a map. And I only asked if we're excluding that map, are we pigeon holding the Planning Board? I'm not trying to be argumentative. I'm trying to get a legal understanding of what we're doing. Okay."

Dawn Thomas: "You are the- the Town Board adopted the legislation which created the moratorium. So you, the Town Board, are really interpreting your own legislation."

Councilwoman Blass: "Right."

Dawn Thomas: "This application is excluded. It can pass through- it's not affected by the moratorium. Whatever the Planning Board does after that-- "

Councilwoman Sanders: "It just continues."

Dawn Thomas: "I think that it would be important for the Planning Board to continue to communicate with the Town Board and, you know, make sure that it stays within those limits."

Supervisor Kozakiewicz: "All right."

(Inaudible from the audience)

Dawn Thomas: "No, it's not on. That's why. Now it's on. Sorry."

Supervisor Kozakiewicz: "All right."

Councilman Densieski: "I tried turning mine off."

Dawn Thomas: "If you could play the tape back- "

Councilwoman Blass: "I abstain."

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

Councilman Densieski: "According to legal counsel, this meets the 70/30 requirement that is exempt from the moratorium. And as far as Planning Board input, for the last 20 or so years I look around at the subdivisions that we have, I don't know if I can think of one that I really like. I'm not particularly engrossed with any of the subdivisions that we've seen for the last 20 years. So their input to me is not that important. So I'm going to vote yes."

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

Barbara Grattan: "Did you vote yes?"

Supervisor Kozakiewicz: "Yes."

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

Supervisor Kozakiewicz: "This local law that we are debating provided for an exemption process with the goals that we would see this open space and certain thresholds being achieved. We've asked counsel for legal opinion. We've asked the consulting engineers to verify that the plan that we're using as the base and the threshold meets the requirements."

I think it's up to us to then take that staff information, that technical information, and move forward and either agree or disagree. We talked about residential. Is this good residential or bad residential? I'm not going to even go there. I'll leave my comments for later. I think it meets the intent of what the Board adopted back in December as far as the exclusions and I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #364

Councilman Densieski: "Classified action on the special permit site plan of Northwind Farms and refers petition to the Planning Board. So moved."

Councilman Lull: "Second."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded. I'm sorry."

The Vote: "Sanders."

Councilwoman Sanders: "I just need to- mine says 264."

Councilwoman Blass: "So does mine."

Supervisor Kozakiewicz: "It was crossed out, May 3."

Councilwoman Sanders: "Yes."

Supervisor Kozakiewicz: "And vote."

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

Resolution #365

Councilman Densieski: "Classifies action on a special permit site plan of Peter Soullas and refers petition to the Planning Board. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #366

Councilman Lull: "Approves the site plan of Buckley renovations. It's a restoration of an existing two story residence. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, abstain; Blass."

Councilwoman Blass: "Do we have a moment for discussion because I don't recall seeing this. Is this an old site plan?"

Councilman Lull: "May 7 of 2001."

Councilwoman Blass: "Well- "

Supervisor Kozakiewicz: "This is- this plan I did have a question. It's 2001, this one, Rich?"

Rick Hanley: "The date?"

Supervisor Kozakiewicz: "Yes. It's got to be May of 2001 because we haven't gotten to May of 2002."

Rick Hanley: "No. It can't be. That- where is that date? Is that on- in the body of the thing?"

Supervisor Kozakiewicz: "It's in the second Whereas that we have the Planning Department has reviewed the site plan dated May 7--"

Rick Hanley: "It's possible the plan was then old and they just never submitted it. I'll- maybe I should check for you."

Councilman Densieski: "Is this time sensitive, Rick?"

Rick Hanley: "No. This is a residential structure that's being renovated for an antique store."

Councilman Densieski: "I'd like to make a motion to table this for further clarification."

Councilwoman Blass: "I'll second the motion to table this."

Rick Hanley: "Why don't we do that."

Councilwoman Sanders: "I'll second that motion to table."

Rick Hanley: "It's not time sensitive."

Councilman Densieski: "Thank you, Rick."

Supervisor Kozakiewicz: "Where in Aquebogue is this being proposed?"

Rick Hanley: "On the highway. On the Main Road."

Councilman Densieski: "I think we should see- "

Supervisor Kozakiewicz: "Okay, we're in the middle of a vote now. Right. Yes."

Councilwoman Sanders: "We can't table it because we're in the middle of a vote, right?"

Councilwoman Blass: "Motion to withdraw at this point perhaps and then table? No? Okay, well then- "

Supervisor Kozakiewicz: "I don't think we can; we're in the middle of a vote. I don't know how- we can't take up another motion."

Councilman Densieski: "If we vote no can we bring it back up at a future date or is it- "

Supervisor Kozakiewicz: "Well, what are the concerns? What are the issues?"

Councilman Densieski: "We didn't- "

Councilwoman Blass: "I would like to see it."

Councilman Densieski: "Rick is this- "

Rick Hanley: "I think there is a concern that maybe the date of the drawing- it's possible that it was drawn in 2000- May of 2001 and not submitted into us. I- we don't control the dates that are on the actual architectural drawings. How many people have voted here?"

Councilwoman Blass: "I suggested- I'm asking- "

Supervisor Kozakiewicz: "I don't think anybody has."

Rick Hanley: "Can I- "

Supervisor Kozakiewicz: "Rose abstained."

Councilman Lull: "Can I suggest a- an amendment?"

Supervisor Kozakiewicz: "Why don't we- "

Councilman Lull: "No. I'm asking. Can you- "

Supervisor Kozakiewicz: "Why don't we just vote. I think it's going to go down and we can bring it up at a later date."

Rick Hanley: "I- there's nothing that precludes you from re-examining it."

Councilman Lull: "All you need to do is- "

Supervisor Kozakiewicz: "If we have three that say abstain, it's done."

Councilman Densieski: "Okay, good enough."

Councilman Lull: "The amendment. Change the date."

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

Councilwoman Blass: "I haven't seen it. That wouldn't be sufficient for me, Jim."

Councilman Densieski: "Yeah."

Councilwoman Blass: "No."

Councilman Lull: "No. I mean, put it off until May."

Councilman Densieski: "Abstain."

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

Barbara Grattan: "Guess what?"

Councilman Lull: "Have to go over it again, Rick."

Councilman Densieski: "Yeah, it's no big deal."

Rick Hanley: "Okay."

Barbara Grattan: "That resolution is (inaudible)."

Resolution #367

Barbara Grattan: "Resolution #367, oh, we have nobody on here."

Councilman Lull: "I'll do it Barbara, because it's our committee. Authorizes the Town Clerk to publish and post a help wanted ad for a part time recreation aide. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Comment. I would just like to take a moment to thank everybody on the Board for tolerating my concerns regarding this position as it was presented the first time. And I know we went around about and deliberated on many occasions and I just want to say that I thank them and I appreciate their support and with that, I vote yes."

Barbara Grattan: "Okay, I see one mistake in this resolution and I think-- I don't know if you guys have got it correctly. It should be April 26th issue of Suffolk County Life."

Councilman Lull: "As a matter of fact, it's already in."

Councilwoman Sanders: "It is."

Barbara Grattan: "Yours is in? I've got the old one."

Councilman Lull: "It's been submitted."

Barbara Grattan: "Okay. Blass."

Councilman Lull: "No, no, no. It's not going in April 26th. It's going in tomorrow."

Councilwoman Sanders: "It is going in this one."

Supervisor Kozakiewicz: "It's going- it's already submitted to Suffolk Life tomorrow."

Councilman Lull: "It's already submitted. You don't have to ratify it because it hasn't appeared yet."

Supervisor Kozakiewicz: "Right."

Barbara Grattan: "Okay."

Councilman Lull: "But it has been submitted."

Barbara Grattan: "Okay."

Supervisor Kozakiewicz: "It already went in, Barbara."

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

Councilwoman Blass: "Yes. And I wanted to thank Councilwoman Sanders because her- sandals, did I call you that? Because her input was very helpful in this. Thank you."

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

Councilman Densieski: "Yeah. I want to thank Councilwoman Sandals, too, because I think she helped us save taxpayer dollars and I vote yes."

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

Councilman Lull: "I'm sorry, I have to vote no. I don't consider it an acceptable position. No."

