

Minutes of a regular Town Board meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, on Tuesday, June 4, 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 p.m. has arrived and at this time, I call the Town Board meeting to order.

The first thing, Mr. Tria, I'm going to ask if you would lead us in the Pledge of Allegiance. You don't have a hat on today so I'm not making you take your hat off."

(At this time, the Pledge of Allegiance was recited, led by Mr. Tria)

Supervisor Kozakiewicz: "Is there a motion to approve the Town Board minutes of May 22 and the Special Board meeting of May 30, 2002?"

Councilwoman Sanders: "So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Yes. Moved and seconded. Vote, please."

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



name on that)

Supervisor Kozakiewicz: "That's fair enough. Any Committee reports?"

Diane: "There were no Committee reports."

Supervisor Kozakiewicz: "Any Committee reports from the Town Board?"

Councilman Densieski: "Yes, sir. Mr. Supervisor, the Handicapped Committee is looking for two new members. Unfortunately, we're going to lose Gus Loporta who has been a big part of it. He's moving to another State. And George Richmond, who is under the weather. So we'd like to recruit some new members. You do not have to be handicapped to be on the Committee. It's a- we meet about once a month and take care of a lot of local issues concerning handicapped people. So if anybody has an interest, they can call Town Hall.

And, also, I'd just like to remind everybody that the 2<sup>nd</sup> Annual Riverfest and Boat Show will be held at the riverfront this Saturday from 9 to 5. If you have an interest in a new boat or you just want to come out and have fun, please come on down. That's it."

Supervisor Kozakiewicz: "Any other Committee reports?"

I did want to make a comment as a follow up to last Wednesday. We had a hearing which was discussed earlier, the scoping hearing on the generic environmental impact statement to move the master plan forward. There were comments made which basically involved that- the argument that we are ahead of ourselves which I'm not sure if that's the proper way to phrase it, that we don't really know what the final master plan is and, therefore, how can we provide comments for the generic environmental impact statement.

Hearing that, the Town Board agreed to keep the comment period for the generic environmental impact statement with regard to the scoping of that document, open until the day after Labor Day, which, off the top of my head, I think is September 3, 2002, with the understanding that within a month, the consultants on the master plan will be submitting all of the reports which will then go on the website so that we can get comment from all of the interested parties, the stakeholders to ensure that that GEIS is then scoped.

Also, I guess since we're- I see a lot of members from, I think,

probably to talk about softball. Is that correct? Okay. All right, maybe not. I was just presuming. If not, then we'll go to the first public hearing. Diane, would you read the affidavit of publishing and posting?"

Public Hearing opened: 7:07 p.m.

Diane: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York, on June 4, 2002, at 7:15 p.m. regarding Code, RE: the consideration of local law to amend Chapter 108 entitled Zoning of the Town Code. Article X - Business D District, Section 108-42-Uses."

Supervisor Kozakiewicz: "Yes. Specifically, this is a proposal to amend that particular Business Use District, Business D, so that it would provide for and allow for as a permitted use residential apartments not less than 800 square feet in size as a use within that District where they are presently now permitted."

Anybody who would like to comment either for or against the proposed change to that particular zoning text- text, that's Business D, please do so now. Raise your hand. Anybody want to comment on this particular change?

Okay, not seeing anybody indicate a desire to do so, the time being 7:08 p.m., declare the public hearing closed."

Public Hearing closed: 7:08 p.m.

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Supervisor Kozakiewicz: "We have a little bit of a hiatus between this and the next public hearing which is noticed for 7:20 p.m."

The Board has agreed or we've talked about and finally this will be the first meeting where we will be taking up a new procedure, and that is where public hearings are held and then we'll provide for comment with respect to resolutions and resolutions only, then the Town Board will take up the resolutions and then after that, when the resolutions are completed, we will take up open comment from anybody on any matter.

Is there anybody who would like to address the Board now on resolutions that are in the packet that are addressed for today? Any

questions or comments on resolutions? Resolutions only. Yes, Joan Griffin."

Joan Griffin: "Good evening. Joan Griffin, Baiting Hollow."

Supervisor Kozakiewicz: "I don't know if that's on. Can you see if it's- there's a switch on one side, Joan. Now it sounds like it's on."

Joan Griffin: "Okay, thank you. Joan Griffin, Baiting Hollow. I have a question on Resolution #608. It's- it says authorizes transfer of county owned property to the Town of Riverhead. Can you just tell us- "

Supervisor Kozakiewicz: "Yeah, we have a couple of these on. I'm just, off the top of my head, looking which- this one is-- 608 is two properties that we are looking to have transferred to us. The properties were taken by the County of Suffolk for nonpayment of taxes. There is a procedure whereby we can request that they be transferred to us pursuant to General Municipal Law which in this case is Section 72-H.