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

Supervisor Kozakiewicz: "I'm voting yes but not because I necessarily agree with the position. I think we need to get somebody hired so that we can get the skate park in line rink open so I vote yes out of necessity. Let's see how this works and then later we can explore maybe the other alternative. So, yes."

Councilman Densieski: "We tweak it later."

Barbara Grattan: "The resolution is adopted."

Resolution #368

Councilman Densieski: "Appoints temporary secretary to the Board of Assessment Review and that person is Jennifer Manduca. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #369 through 377

Councilman Lull: "Barbara, if you don't mind as we discussed, I think I'll take 369 through 377 as a bunch."

Councilman Densieski: "No objection."

Councilman Lull: "369 is the appointment of a recreation specialist, Elizabeth Vaiana-Cavanagh; 370 is the appointment of a recreation specialist, Kathleen Falco; 371 a park attendant I, G.J. Mittleman; 372 a recreation specialist, Colleen Reitz; 373 a park attendant I, Edmund Lubus; 374 a park attendant I, I think it's James Marengo; 375 a park attendant I, Sean Dayton; 376 a park attendant I, John Seus; and 377 a park attendant II, Kevin Biglin. I move all those resolutions."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolutions are adopted."

Resolution #378

Councilman Lull: "Rescinds Resolution 190. So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #379

Councilman Densieski: "Authorizes the Supervisor to execute amendment to agreement with East End Aircraft L.I. Corp. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "I just have a comment. There's a date. Do we have that date to reflect addition of three acres pursuant to the attached survey by John Ehlers dated- "

Councilman Lull: "Oh, I saw that today."

Councilwoman Blass: "I- it's on the map. It's on that map and actually it was a map submitted by Martin Sendleski. It was not a survey map by John Ehlers."

Councilwoman Sanders: "Okay- we can- "

Councilwoman Blass: "We don't have that date."

Councilwoman Sanders: "--or can we get the date so that we can- "

Supervisor Kozakiewicz: "It should actually say, you're right, the attached survey made by Martin Sendleski."

Councilwoman Sanders: "Oh, okay."

Councilwoman Blass: "Right. And, Barbara, you have the only copy of- "

Supervisor Kozakiewicz: "They wouldn't do a survey. No."

Councilwoman Sanders: "He couldn't do a survey. It's a site plan."

Councilwoman Blass: "He- it's a site plan."

Supervisor Kozakiewicz: "It's a site plan."

Councilwoman Blass: "A conceptual site plan."

Supervisor Kozakiewicz: "Yeah."

Councilman Blass: "Is what I believe it was."

Barbara Grattan: "So somebody want to move this resolution?"

Councilwoman Sanders: "So can we make that amendment?"

Supervisor Kozakiewicz: "Right."

Councilwoman Sanders: "Why don't we leave the date out?"

Barbara Grattan: "So the attached site plan?"

Supervisor Kozakiewicz: "Made by Martin Sendleski for expansion of Grumman Memorial Park."

Councilwoman Sanders: "So we don't need to include the date if there was only one site plan that was proposed."

Councilwoman Blass: "It's the original, right."

Councilwoman Sanders: "We can eliminate the date and we don't have to worry about it. Just refer to it because it was the only one that was on."

Supervisor Kozakiewicz: "That was which shows the three acres."

Councilwoman Blass: "Right. And this is just adding property to the memorial park up at Grumman where the F-14 is currently- "

Supervisor Kozakiewicz: "That's correct."

Councilwoman Blass: "They're asking for some more property. It was part of a phased site plan. This is the second phase. With that amendment--"

Barbara Grattan: "Who is going to make that amendment? Blass? Sanders?"

Councilwoman Blass: "Sure."

Councilwoman Sanders: "Yes."

Supervisor Kozakiewicz: "Yes, ready for a vote."

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

Councilman Densieski: "Yes. The Grumman Memorial Park is a tremendous asset to the town and I think we would be remiss if we didn't mention Steve Kirschenbaum, Joe van de Wetering, all the volunteers and all the sponsors that made it possible. With that said, yes."

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

Councilman Lull: "If Steve were here, I'd mention him, too. Yes."

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

Barbara Grattan: "Now, resolution 380 was taken out of the pack of resolutions. Okay. So we're missing 380. Do you want to take the one that's going to go off the floor and make that 380?"

Supervisor Kozakiewicz: "380 has been withdrawn? Why don't we move to withdraw it on the record?"

Barbara Grattan: "Withdraw the number altogether?"

Supervisor Kozakiewicz: "Right."

Barbara Grattan: "Okay."

Supervisor Kozakiewicz: "Yes. Is there a motion to withdraw?"

Councilwoman Sanders: "What was it?"

Barbara Grattan: "The Supervisor's office took that resolution (inaudible)."

Supervisor Kozakiewicz: "That was there needed to be some additional things done on the agreement for the bus shelters. Yes."

Councilwoman Sanders: "Motion to withdraw."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Vote, please."

Barbara Grattan: "Okay, Blass and Sanders?"

Councilman Densieski: "381 this is, Barbara?"

Supervisor Kozakiewicz: "Well, we're on 380 which was pulled."

Councilman Densieski: "I don't have 380."

Supervisor Kozakiewicz: "It was pulled."

Barbara Grattan: "It was pulled. That's the reason why- "

Councilman Densieski: "Got you."

Supervisor Kozakiewicz: "Should have stayed- withdrew it from the record."

Councilwoman Sanders: "Yes."

The Vote (Cont'd.): "Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is withdrawn."

Resolution #381

Councilwoman Blass: "This authorizes the Supervisor to execute a municipal mutual aid and assistance agreement between the Town of Riverhead and the Town of Brookhaven. So moved."

Councilman Lull: "Second."

Councilman Densieski: "Discussion."

Supervisor Kozakiewicz: "It's going to be one of those nights."

Councilman Densieski: "It's going to be one of those nights."

Supervisor Kozakiewicz: "You can't do it during the vote."

Councilman Densieski: "I'm trying to sway votes so I'd like to do it first if you don't mind."

Supervisor Kozakiewicz: "Oh, okay."

Councilman Densieski: "I think the Town Board's first priority is public safety. I think we all agree upon that. As far as mutual aid and hazardous materials and hazardous materials incidence and other related emergencies, I think presently we now call the fire department. If not, we could call Suffolk County and they respond to our emergencies."

Now, I understand all the hard work that went into this even though there's no committee members named or anything else but I want to read some of the pertinent points of this.

In the third Whereas, it says without having to invest, stockpile equipment, or hire additional personnel. Let's flip a couple pages over. Aid and assistance shall include but not be limited to personnel, equipment, facilities, services, supplies, and other resources. Let's keep flipping. Reimbursements. Providers shall continue to pay its employees, let's keep flipping. The measure of reimbursement shall- keep going. Reimbursement policies, record keeping, receipts, workers compensation, benefits to provider employees. Well, I think you get my point.

I think this is going to end up costing the town taxpayers a lot of money for something that we can get from Suffolk County right now for free. I do agree that public safety should come first. But I am- I've been cautious all along. We've got that van for haz mat and I think the people are trying to create an empire in the hazardous- in hazardous materials incident and other related emergency department.

So with that said, I would let the vote go on."

Councilman Lull: "I'd like to add to what Ed said. We had a budget discussion on haz mat and the haz mat team about two or three years ago- am I right three, or is it before you? Okay."

Councilman Densieski: "Two years ago."

Councilman Lull: "At that time, the cost of the haz mat team was a substantial six digit- six digit number. There was also a much smaller cost, much smaller cost, for the existence or the putting together of a-- of the haz mat materials necessary for the fire department and for the police department to handle it. Also, always remembering that we have Brookhaven National Lab and we have Miller Environmental near enough by where we can call on them in a haz mat situation.

My problem with this one is not the fact that Southampton has a haz mat team or that Brookhaven has a haz mat team and they wouldn't mind coming to our aid. That is true. But this says a mutual aid, mutual assistance. We don't have that team so I believe that such a mutual assistance agreement begs the question.

I don't foresee a tremendous amount of money, Ed, and my answer to your questions in part is that in almost every haz mat situation, it is the cause of the haz mat situation, be it an oil company or whoever it might be who ends up footing the bill. They end up paying it although it may be a year later. They usually end up paying it and

we can- we have a way that we can get that money through the court. But I'm questioning whether or not this is a mutual aid situation.

383 authorizes, which is two down the road, authorizes the Supervisor to execute a memorandum of understanding regarding hazardous materials response between the Town and Brookhaven National Lab. That's not committing us to go to Brookhaven Lab and solve their problems. It does make an agreement between us and Brookhaven Lab. We have called before on Miller Environmental as I said, and Eddie has mentioned that we have the county although they frequently are very slow to respond.

So I question, Mr. Supervisor, this idea of a mutual aid assistance agreement because it really can't be mutual."

Supervisor Kozakiewicz: "Any other discussion?"

Councilwoman Blass: "I would only like to point out for the record that we had an appearance by the fire marshal. We had police personnel. We had backup letters from fire districts- chiefs in the fire district, all encouraging us to take these inter municipal agreements very, very seriously and I doubt very much that they would be asking us to enter into these agreements if they were not in a position to provide the assistance that would be authorized under these agreements. It wouldn't make sense for them to be encouraging us to do this and then not be able to provide the necessary manpower."

Councilman Lull: "We voted against having a haz mat team."

Councilman Densieski: "I disagree with you. I don't think the fire departments are going to say they are prepared. I really think, you know, there's going to be additional monies coming from somewhere for this."

Councilman Lull: "I also, Barbara, I don't disagree with inter municipal agreements. I just don't agree on calling it a mutual aid because we cannot be of mutual aid. We don't have a haz mat team. We certainly are mutual aid in fire and ambulance but not in haz mat."

Supervisor Kozakiewicz: "The question I would have and it would be for Dawn, whether this obligates us in any way, shape or form to create a haz mat team which we have as a policy making Board determined not to do. You're going to have to- "

Dawn Thomas: "I haven't- I was involved in this agreement quite

a while ago and I know when we drafted-- the original draft excluded- or provided specifically that we, you know, or included an acknowledgment on behalf of the co-signing municipalities that they were aware that we didn't have a haz mat team. They didn't expect us to reciprocate."

Supervisor Kozakiewicz: "Right."

Dawn Thomas: "I haven't- the agreement- the final draft--"

Supervisor Kozakiewicz: "I read these very carefully last night and there doesn't seem to be that preference in any one of these three, 381, with the Resolution 382 or 383. They seem to imply to the contrary that, in fact, we do have haz mat teams established or that we have personnel that can provide the services. And I had a desire to speak to the fire marshal today about this."

Dawn Thomas: "Do you have the agreement attached because I don't have- I don't have the final draft of the agreement. I can review it- "

Councilman Densieski: "I think I have it here."

Supervisor Kozakiewicz: "Well, if there's- "

Councilwoman Blass: "Well, then, maybe a motion to table? If there's further discussion, necessary, a clarification as to what is actually being required."

Councilman Densieski: "We can't because we moved it already."

Supervisor Kozakiewicz: "Excuse me?"

Councilman Densieski: "We can't table it because we moved it. We've got to- "

Councilman Lull: "No. We have moved it and seconded it but we have not started the vote."

Supervisor Kozakiewicz: "So we can- we didn't go into vote, so. So, if there's a motion to table?"

Councilman Lull: "I will do that."

Councilman Densieski: "I'll second it."

Supervisor Kozakiewicz: "Motion and second to table."

Councilman Lull: "Excuse me. I move to table 381, 382 and 383."

Supervisor Kozakiewicz: "With that amendment, taking up all three, sure. Is there a second to table that as well?"

Councilman Densieski: "Yes."

Supervisor Kozakiewicz: "All three, 381, 382 and 383? Yes. Moved and seconded to table."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Yes, to table."

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

Councilman Densieski: "Yes. I just want to make one more brief comment, I'm sorry. This is in no way to disrespect the fire department or the personnel that worked on this and I think that it's a good idea. I think it is a good idea. I think it's a great idea. I just don't think we can afford it at this point in time. We already have the services available from Suffolk County. Yes, to table."

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

Councilman Lull: "Yes. To my mind it's a matter of language. Yes, to table."

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

Supervisor Kozakiewicz: "I join in Councilman Lull's remarks. I understood that there would be no obligation on the town's part to establish haz mat teams. We've talked about this ad nauseam and the idea of a mutual aid was to provide alternative resources in the event Suffolk County and the other resources that we generally tag onto can't provide us assistance and that is, in fact, what prompted us to put this forward so that, in fact, if a hazardous- haz mat situation should arise, we're not stuck with being number 16 on the county list and having to wait.

But in looking at the agreement and certainly I will ask the Town Attorney to look at this and give us an opinion by next meeting to

verify what implications it has as far as obligations on us. I know we were trying to move away from having any obligation to create the haz mat team but having a resource if you will to use in addition. So, at this point I'll join in the motion to table."

Barbara Grattan: "The resolutions are tabled."

Resolution #384

Councilman Lull: "Authorizes the Supervisor to execute a contract of sale between the Town of Riverhead and Betty Harris, 23 Lewis Street, Riverhead. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #385

Councilman Densieski: "Authorizes the Town Attorney to order an appraisal for property owned by William Hubbard, County Road 105, Aquebogue. That's the old duck farm. So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Yes. And I'm very delighted that this is finally actually happening that this is- the open space farm select committee has been talking about this parcel for a while so I applaud the- I applaud the action of the Board this evening in entering an appraisal- or authorizing the appraisal. Yes."

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

Supervisor Kozakiewicz: "With the exception of the way we spelled Aquebogue, yes. The resolution is adopted."

Resolution #386

Councilwoman Sanders: "Authorizes the Town Clerk to publish and post public hearing notice to consider the demolition of buildings owned by Anne Joslin pursuant to Chapter 54 of the code of the Town of Riverhead entitled Unsafe Buildings and Collapsed Structures. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #387

Councilwoman Blass: "Authorizes the Town Clerk to publish and post hearing notice to consider the demolition of buildings owned by Betty Harris 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: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #388

Councilwoman Sanders: "Authorizes Town of Riverhead to remove rubbish, debris and the cutting of grass and weeds from property pursuant to Chapter 96 entitled Trash Rubbish and Refuse Disposal of the Riverhead Town Code. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Yes. This is 731 ½ West Main Street. If you've been by there lately, it's a nightmare and, hopefully, we

can resolve this in a timely fashion. So, I'll vote yes."

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

Resolution #389

Councilman Lull: "One type- there's only one highway in the title. Resolution and consent approving the dedication of a highway known as Jerome Circle in Hubbard Estates. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #390

Councilman Lull: "Sets fees for the skate park for the Riverhead Recreation Department. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Discussion. Comment. Being involved in the Recreation Advisory Committee for as long as I was, I didn't support imposing a use fee on our residents especially in the initial phases of the skate park. And I would like to reserve the right to revisit that in the future and for that reason I vote no."

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

Supervisor Kozakiewicz: "Actually I sort of feel the same way that Rose felt on this one."

Councilman Densieski: "Me, too."

Supervisor Kozakiewicz: "And certainly with the rink but I also know that if you pay a little bit of money, you have a little bit of

respect for what you are using. So I'm hoping that by imposing a small fee and, therefore, having that hanging over a young man or a young woman's head when mommy and daddy is paying for it, that they will be a little bit more respectful of the rules and procedures and wearing equipment and wearing helmets and knee pads and whatnot when they're out there doing their thing. So I've kind of come around. I'd like to try it and see how it works and see if we can keep the control out there and enjoy it.

And as we speak, the equipment is going in. They're drilling the holes. They arrived this morning on a tractor trailer and they're going at it. The equipment is being installed at the skate park. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #391

Councilman Densieski: "Authorization to discard fixed assets. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #392

Councilman Lull: "Authorization to discard two broken file cabinets. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded. We're tough on file cabinets."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #393

Councilwoman Blass: "Authorization to discard fixed assets. These are old computer parts. So moved."

Councilwoman Sanders: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #394

Councilwoman Sanders: "Discussion. I have some comment regarding- I thought if anybody can help me recall this. I thought we had already approved the military leave of absence for this particular police officer and I don't know- I mean I don't recall what the difference is in this one to the first one. Does anybody know?"