These two parcels are north of Lewis Street in Millbrook Gables. They are a quarter acre in size each and they are east of and adjacent to a Town of Riverhead parcel that we presently own. I know that we as part of an affordable housing project that's been brought to the town by Long Island Housing Partnership, in order to gain approval with the Suffolk County Department of Health Services, agreed to sterilize additional parcels in order to deal with wastewater flows. I don't know if these are those parcels. I wish I could say that this is, in fact, two of those parcels which were acquired for purposes of sterilization. But they're in the Millbrook Gables area. They are two parcels that are approximately, like I said, a quarter acre in size each and they are adjacent and on the north side- adjacent to land that the Town of Riverhead presently owns on the north side of Lewis Street."

Joan Griffin: "Thank you."

Councilman Lull: "And, Joan, over the next two weeks, there's going to be several more. I can't tell you which ones are going to come but some of them have to do with existing parking - I mean new parking area for downtown. Some of them have to do with access to property that we own that's landlocked. Some of them have to do with drainage. So they're a small properties from the County that we are

getting for different purposes."

Joan Griffin: "Okay. Thank you very much."

Supervisor Kozakiewicz: "You're welcome, Joan. Anybody else who would like to comment on Resolutions and Resolutions only? All right. Since we still have a few minutes before the next public hearing, anybody who would like to just comment on any subject matter that they want to bring to the Town Board's attention? I'm breaking the rule here but we have a few minutes before we can go to the next Town Board meeting. I'm not sure why we provided for such a gap. Anybody? Everybody's here to comment on public hearings? They're not here to talk about any other subject matter? Yes, hand in the back. Yeah, come on up. You've got to come up to the podium. And I'll ask you to state your name and address, please."

James Goodman: "James Goodman, 53 South Jamesport Avenue. I would like to find out the Town's position on access to the Center Street Beach in South Jamesport."

Supervisor Kozakiewicz: "Yeah. This I understand there's old rights that the Town has through a map that may have been laid out. Dawn, I'm not sure if you've been apprised of this from Deputy Town Attorney, Sean Walter?"

Dawn Thomas: "Yes, I spoke to Mr. Walter today. This is on- "

Supervisor Kozakiewicz: "And, I'm sorry. I didn't catch your name and address."

James Goodman: "James Goodman, 53 South Jamesport Avenue."

Supervisor Kozakiewicz: "Okay, okay."

Dawn Thomas: "There's an issue of beach access as we understand it. We are in the process of getting a formal report from our title people to determine what, if any, interest the Town may have in that property and it would be up to the Town Board at that point what position they want to take on it and how they'd like to handle it."

Supervisor Kozakiewicz: "Let me speak for the Board, having been familiar with this. Just a little bit. I think that the town obviously understands that this has been an access area that has been over time traditionally opened to the public. There are rights that need to be addressed and we would do so by discussions with the

property owners and if need be take action in court. I'm being very blunt. All right?"

James Goodman: "Is there a time frame that- "

Supervisor Kozakiewicz: "Well presently is there an access issue? Because I was out there a couple weeks ago and at that time I understood that there had been action taken by the Town Attorney's office by Sean Walter in particular directing Town departments to go out there and clear any debris that had blocked access."

James Goodman: "Well, as-- right now there is debris in the road on Center Street."

Supervisor Kozakiewicz: "Okay. This is south of the Front Street, I guess it would be at that part?"

James Goodman: "Yes."

Supervisor Kozakiewicz: "Okay."

James Goodman: "Just in general, there's confusion as to, you know, the property owner's rights as well, you know, as access rights."

Supervisor Kozakiewicz: "My understanding is you have different issues. The one issue is the ownership issue which from, you know, I don't want to say too much, but I understand the property owners who are on each side of that particular street may have deeded rights to the center line of the street which was not uncommon for older transactions where there was not a laid out subdivision. So many times their deeds would have included language that said together with any rights that they may or may not have to the center line of the street in front of the premises. So they may have some rights to that, but that doesn't address the other question, which is an access point or easement or any prescriptive rights that may have been gained over time. Okay?"

James Goodman: "Okay."

Supervisor Kozakiewicz: "Thank you. Mr. Saltini, do you wish to speak also? I see your card."

Ray Saltini: "Thank you, Mr. Supervisor Kozakiewicz. I'd just like to say that thank you for acknowledging that this has been an

important access into the beach area for many, many years.

The- since construction began east and west of Center Street, south of Front, there have been a number of incidences where local residents and visitors have sought to gain access to the beach and in many cases have been turned away, intimidated or harassed. We did meet about two weeks ago with the owners of both properties and we did- they did agree to remove any debris or construction materials that were blocking access. And they did do so.

They also agreed not to harass, intimidate or essentially say anything other than hi, how are you, to folks that were attempting to access the beach from that area.

We thought at that time that that was a step in the right direction. However, over Memorial Day weekend, we've had some reports that, in fact, folks were spoken to, intimidated, harassed. We have one grandmotherly woman who unfortunately cannot be here tonight and we're looking to actually document this instance, but she was told to please use South Jamesport Avenue and if she was- and she was also with her grandchild, and she was told that if she chose to return through the Center Street access, that she would be hosed down with a hose-- water. I mean, it's some pretty serious stuff.

So I want to establish that there are really three separate and very related issues. One, is access onto the water. Two, is the care and maintenance of Center- the Center Street paving south of Front Street. And, three, is harassment or intimidation that takes place for folks attempting to use the street or attempting to use the right of way.

We would expect that the Town Board would use every avenue available to it to confront this problem on all three counts and especially, you know, any kind of intimidation.

Now, I hope I can stand up in front of you, you know, a week or two or whenever from now and say, well, that didn't happen or that happened before, we got the timing wrong. I really don't think that's the case. I mean, you know, short of- in fact, the gentleman that just spoke, I believe had had some contact with the woman as well.

But the point is, we need to- we are here to alert you to this situation and it has the potential to really get out of hand. We've tried to do our due diligence and to defuse the situation there. We hope it worked but we have our doubts and we think as the season

progresses, it may get worse. And we're going to be calling upon and relying upon the Town Board to take aggressive action on our behalf."

Supervisor Kozakiewicz: "And, as you know, the Town has been in touch with an individual who I think the community knows who does title work- "

Ray Saltini: "Yes."

Supervisor Kozakiewicz: "And he has been providing assistance in that regard."

Ray Saltini: "Yes."

Supervisor Kozakiewicz: "And we're waiting for his report so that we know legally what grounds the Town has. Of course, this is not the forum to discuss that."

Ray Saltini: "No. Certainly not."

Supervisor Kozakiewicz: "Okay."

Ray Saltini: "Um- "

Dawn Thomas: "And also- "

Ray Saltini: "I just want to be clear that it's more than-- at this point, more than just a property dispute we feel, and it has the potential to be a very unfortunate scenario. Thank you."

Supervisor Kozakiewicz: "Thank you."

Councilwoman Sanders: "Did you want to say something?"

Dawn Thomas: "Well, I just wanted to mention to Mr. Saltini, I just wanted to make sure that you don't- you maintain your own civic rights with respect to this and just be clear that there may be different rights that the Town has than the civic or certain individuals in the association- in the Civic Association have. It may be that we wind up doing something jointly. It may be that you have separate rights that you need to enforce. I caution you to be aware of those and to not, you know, rely strictly on the Town Board to maintain whatever rights you may have which we aren't aware of at this point."

Supervisor Kozakiewicz: "I think put another way there may be private property issue rights that are- that go to the private property owners and there might be Town rights which, I think, is the point. So there might be- "

Dawn Thomas: "And also- "

Supervisor Kozakiewicz: "They may combine, they may be able to work- we may be able to work together, there may be separate and distinct issues as well."

Ray Saltini: "Well, we'll be looking for an opportunity to work together."

Supervisor Kozakiewicz: "Okay."

Ray Saltini: "Thank you."

Supervisor Kozakiewicz: "Thank you. All right. I'm going to- should I cheat? It's 7:20?"

Councilman Densieski: "Talk slowly."

Supervisor Kozakiewicz: "Talk slowly. Talk quickly. All right. Because I don't think we need to bring up any more speakers at this point. As a matter of fact, I lost my Agenda, so let me find that. All right. At this point, time being 7:20 p.m., Diane, if you would call the next public reading, the affidavits of publishing and posting with respect to a proposed local law which is rather lengthy in size and deals with quite a few sections of the code. And I'm going to ask before any speakers come up, that Planning Director Rick Hanley express a little bit the origination of the proposed local law. With that said."

Public Hearing opened: 7:20 p.m.

Diane: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on June 4, 2002, at 7:20 p.m. regarding the considered proposed local law to amend sections of Chapter 10 entitled Zoning, of the Town Code. Section 108-31.1, Section 108-38, Section 108-41.1, Section 108-44.1, Section 108-47.1, Section 108-50.1."

Supervisor Kozakiewicz: "Thank you, Diane. Mr. Hanley?"

Rick Hanley: "Yes, Rick Hanley, Planning Director. All of these sections of the code deal with default judgments for site plan within individual zoning use districts. Essentially these sections state that the Town Board must act within 60 days on the recommendation of the site plan from the Zoning Officer of the Town of Riverhead. These are archaic sections of the code since we do not have a Zoning Officer any longer that I'm aware of and that all sites plans are reviewed through the Planning Department.

So, rather than get into litigation with respect to default judgments, meaning that if the Zoning Officer who doesn't exist, does not send these site plans to the Town Board and they don't act within a timely fashion within 60 days, there have been a number of cases where we've been sued for a default judgment. So we're striking those from the ordinance."

Supervisor Kozakiewicz: "And I have one question. Is there any section at the State level which would- that we would come in conflict with? I know there's certain provisions at the State level that require action by a certain time."

Rick Hanley: "No. There is no- "

Supervisor Kozakiewicz: "Okay."

Rick Hanley: "-- default judgment in the State code."

Supervisor Kozakiewicz: "Okay. Thank you."

Rick Hanley: "Yes."

Supervisor Kozakiewicz: "Is there anybody who would like to be heard with respect to the proposed changes as outlined by Mr. Hanley which involve the removal or deletion of provisions that are presently in the zoning ordinance that deal with site plan and more specifically deal with the question of a default based upon the Town Board's failure to act? I knew sooner or later if I talked too long, I would get somebody. Mr. Danowski."