Supervisor Kozakiewicz: "I don't recall taking up the action. I guess on the other hand, if we did do it before, is there a harm in giving him a leave of absence? I mean he's not getting two years leave of absence- "

Councilwoman Sanders: "Do you know the difference?"

Supervisor Kozakiewicz: "Do you recall a leave of absence being granted to Timothy Buckley, Jack? Is this to square the record so that we have it correct as to time?"

Councilman Lull: "Yeah, okay."

Supervisor Kozakiewicz: "Okay."

Councilwoman Sanders: "Thank you."

Supervisor Kozakiewicz: "Vote? Was there a- "

Councilwoman Sanders: "I asked for a discussion."

Supervisor Kozakiewicz: "I don't think we got this moved yes. Okay."

Councilwoman Sanders: "Approves military leave of absence for a police officer, Tim Buckley. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Blass, yes; Densieski."

Barbara Grattan: "Let's start over."

Councilman Densieski: "Come on, Grattan."

Supervisor Kozakiewicz: "It's the stamp on it."

Barbara Grattan: "Would take a look at the vote on the bottom?"

Supervisor Kozakiewicz: "Yes. It's- "

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

Councilman Densieski: "Yes. I'd just like to point out that Timmy has a young family, his wife is pregnant, and he's over serving our country. He's over in Kuwait, so I want to thank him for that. Yes."

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

Councilman Lull: "This is approving a one year military leave. As I'm sure you are aware, the fact is that the Town Board has a policy of- which allows someone who goes on active duty to be paid for 22 days at full pay. Last year- this year, early this year because of the situation in the Middle East, we approved a second 22 days of paid leave. That has been used up now and this is unpaid leave of absence. Yes."

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

Supervisor Kozakiewicz: "Yes. Thank you, Tim, for this service and this is a paid military leave effective April 20. I think that Resolve should be 2002. I think doing it for 2000 doesn't really help us a lot. So just with that note, the last Now, Therefore, Be It Resolved effective April 20, 2002. All right? Yes."

Resolution #395

Councilman Densieski: "Approves attendance at the Empire Zone Conference. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Question. Do we know who this person is?"

Supervisor Kozakiewicz: "No."

Councilwoman Sanders: "Okay."

Supervisor Kozakiewicz: "But we've got to keep it open."

Councilwoman Sanders: "Well, all right. Then I have a question. If we don't know who the person is and we haven't hired someone by April 25th, who will attend this conference?"

Councilman Lull: "We have to send somebody."

Councilman Densieski: "I think we have to concentrate on hiring somebody."

Councilwoman Sanders: "I just asked- I'm not saying--"

Councilman Densieski: "It's a good question."

Councilwoman Sanders: "-- if we don't hire, we don't have a person now, we don't hire by April 25th, who are we sending? I don't- Do we know?"

Supervisor Kozakiewicz: "We don't have a coordinator appointed but if we don't send somebody our status is deeply in trouble."

Councilwoman Sanders: "Okay. I hate to belabor the point. I know we don't have a coordinator. My question is if we don't have- we don't have one now, we may not have one by April 25th, who will we send if April 25th should come and we need to appoint someone to attend the person."

Councilman Densieski: "I think somebody who can represent us well. I don't know who that person is."

Councilwoman Blass: "Well, would it be a Board decision at that point?"

Councilman Densieski: "I'm sure it would."

Councilman Lull: "Yes."

Councilwoman Sanders: "Okay. Yes."

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

Councilwoman Blass: "And we'll have another meeting between now and April 25th to do that? A special meeting? Right?"

Councilman Densieski: "I don't know when it is."

Supervisor Kozakiewicz: "We're going to have it one way or another. We need to send somebody (inaudible)."

Councilman Densieski: "So, can we put in the resolution that the Supervisor could appoint somebody? Would that be acceptable?"

Supervisor Kozakiewicz: "How about if I go?"

Councilman Densieski: "That's a good idea."

Supervisor Kozakiewicz: "I haven't been up to Poughkeepsie in a few years."

Councilman Densieski: "You should go."

Supervisor Kozakiewicz: "I'd like to see (inaudible)."

Councilman Densieski: "All right. What are we going to do here?"

Councilwoman Blass: "If- go ahead, Jim."

Councilman Lull: "No, I was trying to think out loud."

Supervisor Kozakiewicz: "You are saying yes, no?"

Councilwoman Sanders: "Me? I already voted."

Barbara Grattan: "Rose voted yes. Blass."

Councilwoman Blass: "I didn't vote yet and the question was would we have an opportunity to designate someone and the question was- yes, but then we don't have a forum to do that because we don't have another meeting and if it- relegate- I'm asking- I'm considering

your offer to be the person to designate, that's what- "

Councilman Densieski: "If the Personnel Committee wants to do that, I think that's fine. If Barbara wants to do that, I accept that."

Councilwoman Blass: "I'm not looking to do that, Ed. We don't even have a person to evaluate."

Councilman Densieski: "So if we don't have a person we have to pick somebody- "

Councilwoman Blass: "That's correct. And we have to pick- "

Councilman Densieski: "If you want to pick a person, that's fine."

Supervisor Kozakiewicz: "We have to have a meeting if you have to have a designation, I'm more than- I just don't want to lose the opportunity- "

Councilwoman Blass: "I don't either."

Councilman Densieski: "No, I don't either."

Councilwoman Blass: "Of course, we can't. We have to do that by law. Yes. My vote is yes."

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

Resolution #396

Councilman Lull: "Authorizes the attendance of an assessor at the seminar at Cornell University in July, just to- somebody from the Board of Assessors will go. Just to make sure everybody understands, the vast majority of the money is covered by the State reimbursed. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #397

Councilman Densieski: "Authorizes the Town Clerk to publish and post notice to bidders for well and pump emergency service for the Riverhead Water District. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #398

Councilwoman Blass: "This authorizes the Town Clerk to publish and post notice to bidders for quick lube maintenance for the Riverhead Water District. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #399

Councilman Lull: "Authorizes the Town Clerk to advertise for bids for a new generator for Plant 12, the Riverhead Water District. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #400

Councilman Densieski: "Authorizes the Town Clerk to advertise for bids for the Riverhead Water District for the repainting of Pulaski Street tank. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #401

Councilwoman Blass: "This authorizes the Town Clerk to advertise for bids for the Riverhead Water District for granular activated carbon replacement at Plant No. 12. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #402

Councilman Lull: "Award bid for Northside Road subdivision Riverhead Water District. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #403

Councilman Densieski: "Awards bid for one articulated wheel loader. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #404

Councilwoman Blass: "This resolution is an order calling for a public hearing for Extension 74 to the Riverhead Water District. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #405

Councilman Lull: "Order calling for a public hearing for the extension of- for extension 70 to the Riverhead Water District which is Mid Road Properties along the northerly and southerly sides of Mid Road- Middle Road westernmost intersection with Mill Road. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #406

Councilwoman Blass: "I'm getting there. 406. This resolution calls for a public hearing for extension 71 to the Riverhead Water District for Country Trails Subdivision. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #407

Councilman Densieski: "It is for an order calling for a public hearing for extension 72 to the Riverhead Water District for Reeves Farms. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, abstain. The resolution is adopted."

Resolution #408

Councilwoman Sanders: "Approves application of Apple Honda to erect a tent from the period May 13th through May 26th. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #409

Councilman Lull: "Approves the application of Central Suffolk Hospital for their annual garden festival plant sale. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #410

Councilman Densieski: "Authorizes the Riverhead Fire Department to conduct its 15th annual Invitational Motorized Drill. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #411

Councilwoman Blass: "This resolution approves the temporary sign permit of Book Market, Inc. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #412

Councilman Lull: "412 is a public interest order in the matter of the increase and improvement of the facilities of the Calverton Sewer District of the Town of Riverhead Suffolk County, New York."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #413

Councilwoman Sanders: "Matter of the increase and improvement of the facilities of the Riverhead Parking District No. 1 of the Town of Riverhead. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilman Densieski: "Discussion. I know we've got two or three budget transfers in here. Did we receive written- I don't recall that on these. We did? Okay. Good enough. Thank you."