Peter Danowski: "Pete Danowski. I do think there's a purpose served by having a default provision and I would only suggest that removing the archaic provision with regard to the Zoning Administrator's time but there should be some sort of triggering time period where there's a reasonable time period the Town Board would consider and after that time period, there would be a default.

Because if you don't have that provision, an applicant could be here, SEQRA could be completed, and you could just fail to vote for years. So I think you should consider some reasonable time period for a default."

Supervisor Kozakiewicz: "Is there anyone else who would like to address the Board with respect to this change to the Chapter 108 zoning ordinance? Hand in the back- Steve Haizlip."

Councilman Densieski: "Hey, Pete, the way you put it, if I wasn't going to vote for it, I'm going to now."

Steve Haizlip: "Steve Haizlip of Calverton. You know, while Rick was reading that, I was wondering, it's slow enough now to get something done and now if you take the- eliminate the 60 days, it can drag on and drag on. So I'm in support of what Mr. Danowski said here, putting a mechanism in there so there is a time lapse and you won't drag it on and on and on."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board either for or against the proposed change to Chapter 108? All right. Not seeing anybody raise their hands, declare the public hearing closed and for some unknown reason, the next time being 7:25 p.m. and the next public hearing is not until 7:35 p.m."

Public Hearing closed: 7:25 p.m.

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Supervisor Kozakiewicz: "So, once again, is there anybody who would like to first and foremost address resolutions that are pending before the Board, resolutions that are on tonight's agenda. All right. I'm going to go to another card- yes, Steve Haizlip. Go ahead."

Steve Haizlip: "Steve Haizlip of Calverton. Here it is. On Resolution 614, why did we go to work and just put in the local chapter about removing rubbish and debris and we don't give no address or name of the place, and it goes on entitled trash and rubbish. Maybe it's in the full resolution but in these caption titles, there's nothing there and you just don't have time to sit out there and read the hundred something resolutions in its entirety. So there ought to be a little hint in here, you know, what it's all about."

Councilwoman Blass: "Mr. Haizlip, it is- "

Steve Haizlip: "Like, for example, there's a resolution in here ratifies (inaudible). But you don't give any hint what it's about and why. You know, I bought this up a number of times and it just don't seem to fly."

Supervisor Kozakiewicz: "Thank you."

Steve Haizlip: "Oh, okay."

Supervisor Kozakiewicz: "You know, anything else?"

Steve Haizlip: "My comment- "

Supervisor Kozakiewicz: "No, no, I think that- "

Councilman Lull: "Steve- "

Supervisor Kozakiewicz: "Do you want to know the locations of those resolutions?"

Councilman Lull: "Steve, let me give you an answer on your second comment because we frequently are put in the position to make such stipulations of settlements with employees or with contractors, whatever it might be. And it is our attorney or our if not our town attorney our legal consultant which indicates to us what can and should be said publicly about them. Sometimes you just can't know, Steve. It's not fair to anybody else."

Steve Haizlip: "Well, you take this- "

Supervisor Kozakiewicz: "On those that deal with the rubbish though, there is no reason why we can't put in parenthesis an address at the very least and your point is well taken. The resolutions do, in fact, identify owner, tax map number and address of the parcel and set forth other information as well. So it's clearly there."

Also, those resolutions require the publication of a notice which also contains the same information in detail. So it's there. It's just not in the agenda sheet. But your point is one is well taken. I think that probably today there was maybe a little bit of a time sensitivity and that may have been why some of the stuff didn't get on today. But your point is well taken and we'll take it up."

Steve Haizlip: "All right."

Supervisor Kozakiewicz: "All right? Anybody else who would like to address the Board on resolutions? If not, I have another card, James Rogers, is this one that's other than the public hearing tonight? James Rogers. Okay. Brendon Bates, did you want to speak at the public hearing or was it something separate and distinct, Mr. Bates? Do you still wish to comment? Okay. So I'm going to put your card aside. Is that all right? Okay. I also have an Angela DeVito. Same thing? It was- yes, okay."

Angela DeVito: "My name is Angela DeVito and I reside at 127 Green Street in South Jamesport and I came here this evening to join with my neighbors regarding their concern about access to the beach at the end of Center Street. And as a resident of Suffolk County since 1951, one of the things that is most cherished is the right to access beaches regardless of your status in the community, where your house is, at the end of public roads.

Having grown up in the Town of Brookhaven, this is something that was strictly enforced. I grew up in a community that had a public beach- a private beach association. But where the public road ran down to the beach, there had to be strict public access to that and it would seem that the maintenance of the road south of Front Street would have clearly established this right of access. Okay? It may not be the entire width of the road at this particular time but not that it's no access whatsoever.

So I'm just here to voice my concern over perhaps the loss of this access and this becoming a practice elsewhere in the Town of Riverhead, not just in this one instance. It is something that is pointed to and utilized to deny people access in future times, is something that holding onto our rights is something that is very, very important to me.

So I thank the council for their comments on the actions that they're going to be taking as well as my neighbors for their comments and just wanted to submit my two cents. Thank you."

Supervisor Kozakiewicz: "Thank you. Rolph Kestling."

Rolph Kestling: "Rolph Kestling, Wading River. We're starting a new summer season, a bathing season and I would ask one thing of the Town Board or the Town, would you please enforce the codes as far as the parking and the beach goes down on Hulse Landing Road? Sunday, I

just happened to walk down to the beach, there were eight cars there, two of them had stickers, the other six none. I mean, now it doesn't matter. When you go down the road a little further, right before the beach and the ramp, there were four cars parked there when I went down. None of them had stickers and right alongside the signs that say no parking. They were parked there and the people were down on the beach.

Now, the State park charges \$7.00 now to park. When it's busy on Saturdays and Sundays how many cars do you think we are going to have down in those parking lots? Last year, I mean every time I walked down, a lot of cars didn't have stickers on. Do you think we can get a chance that the police department enforces the laws- the codes this time?"

Supervisor Kozakiewicz: "I'll pass your message along to the new chief. I know that he's very vigorous and wants to do this as was the past- it's something that we will pass along to him. Certainly."

Rolph Kestling: "Just a little further. The construction there was shoddy, we all know that, down on- "

Supervisor Kozakiewicz: "I'm not sure we all agree with that, but go ahead."

Rolph Kestling: "It was shoddy. The concrete on the apron where you start down, that's cracked. The sidewalk where the wheelchairs should go down, that's all cracked. Some of the corners are cracked. Someone is going to hurt themselves. So I'm taking this opportunity to notify the Town Board of these conditions and if anybody falls and the town's going to say we didn't know about this, why, go ahead and sue, because I'll be right there- "

Supervisor Kozakiewicz: "That's a good attitude. Thank you. Thank you, Mr. Kestling."

Rolph Kestling: "That's the way it's going to be if you don't want to do it, please. Next thing, will you please inform the Town Attorney when she addresses anyone that is speaking here at the lectern, to speak into the microphone? You know, quite a few of us at my- at our age, HOH, you know, can't hear a word. Speak into the microphone. That's what it's there for."

Dawn Thomas: "If you say please."

Rolph Kestling: "Please. Thank you."

Supervisor Kozakiewicz: "Thank you. I have a Virginia Lammers who also wanted to comment on the Center Street issue."

Virginia Lammers: "Good evening. I'm Virginia Lammers. I live at 108 Green Street, South Jamesport. And I'm concerned about a few issues. They're all tied into- I'm concerned about several issues- several issues having to do with the beaches of South Jamesport.

The first one is the Center Street situation. When I moved to the area, I was told that the entrance of all the beaches of this road in South Jamesport were town accessed the width of the road, and I guess I'm concerned now because I'm hearing we may just get a little path on Center Street now where all the other roads do have the width of the road, Green, Point, South Jamesport, and west. So that is one of my big concerns.

And also I was one of the people harassed by Mr. Schultz (phonetic). I asked him to move his debris from the right of way and he at that point- and I continued to walk down to the beach. When I was down below the mean high tide mark, he yelled down that he was going to call the cops on me because I was on his property. So, I was not very happy about that because I was already on public land at that point.

My other concern is the mean tide mark. I think from what's happening we are going to have that established down there and marked because as it looks out now people are moving in. I understand there are also five lots that have been surveyed down on the west side of South Jamesport Avenue, south of Front Street. I don't know what's going to happen there because my main concern is the piping- well, they were marked, the property line marks at one point down there. Some of them have been removed but they were, they had stakes going down, property line, property line. They were like five supposedly lots marked out.

And one of my main concerns is the piping plover down there. They've been coming back for many years. We've been watching them. Two years ago or maybe even three years ago I contacted the DEC because I was very concerned. There were chicks running on the beach with parents and there was no type of markings or anything. The DEC was kind enough to come down and they marked it all off and now the last two years it has been marked off and right now we have four

chicks. Two years ago, South Jamesport beach was the only place on the entire north fork where the chicks fledged which means they flew off. So that is how endangered they are.

And I guess at this point I'd like to thank you for your consideration. Will there be a public hearing on this matter? I'm not sure how it works."

Supervisor Kozakiewicz: "There wouldn't be a public hearing, no."

Virginia Lammers: "What's the next step, I guess, is what I want to know."

Supervisor Kozakiewicz: "Well, the next step would be to get that information back as far as what the title question is. Now, you said you were told that there was a full width of a road laid down there. Was that by a title company?"

Virginia Lammers: "And I looked-- no, no, no."

Supervisor Kozakiewicz: "Okay."

Virginia Lammers: "It wasn't a title company. It wasn't, but when I was looking- "

Supervisor Kozakiewicz: "The reason is if you have some information that might be handy to us."

Virginia Lammers: "I guess residents told me this and also realtors told me this. So, that's what they're telling people. Now whether it's true or not, I don't know. But that's what I was told."

Supervisor Kozakiewicz: "Okay."