(Some inaudible discussion among the Board members)

Supervisor Kozakiewicz: "We're just 413. We're on Resolution 413. You're one ahead of us."

Councilman Densieski: "I'm sorry. Okay. Go ahead."

Supervisor Kozakiewicz: "We need your vote."

Councilwoman Sanders: "They must have known that I wanted some discussion on this anyway."

Councilman Densieski: "Okay."

Councilwoman Sanders: "I believe this resolution supports the dumpster enclosure that was going to go behind Riverhead Grill, is that correct? And I had an objection and I still have the same objection to that. I just don't think with all the improvements that we're doing to that particular area with the sidewalk improvements and to encourage pedestrian traffic in that area, that that would be a suitable place to have a dumpster and in addition to having some respect for and consideration of the businesses that are around there, I don't think that that is an appropriate location. I think that there could have been some better considerations or more appropriate considerations made for the location of that dumpster so because of that I vote no."

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

Councilwoman Blass: "We did have several discussions about the three components of this resolution and I do have to agree with the concerns of my colleague, Councilwoman Sanders. I think there should be some better consideration or alternate sites that could better accommodate the needs of that garbage issue and not necessarily in the middle of the parking area or as in basically the backyards of some of the outdoor dining areas. So I'm voting no."

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

Councilman Densieski: "What are the other components besides the dumpster?"

Supervisor Kozakiewicz: "The roads."

Councilman Densieski: "Okay."

Supervisor Kozakiewicz: "Going in between the- "

Councilman Lull: "The Salvation Army."

Councilwoman Blass: "The two roads."

Supervisor Kozakiewicz: "So if this goes down, those improvements don't take place either."

Councilman Densieski: "We can't separate this-- "

Supervisor Kozakiewicz: "That's why we held the public hearing. We would go out to bid and we could separate them during the bidding process- "

Councilman Lull: "We will separate them- "

Supervisor Kozakiewicz: "-- and the construction process but the public interest order has them lumped together."

Councilman Densieski: "Well, in the interest of getting those other projects done that are really, really important, I'm going to consider voting on this but I would like to say that putting the garbage dumpsters which something sorely needs to be done, and I kind of did two years ago, the Town Engineer, but that kind of went through the by and by.

I don't think putting dumpsters- we all know there's rats, cockroaches, bugs and everything else, right next to a restaurant- right next to the buildings that we're trying to turn around and face the river and make it nice, I don't think that's an appropriate place to put dumpsters. I still believe we should have dumpster corrals, nicely built dumpster corrals in the middle of the parking lot. The town engineer agreed that that was a plan and apparently nothing happened.

But I'm going to vote yes on this but I will not vote yes to put the dumpster when this comes forward later."

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

Supervisor Kozakiewicz: "As indicated, this is a public interest order which is based upon a public hearing that was held on the 2nd day of April. There are three separate and distinct proposals that were discussed at an estimated cost of 402- \$402,000. If this does not go forward and I know a discussion was going on, whether it needs four notes or not. I know it's not a bonding. I don't know if there's a need to have four or not so that's something that I'm sure we're going to have to research before it goes forward.

I don't want to lose the opportunity to do the other improvements. I know that at the public hearing one of the property owners implored us to move forward to take care of the sidewalks and do the improvements in the area that leads down between West Marine and the Riverhead Grill. We have already adopted a one-way street and we were looking to do the curbside improvements and the sidewalk improvements so that individuals walking down that particular point of access into the parking lot are not at risk.

I vote yes to keep the process moving forward. I've heard loudly and clearly the comments from the Board members as to their concerns and issues with respect to the dumpster. I would hope that maybe before we end the vote that they may reconsider to allow the process to go forward with the understanding that we can revisit the dumpster issue so there's no question on the 3 to 2 vote."

Councilman Lull: "Before you- "

Councilwoman Blass: "Mr. Supervisor- "

Councilman Lull: "-- before you close it, Bob. I heard the request to look at alternative locations. This has been going on for three years. This decision was the decision made by the public parking district liaison group which is a group which the town constitutes because the State says we must. Because we have a parking district, we must have a liaison group of residents and business owners who are affected and who live or work within the parking district.

This was a unanimous decision made by them. They visited the site lots and lots of times. Designed -- we designed several alternatives and the several- out of the several alternatives came this one. And this one particular location I wish to add that there are already four dumpsters there. And they are not enclosed."

(Some inaudible discussion among the Board members)

Councilwoman Blass: "Mr. Supervisor, if I could just ask a question please, for the record. By- in that it's merely the location of the dumpster, is that not something that can be considered later on as a site plan- "

Councilman Densieski: "Possibly as a change or- "

Supervisor Kozakiewicz: "Assuming that it stays within that

public interest order amount. We've got to stay within that price. I don't think we are necessarily locked in that location, I don't believe. These are improvements to the public parking district. We had the hearing because we are required to do so by law and this is the order that's- needs to be adopted as part of that public hearing. However, we have not by this action undertaken any bidding, any establishment of budgets, and certainly the three things that are being discussed in the public interest order are still subject to further Town Board action and refinement as the case might be, or relocation as the case might be."

Councilman Lull: "And these three projects will be approached in this order, Salvation Army parking lot first, the driveway between West Marine and the Grill second, and the dumpster area third and that might not even be this year. The third one we might not even get to this year."

Supervisor Kozakiewicz: "Right."

Councilwoman Blass: "Considering I believe all three projects to indeed have merit and my only concern is the location of the dumpster, I'd be willing at this point to authorize that this- or to reconsider my vote and change it to a yes provided that we have the opportunity in the future to refine and perhaps more adequately explore a more adequate location for the dumpster."

Supervisor Kozakiewicz: "I can tell you that this clearly does not put in process a final by in any way any finality to those three projects that are described in the public interest order. There is a lot more work that still needs to be done as far as bidding and otherwise."

Councilwoman Blass: "Thank you."

Councilman Lull: "And, Mr. Supervisor, with your approval, I will arrange for the parking district liaison group to attend a work session or members of them to attend a work session sometime in June or July."

Supervisor Kozakiewicz: "Good. All right. Anything else on this one?"

Councilwoman Blass: "My vote is yes, Madam Clerk."

Supervisor Kozakiewicz: "Thank you."

Barbara Grattan: "The resolution is adopted."

Resolution #414

Councilman Lull: "Authorizes the Supervisor to execute a budget transfer. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Bob, back to these budget transfers, we did receive the documentation on that?"

Supervisor Kozakiewicz: "Yes. Yes."

Councilman Densieski: "Okay. I don't recall seeing it."

Supervisor Kozakiewicz: "I have it on my desk."

Councilman Densieski: "Okay, fine."

Supervisor Kozakiewicz: "Maybe I put it under the desk by this point."

Councilman Densieski: "I'll vote yes with that said."

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

Resolution #415

Councilwoman Sanders: "Darren Development water extension capital project budget adjustment. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "Actually on this one I have the memo

still attached to my copy so I know we received it. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #416

Councilman Lull: "Tall Tree Acres at Wading River water extension budget adjustment. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Blass or Sanders."

Councilwoman Sanders: "Yes."

Barbara Grattan: "We have to get the accounting department to do this correctly. Okay."

The Vote: "Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "I think they're trying to see how closely we are paying attention. Yes."

Barbara Grattan: "The resolution is adopted."
You didn't vote, Sanders."

Councilwoman Sanders: "Yes."

Barbara Grattan: "Wake up."

Resolution #417

Councilwoman Blass: "Resolution 417 is authorizing a budget adjustment. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #418

Councilwoman Sanders: "Authorizes the Town Clerk to publish and post a help wanted ad for a part time assistant recreation leader. So moved."

Councilman Lull: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #419

Councilman Densieski: "Approves a phased site plan of Eagle Auto Mall Corp. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "I'm going to abstain from this one. I did represent this particular corporation at one point in time and I will abstain from this vote."

Barbara Grattan: "Okay, resolution is adopted."

Resolution #420

Councilwoman Blass: "This resolution directs the Town Attorney to file an amendment to a judgment in the matter of Calverton Industries. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Discussion."

Supervisor Kozakiewicz: "Yes."