Virginia Lammers: "And if you look at the other beaches, all the other roads down there do have the width of the road is the access to the beach, so that was just what I was told. No, a title company did not tell me this."

Supervisor Kozakiewicz: "Okay."

Virginia Lammers: "I didn't go that far. I guess I took their word for it instead of looking into it further."

Supervisor Kozakiewicz: "Okay."

Virginia Lammers: "Okay. But it is a concern. So then how do we find out about the-- what happens with the title- "

Supervisor Kozakiewicz: "Well, I think procedurally we need to get that information and then we will have further discussions with the property owners to inform them of what our rights are and to negotiate a resolution of it. And, if not, as I say, it will require what I think probably I'm guess here, some kind of a declaratory judgment from a court which would tell us what our rights are as a municipality with respect to that Center Street.

Again, that's a different issue than you may have vis-a-vis pedestrian access or access as residents in the neighborhood to access the beach. There are different issues here, different legal causes of action, and different legal rights."

Virginia Lammers: "When I first moved there, there was a sign down there, there's a dead end sign anyway. I have- I brought some pictures, I don't know if you want to see them. Maybe you don't have time. But this is- I've taken a picture of the property and how they have- how he has marked it off. This is the end of- the date is here, it's the end of February, and he had a dumpster there at one point and I- "

Supervisor Kozakiewicz: "Are these photographs you have copies of? If they are, you can submit them- "

Virginia Lammers: "I can leave these with you."

Supervisor Kozakiewicz: "-- with us."

Virginia Lammers: "Okay, I'll submit them to you."

Supervisor Kozakiewicz: "Okay. We'll make them part of the record."

Virginia Lammers: "Okay. And so I was told though that they were allowing him to put the dumpster down there for the time being because he didn't have room otherwise or something to that effect. I had called Dawn Thomas' office and a court officer got back to me. Okay, so thank you very much for your time and consideration."

Supervisor Kozakiewicz: "You're welcome."

Virginia Lammers: "Oh, the only other thing I wanted to say is please extend the moratorium on building and also we'd like to see- "

Supervisor Kozakiewicz: "We'll be getting to public comment on that pretty soon."

Virginia Lammers: "Okay, Key Span property preserved also. Thank you."

Supervisor Kozakiewicz: "Thank you. Do you want to leave those pictures, Mrs. Lammers? All right. Then, at this point, the time having arrived, I'm going to go to the next public hearing. Thank you. Time being 7:40 p.m., Diane, would you read the affidavit of publishing and posting for the public hearing which was noticed for 7:30 p.m.?"

Public Hearing opened: 7:40 p.m.

Diane: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on June 4, 2002, at 7:35 p.m. regarding the consideration of a local law to repeal and replace Article XXVI entitled "Site Plan Review" of the Town Code."

Supervisor Kozakiewicz: "Thank you. Rick, do you want to also comment on this? This sort of goes hand in hand with the site plan issue."

Rick Hanley: "Yes, it does. We're repealing and replacing the site plan ordinance which is 108-128. It's the starting section. It's part of the zoning ordinance of the town. It was first adopted in 1987 and most of what we're doing here is housekeeping type language changes.

Probably the most significant part of this is we are removing a default judgment section from this code as well and we are also providing for a limit on the site plan fee. Presently we charge a total of \$250 for an application plus a nickel a square foot of disturbed earth without any cap or maximum amount which I think results in site plan fees or could result in site plan fees that are excessive. So we are proposing a cap of \$15,000 for a maximum site plan review fee."

Supervisor Kozakiewicz: "I think maybe we ought to explain that a little because there are some people out there or some people who

may watch this say why wouldn't the town want to charge as much as they can- "

Rick Hanley: "Sure."

Supervisor Kozakiewicz: "-- to extract a fee from someone who is coming to the Town of Riverhead to build something."

Rick Hanley: "Right."

Supervisor Kozakiewicz: "And I think the reason we are talking about a cap is because there's a certain amount of time which is the rationale for why a fee is imposed that's got to be commensurate or somewhat proportion to or connected to the actual work that's actually being performed."

Rick Hanley: "Right, in terms of- "

Supervisor Kozakiewicz: "And that's the idea here."

Rick Hanley: "Precisely. In terms of the staff review, the professional engineers that the town employs for site plan review, I believe that traditionally there should be a nexus between what's paid for the review fee and what the actual costs to the community are for the review. If those fees are excessive of what it costs the community, I think it turns into a tax so that's the reason why we believe to have- we need this cap."

Supervisor Kozakiewicz: "Thank you."

Rick Hanley: "Okay."

Supervisor Kozakiewicz: "Anybody who wishes to comment either for or against the proposed change to Article XXVI entitled "Site Plan Review" Chapter 108 Zoning Ordinance? Nobody? Anybody? Is there a hand in the back wishes to address us on site plan, Chapter 10- that's Joe, okay. I can't see that far. That being the case, the time being 7:43 p.m., declare the public hearing closed and we'll go to the next one."

Public Hearing closed: 7:43 p.m.

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Public Hearing opened: 7:43 p.m.