Councilwoman Sanders: "I at this moment sitting here looking over my notes and I know my colleagues have many things to say about this particular issue and I have tried to weight all the facts regarding the judgment, regarding DEC and their control over the site and with counsel's input and discussion with all my fellow Board members, for various reasons some of them being the judgment does allow us to take split samples jointly together with the DEC. Whether the DEC will allow us to take the samples that we think are appropriate is yet to be determined. But being the organization and being and having the control and the jurisdiction that it does, I would have to hope that and monitor the fact that they would do as they are charged and have the responsibility that they are charged with and take that responsibility very seriously.

I know counsel has suggested and recommended and tried to educate me in the fact that sometimes the more we litigate the more they mine and we fall farther and farther behind in the process. We have gotten some restrictions, some changes in the elevations, some changes in our reclaiming and with all these exceptions and with as I said taking into account discussions that I have had with Board members and with counsel, I vote yes."

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

Councilwoman Blass: "Discussion or comment. I am compelled to make a statement in response to certain questions which have been asked of me over the past two weeks. Yes, indeed, I submitted a resolution before our last meeting which actually directed the Town Attorney to enter an appeal on behalf of the town. I deliberately chose not to bring that resolution off the floor to surprise my colleagues. I, however, was surprised to learn that that particular resolution was pulled from the packet because it didn't have a second.

Another surprise I was also told that resolutions in the packet are assigned randomly and I was- later found out that in some cases is not true.

Since there was no support for an appeal, the next best course of action for me was to continue in pursuit of what I consider adequate safeguards against further degradation of our resources. The process of restoring the property technically known as reclamation is described in the section of the DEC regulations entitled Long Island Landfills. I believe firmly that it is in the best interests of the

people of the town that we have the right to test materials coming onto the site to fill that hole.

Currently the conditions of the mining permit call for groundwater testing only. And that's done twice a year. This is woefully inadequate in my mind considering that this is not only a special groundwater protection area as designated by the county but it's also in a critical and environmental area designated by the State of New York for groundwater protection purposes.

True, there is a condition in this judgment which allowed for the town to take split samples of any materials coming onto or being removed from the site, but that was only when the DEC said that we could. In my judgment, that's just not good enough. The DEC has taken a \$94,000 bond to ensure the reclamation of that site. In my judgment, that's not good enough either.

You will hear that the action called for in this resolution this evening may jeopardize a good deal and we stand to lose money, we stand to lose concessions which have been ordered by the court. True, there are never any guarantees in any court proceeding. And while everyone may have a different opinion as to what is in the town's best interest, one thing is sure in my mind is that it would be irresponsible not to try to get a better measure- better protection measures in order to adequately protect the health, safety and welfare of the people of the town.

If we succeed in doing only that, then I think we have achieved a substantial victory. My vote is yes."

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

Councilman Densieski: "I have three words for this resolution, stinks, stank and stunk. In my personal opinion, this resolution reeks of self-preservation and political grandstanding. It just goes to show what a little bad press can accomplish.

In my opinion, we are elected not to worry about how we are going to look in the local press but on making sound economic business decisions.

We didn't create or condone Calverton Industries circumstances, but what we did do is to stop the horrific bleeding of taxpayer dollars to fight something that I am not morally opposed to. In short, we made a business decision. We made the best of a bad

situation and I think we accomplished many of the goals set out when we entered this fight and then some.

Let me give you some other examples: I am opposed to commercial fishing, depleting our oceans of food supplies. This should be banned immediately unless, of course, I want a seafood dinner, then it's okay.

I am against the cutting of timber in our forests, the depletion of the rain forests, and it should be banned immediately unless, of course, I need lumber to build my home or my deck. Then it's okay.

I am not in favor of sand mining. It creates a huge hole and endangers the environment and should be restricted immediately unless, of course, I need sand, brick or asphalt for my house and then it's okay.

I think as a society we are sticking our heads in the proverbial sand not to realize the value and necessity of all of our natural resources.

Now Member Blass is asking us- and Member Sanders is asking us to amend this judgment without the following information: What is the cost of continued litigation? Will it be in the hundreds of thousands of taxpayer dollars that we have already spent? If we appeal, what will be our course of action? Our own counselors have strongly advised us that we were granted a very good decision and advise us not to appeal.

If we litigate and lose, how bad will it be? If we litigate and win, what more could we possibly get? If we litigate, couldn't they conceivably receive relief and continue and finish the mine before the decision is rendered?

Now I'd like to give you some of the reasons not to appeal or to amend.

1. Advice of our legal counsel, the people that tell us what's in the best interest of the taxpayers.

2. Elimination of hundreds of thousands of taxpayers dollars for legal fees.

3. Eliminate federal and state lawsuits against the town where we are possibly liable for millions of dollars.

Remember the lady who spilled the hot coffee on herself at the McDonalds and won millions of dollars? These lawsuits are real.

4. If we litigate, we also take on the state DEC because New York State supports the mining of sand as a natural resource.

5. If we continue to litigate according to counsel, the mine would probably be completed before the decision was final and we'll get nothing. Where's the wisdom in that?

6. We will now have a DEC monitor on site, manifests of all materials coming into the site and the DEC regularly tests all incoming material.

7. We have shortened the time from 15 to 5 years including reclamation.

8. A 75% reduction in the already permitted solid waste facility.

9. The site improvements on State Road 25.

10. Everything gained in the judgment could and probably would be lost.

In closing, I would suggest that this foolhardy resolution will only net the town more headaches, more legal expenses, probably to the tune of hundreds of thousands of dollars, loss of control at the site, the loss of \$1.2 million dollars for the community, the mining operation to last 15 years, etc., etc., etc. I don't see the legal sense, the economic sense or the common sense. No."

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

Councilman Lull: "Yeah, it would have been nice, Ed, if you had said yes but we have a iron structure down on West Main Street that's rusting, probably is going to have to be taken down. We have appealed to every federal official that we have an in to, to please make some kind of forward motion with that post office. And guess what? It hasn't happened. And we don't have any- we don't have any access there because the federal government gives the post office complete power over that funding.

We had a wonderful plan to do Iron Pier several years ago and it was a marvelous plan and it was approved by all the environmental

groups. It was approved by residents, by the Town Board and who stood in the way? The DEC. For 10 years they stood in the way. What we finally did is drew up another plan, that plan which was certainly much less of an improvement of the total environment up there and much less creative. It did get approved by the DEC because the DEC has complete control over such beachfront applications.

Now we're talking about the possibility of putting the town in direct conflict with the DEC over the testing of materials coming into the Calverton land- this Calverton particular landfill. I don't- I don't see any problem, excuse me, there is no problem with Calverton Industries. Calverton Industries has no particular problem with us and they have made it very clear that they would be willing to have us do the testing. They don't have any problem with it.

The DEC has not as yet answered that question. But I will tell you that if the DEC follows the same patterns that they have followed at Iron Pier or at the post office they followed on West Main Street, they're going to say very simply the State government gives us total control over mining and you are not going to mess with it.

If that's the way it works, we are a lesser municipality, we are a lesser organization- municipal organization than the federal government, than the state government. We do not have the power to enforce or to force that to happen. There has been no misapprehension or misappropriation by the DEC here.

What we do and I am just going to quickly add to what Ed has said in a little bit maybe different tone. But I- but we do run the risk of a judgment approved by a judge- excuse me, a decision approved by a judge of trying to go back on that judgment and add an amendment to it which in every case that I have ever seen the judge would simply throw out the entire agreement and say now negotiate again. If you're not happy with what I have approved of, start again.

I have a neighbor who sold a house, didn't want to sell the house, turned around, said I'd like to cancel the sale. The person who bought the house said yeah, we'll sell it back to you- we'll sell it back to you for a profit. The judge said to her \$40,000- you're going to have to pay her \$40,000 more than she paid you. And she said no, I'm going to pay \$20,000. The judge said sorry, come back and see me when you're ready to deal with \$40,000 because that's my figure.

This is the judge's figure. And we don't back off of that. But this- the mining permit that Calverton Industries has, has a period of

15 years and that doesn't even include the reclamation period. This agreement shortens that period, including the reclamation period, to five years. The future planned solid waste management facility under the existing in perpetuity agreement was for 41 acres. This agreement as a municipal waste- solid waste management facility at 10 acres.

And, finally, the front portion of that property which is so awful and has been allowed to become so terrible, allowed to burn down and various other things happened to it, is going to be improved, improved by taking that building which is there and moving it, by increasing the size of the berm, by landscaping the front, by putting in new buildings. It is going to be-- the quality of that view along Route 25 is going to be improved substantially.

So I don't want to take a chance of going before a judge and saying that was nice of you to give us this but we'll take something else. Instead I don't want to jeopardize a cut in the term of mining by two-thirds and a cut in the- a reduction in the size of the recycling facility by three-quarters, and the improvements of the very important visual part of this property which is along Route 25. No."

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

Supervisor Kozakiewicz: "Maybe you don't want to have this on tape."

Councilman Densieski: "You've never done that before."

Supervisor Kozakiewicz: "Thank you. It's been an exciting night, that's for sure. Denise Civiletti's column last week, Sand in my Eyes, sticking your head in the sand, whatever you want to say brought point to- made a very good point. And I have to explain in my own words.

Eve, I'm sorry I didn't meet with you but quite frankly I'm not sure if I met with you whether it would have made a difference. Based upon comments you've made with respect to the Traditional Links case and based upon your use of the letter that was sent to Mr. Gaffney on behalf of our residents and on behalf of the standpoint that I stink. I think it would have been twisted out of context and it would have been a futile gesture. So while I'm sorry I didn't meet with you, I don't know if it would have been a productive meeting anyway.

Let me say why this happened. Well, let me tell you, this wasn't Bob Kozakiewicz and Bob Kozakiewicz along doing it. I was prepared to

just keep walking forth, keep it on my shoulders and say yeah, you know what? I'm the Supervisor. It falls on the Supervisor's shoulders. I'm the guy, I've got to take the brunt; I've got to take all the criticism; I've got to take all the commentary; I've got to take everything. But you know what? I'm not.

This was something that came to us because the judge was saying go back, take a look at this and make a decision. This was a long process, not long years but certainly a long process in the last couple of months before this thing came to a fruition, came to a head. And there were many discussions with the Town Board, the entire Town Board and, granted, I'm going to say granted that it didn't contain the one condition that Councilwoman Blass feels so strongly about. But I'll also tell you that this was a decision where we sat and we said either it's all for one or all for none. So let me make that clear. Because I'm sick and tired of being accused of being- that it's doing something illegal, improper or unlawful.

This was a decision that I didn't like to make. I don't like dealing with people who are flaunting the law. I do not like dealing with people who we have to continually fight with. It gets under my skin. It's a burr in my butt. Let me tell you that, I don't like to deal with people who continue to flaunt the law. But reality is reality. We were fighting this case. We were spending a great deal of taxpayer money. We were exposed in a federal court action and, believe me, a 1983 action whether you want to believe it or not, is nothing to fool around with.

The settlement got rid of that exposure to the town. The settlement resolved all the pending actions that are going against the town. Again, I want to stress that this was not something that I was enamored with, in love with. It was a decision that was based upon taking the whole picture, looking at it, and seeing what we're accomplishing, what we're realizing, and is it something that makes sense?

When I looked at it from that perspective, I came to a conclusion it did. You can disagree with that conclusion. You can disagree with my findings. You can disagree with the result. But taking the fact that we had three lawsuits. Taking the fact that we were spending tremendous amounts of money. Taking the fact that we had a federal lawsuit that exposed us to a great deal of potential monetary damages which would come out of taxpayer pocket. Taking the fact that it reduced the sand mining operation from a 15 year period down to five. Taking the fact that it reduced the Omni recycling proposal which had

already received an approval from the court, Judge Berler, that said that that permit, that special permit, was in perpetuity and reduced it to 10 acres in size, I thought that was a benefit.

Sure the money had some role to play because they should be penalized, they should be penalized for what they were doing. But that was not all that was involved. That was not something that was monumental in my decision. The fact that they're now obligated to undertake the site plan improvements along the road. Clean that junk up that's along the road, get it behind the berm was important to me because residents should not have to look at it.

Now we've heard a lot of discussions that this was something that we could have simply won. Well, since starting this court action, if this was such a slam dunk, why is it that with all the high powered attorneys and all the help that we were having, it wasn't until last year we got a stop work order. It wasn't slam dunk. There were certainly fundamental rights that were out there that were questionable. It wasn't black and white as some would surmise or suggest.

I truly take issue with individuals who try to paint me as some anti-environmental, I don't even know how to describe it. But, believe me, I love Riverhead. I've lived here all my life. Probably more than many of the people who are here tonight telling me about quality of life. I believe strongly in this town of Riverhead. I also believe that I'm here to do what's right for the taxpayers as a whole, the collective taxpayers. And when I looked at all the rationale, all the reasons and I'm probably missing some because I'm not a note taker, I don't like to read off of notes, I like to speak from the heart. I came to a conclusion this was the right decision.

Now we have a resolution that's in front of us that's suggesting that we go back to the court. We made a decision. We decided when forced with the decision, whether we're going to fight the New York State Attorney General's office from one side being funded by taxpayers, whether we were going to fight this from the town's standpoint, we said no. We didn't want to take the risk of what's going to happen. We sent our attorney in and this judgment was entered. We can't go back. It's done.

We have to, however, fight hard to make sure and we're getting a receptive audience from the applicant to do the testing. We still have leverage over them. They still have to come back and do things for the town. They still need to get site plan improvements. And we

will mandate that we get the testing that's necessary to ensure the environmental integrity of the site. But to one day say yes, we're in favor of it, and a less than a month later say, hey, you know what? We're not happy with it, we look silly. And I think the court will see that and say you're right. Now, you want to come back? Okay. Come back, you're going to get your- what you're asking for. I vote no."

Barbara Grattan: "Okay, that resolution is not adopted."

Councilwoman Blass: "Final comment for the record, Bob, that my communication to you about my dissatisfaction with the contents of that judgment if you will look at your e-mail and you look at your print, memo was prior to any press that came out, prior to any public- "

Supervisor Kozakiewicz: "I never said this was motivated by press. I never said this- "

Councilwoman Blass: "I was actually responding to Mr. Densieski's comment that this was in response to negative press that the issue received. If the record were to be- the record is accurate in that my communication was prior to any publication in any newspaper or any editorial. And, Bob, your e-mail will attest to that."

Supervisor Kozakiewicz: "And I will (inaudible) out the fact that I did receive an e-mail and I have never stated this was- "

Councilwoman Blass: "I didn't say that that was you."

Supervisor Kozakiewicz: "Okay."

Councilwoman Blass: "Again, it was in response to Mr. Densieski's comment. Thank you for that opportunity."

Supervisor Kozakiewicz: "Resolution 421."

Resolution #421

Councilman Densieski: "Appoints Valerie Marvin, Esq. as a hearing officer in the matter of a disciplinary proceeding against a town employee. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #422

Councilman Densieski: "Appointment of police officers, Edward J. Carey, Jr., Joseph F. Cavagnaro, and John A. Morris. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Lull: "There's 73 now actually, yes."

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

Supervisor Kozakiewicz: "Still less than what we need. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #423

Councilman Densieski: "A little discussion. Who is the liaison to this, Bob, I'm just curious."

Councilman Lull: "I think (inaudible) is."

Supervisor Kozakiewicz: "No, I've been-- Joey McClellan."

Councilman Densieski: "Okay, so I mean somebody has been involved with this?"

Supervisor Kozakiewicz: "Yes."

Councilman Densieski: "This is- the- "

Supervisor Kozakiewicz: "Yes."

Councilman Densieski: "Okay. Approves continued support to the East End Transportation Council's SEEDS project. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Comment."

Supervisor Kozakiewicz: "Yes."

Councilwoman Sanders: "In addition to Joey McClellan being the representative, we've also been attending the meetings almost on a monthly basis for the last-- "

Supervisor Kozakiewicz: "And I comment you for doing it."

Councilwoman Blass: "I would second that motion."

Supervisor Kozakiewicz: "Moved and seconded."

Councilwoman Sanders: "Been attending the meetings since at least August, I believe of last year. So- "

Councilman Densieski: "You have a better chance of me voting for the appeal than going to that."

Councilwoman Sanders: "Somebody's got to do it. Yes."