Supervisor Kozakiewicz: "The time still being 7:43 p.m., read the affidavit of publishing please for this one, Diane."

Diane: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on June 4, 2002, at 7:40 p.m. regarding the consideration of the Comprehensive Development Plan by Cameron Engineering and submitted by Calverton Camelot LLP in support of the subdivision petition of Calverton Camelot upon property located at Swan Pond Road, Calverton."

Supervisor Kozakiewicz: "This one is a real unique hearing. It's the- I guess the first of its kind in the Town of Riverhead."

Under the Planned Industrial Park District text in the former Grumman property, we have this procedure which provides for two applications if you will or two simultaneous applications which require the Town Board on its half to take up what is called a comprehensive development plan, the idea being that at the time the zoning was enacted, it was unclear whether the entire industrial parcel or the developable portion thereof would be in one particular person's hands and, therefore, the idea was that we could get individual developers coming in with site plan- I mean subdivision approvals, but not a comprehensive plan showing the entire industrial area within the Grumman property.

In this case, the two are one and the same for the most part with the exception of one lot that's been sold to- involving plant 7, the building that has the tower. The applicant is here and I'm going to turn it over to him to explain a little about what their comprehensive development plan shows, some of the relief they are asking this Town Board to consider as part of this petition, and then open it up to questions of the general public.

Jim, are you ready?

Rick is there anything that you can add to with respect to- while Jim is doing that, so that we can deal with this?"

Rick Hanley: "Yes, I think you explained the process very well, Bob. Just for the sake of the audience. There is a subdivision petition that has been made to the Riverhead Planning Board for division of approximately 500 acres of real property. I think the total number of lots is something in the order of 31. It's a

combination of both- 37, I'm corrected by the applicant, he would know, and there are a combination of individual lots around existing buildings. There are lots that are created, five acres or more, and there are also blocks that will be further subdivided in the future. So the entire 470 acres or 500 acres of the applicant's property is presently being reviewed by the Planning Board for subdivision. At the same time, we're looking at the CDP."

Supervisor Kozakiewicz: "Since there's the simultaneous applications going on, i.e., that, going on- the subdivision application before the Planning Board and the comprehensive development plan that's here today before the Town Board, I would assume there's some logistical issues maybe or at least there's some reports or comments that we may be looking to receive from the Planning Board as part of the simultaneous process. Is that fair?"

Rick Hanley: "Yeah, that's fair. The CDP narrative that was submitted with this map goes into certain details with respect to road design, roadway layout, and I would ask you to consider keeping this hearing open to allow the Planning Board to go through the detailed engineering of the roadways so that we can give you an intelligent response with respect to the CDP, since the Riverhead Planning Board under the special permit ordinance must issue you a report. So if you could maintain an open hearing for written comments for 30 days, I think we can deliver that to you."

Supervisor Kozakiewicz: "Thank you. With that said, Jim Callahan. Jim O'Callahan."

Jim O'Callahan: "Good evening, Mr. Supervisor and members of the Town Board. Thank you for this opportunity to speak before you regarding the application before you for- "

Supervisor Kozakiewicz: "Jim, I'm also going to ask you to, once again, state your name and who you are here representing. I should have done that right at the outset. I should have made that comment."

Jim O'Callahan: "Pardon me. My name is Jim O'Callahan. I'm with Cameron Engineering & Associates. Our offices are at #3 (inaudible) Way in Syosset and I represent the applicant MGBC Properties, who have- who purchased this land from the Town back in October and got approval for a minor subdivision at which point the entire 3,000 acre site was divided into one lot which represents most of the site. The lot up in the corner of this property, the lot here

which is lot #3, and this lot, lot #4, basically with the (inaudible) road separates lots 3 and 4.

The color plan before you represents if you will the core area of the Calverton site. North above the- the north is- top of the drawing, Middle Country Road or Route 25, is to the north. This is Grumman Blvd. This is the existing spine road that we call it, that goes out to the gate on 25. This is an old gate that was in use. It will be reopened. This for reference is the existing gate into the site.

The red represents the boundary of the property which is as described about 501 acres. Most of it is in the planned industrial park district. There's a small portion in here that extends across the planned recreational park district which was done to satisfy the zoning requirements for frontage on Grumman Blvd.

The- if you can see, the tan buildings are the existing buildings on the property. They comprise about 900,000 square feet. The yellow buildings represent conceptual site plans for each of the lots and blocks that show approximately 2.1 million square feet of new construction.

The cross hatched areas in here are wooded areas. The existing pavements are shown in two colors. The existing pavement is a light gray and it's off site as well as on the road system. This is existing pavement. Most of this is existing pavement. The darker gray represents proposed new parking both for the conceptual sites and for the internal road system. Very little new roads but I'll point them out to the Board, this road here which is a cul de sac. This cul de sac here. I think on Thursday I indicated that this was a new road but, in fact, this is over an existing taxiway on the site, so this will not be a new construction. And then most of the- this road exists out to here to the tie down taxiway area and this is new road to the end of this cul de sac.

We also show on here easements that depict the water mains and sewer mains and the tie down taxiway area is depicted with the gray cross hatched area here.