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

Councilwoman Blass: "And the meetings are actually interesting. You might want to try and sit in on one."

Councilman Densieski: "I'm sure you can handle it for us."

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

Supervisor Kozakiewicz: "Actually I went to one, it was on Shelter Island. I heard all these bad things about the meeting and it was very entertaining, a lot of discussion, and it was a lot of fun. It was quite to the contrary but I'm glad that my counterparts, I mean my colleagues to my right are doing it, and I vote yes."

Barbara Grattan: "That resolution is adopted."

Resolution #424

Barbara Grattan: "Resolution to pay bills, which is 424."

Councilman Lull: "So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. Bills are paid."

Resolution #425

Barbara Grattan: "Resolution 425, Riverhead Centre."

Councilman Densieski: "Authorizes the- "

Supervisor Kozakiewicz: "Tanger Outlet Center. You don't have Tanger?"

Barbara Grattan: "I have Cherry Creek."

Councilman Densieski: "I don't think I have Tanger either."

Supervisor Kozakiewicz: "Tanger Outlet is for the- right, it was discussed."

Councilman Densieski: "I remember it being discussed."

Supervisor Kozakiewicz: "For some reason it didn't get in the packet."

Councilman Densieski: "Okay, so- "

Councilwoman Sanders: "Go ahead, do you want me to- "

Councilman Densieski: "Let's run it."

Supervisor Kozakiewicz: "Why don't we that as 424. I already had marked mine 425, which would be the- go ahead, Rose."

Councilwoman Sanders: "Approves the application of Tanger Outlet Center. So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

Barbara Grattan: "Does anybody have a copy of that resolution?"

Supervisor Kozakiewicz: "Yeah, I'm going to hand you up- "

Councilwoman Sanders: "It's right here."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Councilwoman Blass: "It's for a tent sale."

Councilman Densieski: "What's the number for this Riverhead Center, Barbara?"

Supervisor Kozakiewicz: "Liz Clairborne. Their annual- "

Councilman Densieski: "What's the number of the- "

Councilwoman Sanders: "425."

Supervisor Kozakiewicz: "That was 425."

Councilman Lull: "The next one is #426."

Resolution #426

Councilman Densieski: "426 authorizes the Town Clerk to publish and post notice of public hearing Petition to amend approved special permit Riverhead Centre LLC. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Sorry. Just give me one moment."

Councilwoman Blass: "Comment. Is there time sensitivity on

this?"

Councilman Densieski: "Yes, there is."

Councilwoman Blass: "There is?"

Councilman Densieski: "That's why we pulled it off the floor."

Supervisor Kozakiewicz: "Yeah, yeah."

Councilwoman Blass: "Okay. It just would have been helpful to understand that."

Supervisor Kozakiewicz: "Yeah. This one just to read it, it's authorizing the publishing and posting of a public hearing which is regarding a petition to amend the approved special permit of Riverhead Centre LLC. There was a lot of discussion late in the day on this one. The question that really came up was whether we could call the public hearing, whether the code would allow us to do this. And I was very reluctant to push this forward but looking at the code and looking at the fact that we have two opportunities for the Planning Board to address this before we hold the public hearing, I agreed that it would make sense- there's time sensitivity with respect to leases that are already locked in, there are building issues and other things so it's- there is a tight time constraint on this one."

Councilwoman Blass: "And this action is just calling for the public- "

Supervisor Kozakiewicz: "Just calling for the public hearing. Right. Understanding that if the Planning Board doesn't act, it won't take place. And that was made clear to the applicant that we want their report."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "Yes. Thank you."

Barbara Grattan: "Resolution is adopted."

Resolution #427

Barbara Grattan: "Amends the site plan of Cherry Creek Golf."

Supervisor Kozakiewicz: "Now this one- it seems to me we talked about this one at work session, too. For some reason it didn't get- this is just to approve the elevations of the cart house."

Richard Hanley: "Yes. There was a resolution which approved the site plan in the year 2000 and- "

Supervisor Kozakiewicz: "Subject to."

Richard Hanley: "Subject to certain conditions, one being final elevations drawings for the parking area for the clubhouse and by elevation I mean the spot elevations, the actual topography."

Supervisor Kozakiewicz: "Right."

Richard Hanley: "As well as elevation drawings for the clubhouse itself and the cart maintenance building."

Supervisor Kozakiewicz: "Correct."

Richard Hanley: "So that's essentially what this does. We talked about it at the work session."

Supervisor Kozakiewicz: "Oh I know we discussed it Thursday."

Richard Hanley: "And it just didn't get in the packet for whatever reason. So that's- if you need copies, I have a couple copies here."

Supervisor Kozakiewicz: "Is there any discussion on this one before it's moved?"

Councilman Lull: "I'll move it."

Barbara Grattan: "Good, Lull. Councilman Lull, Resolution #427."

Councilman Lull: "I'll move it. Site plan."

Supervisor Kozakiewicz: "Is there a second? Is there a second?"

Councilwoman Sanders: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded. Discussion?"

Councilwoman Blass: "Just- I recall that the clause that says we're establishing a temporary clubhouse for a duration not to exceed six months."

Richard Hanley: "Yeah, that- "

Councilwoman Blass: "Where does that come from?"

Richard Hanley: "Yeah, that came to me from Leroy. Apparently they also expressed an interest in getting a temporary building which is the standard- "

Supervisor Kozakiewicz: "We talked about it- I don't think we talked about it in conjunction- we talked about it separately. If- I don't know if you remember, Leroy asked us to consider it similar to what was done with Great Rock."

Richard Hanley: "The charter school- oh, with Great Rock. Okay."

Supervisor Kozakiewicz: "With respect to the Great Rock proposal which seems to be not all that uncommon. The course up in Shoreham did the same thing as Tall Grass or Tall Tree, I can't remember which one it is. But they did the same thing. While the clubhouse was being constructed, they opened up a temporary facility so that they could get the rounds in subject to the clubhouse coming in so it seems to be something that's more commonplace with golf course that are being developed."

Richard Hanley: "I would think that when they make the application for this temporary building, that there would be a bond much like we talked about with the Charter School where once we get that amount, when the building department gets an application for this, he will get to the board that amount and we will get a resolution accepting the bond to ensure that that temporary building will be removed."

Supervisor Kozakiewicz: "Well, the discussions with Mr. Barnes, we did make it clear, I think, maybe we need some confirmation, a level of comfort that there will be a bond to ensure that."

Richard Hanley: "That's standard operating procedure with any temporary building or unit that we accept a bond from the applicant to ensure performance that they it will be removed."

Councilwoman Blass: "And is it customary that the building department be given the authority to locate where that temporary structure is? Isn't it part of a site plan that's normally relegated to either recommendation from the Planning Department or that- the Town Board."

Richard Hanley: "There have been a couple instances on both sides, Barbara, with that. I really can't comment any further than that."

Councilwoman Blass: "Okay. All right."

Councilwoman Sanders: "What is the period of time, Rick, if you know? Six months? But what six months? From when- "

Richard Hanley: "From the date of when they actually get the building permit application for the temporary building is a six month duration. So- "

Councilwoman Sanders: "And could there be an extension requested of this as well?"

Richard Hanley: "They could always ask that and if you recall, we've had a couple of those where the Board has said that's the last one we're going to entertain. This is the final one. I think we just did that recently."

Supervisor Kozakiewicz: "We did that on temporary signs but specifically on something like this, we'd want to also make it clear that we want the clubhouse application to go forward."

Richard Hanley: "We're sure that this particular applicant is going to be building a permanent building very quickly."

Supervisor Kozakiewicz: "Yeah."

Councilwoman Sanders: "Okay. That's it. Thank you."

Richard Hanley: "Yup."

Supervisor Kozakiewicz: "I think it was moved and seconded. Vote."

Barbara Grattan: "Yup, we're ready to call the vote."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Councilman Densieski: "Motion to adjourn."

Supervisor Kozakiewicz: "Second. Yes?"

Councilwoman Sanders: "Seconded."

Supervisor Kozakiewicz: "Third."

Councilman Densieski: "Good night everybody."

Councilwoman Sanders: "Good night."

Meeting adjourned: 11:22 p.m.

Barbara Hutton
Town Clerk