Now, the zoning requires that for the first step in a major subdivision in the planned industrial park district that in addition to a normal sketch plan, that a comprehensive plan be prepared, and that's what you see before you. Normally, to explain the difference, normally the first step in a major subdivision is simply a sketch plan

that basically- it's a black and white picture that shows the proposed road system within the subdivision and lot configurations.

Because the code required a comprehensive assessment of what potential development would mean, this plan was prepared. And it covers some additional land that's not within- that's not in the subdivision plan. This lot here, for example, is not part of the subdivision but it is part of the uses on the property that will generate water, generate wastewater, generate traffic and use the same access points as everything else on the site. So it was included.

In addition, this piece in here if you recall is the piece that was retained by the Navy until they mitigated the-- that property. We show its future potential and include it in the plan.

In addition to this map you see before you, the CDP application includes the report that was submitted with the drawings, a supplemental environmental assessment which I'll talk about, and a traffic impact study. As you can see by the size of these documents, there was a considerable effort put forward in this effort.

As Rick mentioned, we are proposing 34 lots and three blocks. The blocks here and here and here were left larger because the potential for a buyer and a land user has not been defined yet. And these blocks can be further subdivided in the future if necessary or if there is a buyer that wants a piece of property this large, he can buy the block as it is and develop it.

The proposed development as I mentioned totals approximately 3.17 million square feet of total buildings. Roughly the existing buildings that are there get doubled in size and then a little bit more. Three hundred thousand square feet of offices, 2.4 million square feet of industrial use, and approximately 450,000 square feet of aviation related uses.

The zoning allows an FAR of 0.15."

Supervisor Kozakiewicz: "I'm going to stop you there. Just so that those who are out in the audience who may not understand. FAR is- "

Jim O'Callahan: "Floor Area Ratio ."

Supervisor Kozakiewicz: "Okay, good."

Jim O'Callahan: "Thank you. I will do that from time to time. I apologize."

Supervisor Kozakiewicz: "And I'll interrupt you from time to time then. And I apologize."

Jim O'Callahan: "Perfectly okay. Our proposed square footage comes to an FAR of 0.145 so we are below the maximum that the zoning allows. There are a number of constraints on the development of the site. And I'll mention just briefly. There are freshwater wetlands, there are tiger salamander habitats, there is the boundary for the Peconic River Scenic Corridor known as the WSR line, there is a tie down and taxiway area that we share an easement with the Town of Riverhead. There are easements for facilities that are used by the both the Riverhead Water District and the Calverton Sewer District. And there are large areas of existing pavement which go toward an issue I'll talk about in a few minutes.

Also, these buildings were built without, you know, by the Navy and by Grumman, without ever anticipating that they would be subdivided and so the setbacks for the buildings don't- were never built into the design process. In about a handful of cases, the buildings are closer to property lines or closer to roadways than the current zoning allows.

In addition, the site has been extensively cleared and so in order to develop what we're asking for, we are seeking for some modest relief from some of the regulations. And I would point out that the zoning district rules when written created some district-wide regulations such as the .15 regulation, and created individual lot restrictions. And what we're suggesting is that it may be more appropriate if some of those individual lot constrictions are applied on a district-wide basis. It achieves the same objective and yet provides a more effective way of developing the site.

For example, in about a handful of cases, we're asking for the FAR to be allowed to exceed the current regulations. It would still overall be less than the district-wide regulation of 0.15. In some cases because of large existing sections of pavement, for example here and here and up in here, when you put a building on the site and you put the parking- the building footprint and the new parking and the existing pavements, it would mean that the lot exceeds the lot regulation of no more than 50% (inaudible). We're suggesting that it be looked at from a district-wide point of view because according to this plan, only 46% of the site will be in (inaudible).

I should also point out at this time that all of the new pavement will be drained with on site drainage pools. Right now the site drains almost exclusively to McKay Lake and it is our intent to reduce the flow from McKay Lake because there's an overflow pipe from McKay Lake to Peconic River. This acts as a surge chamber and in light rainfalls all of the water simply percolates through McKay Lake. It does not go to the Peconic River. But by capturing new impervious surface with onsite drainage pools, we actually believe that eventually because some of these grass areas will be paved and percolate into the ground directly below the site, that there will actually be less flow into McKay Lake.

There is no regulation right now in the (inaudible) district hangars or air related uses. We are suggesting the Board consider allowing us to have a maximum building height of 50 feet for hangars. I should point out that the regulations right now allow 35 feet for a one story industrial building and 50 feet for offices.

I also want to point out that this building here, this is plant 6 and this is plant 7, if I have the numbers right- these two buildings have hangars that are 55 feet high right now.

We're also suggesting that you allow us to use nine foot wide parking spaces instead of 10 foot wide because nine foot is an adequate width and most of these spaces are a low turnover use. A worker comes to the building, typically parks in the morning, leaves in the afternoon, perhaps goes out to lunch, but it's not as high a turnover ratio for example as a shopping center. And nine foot is a common width on Long Island for this kind of a use. It would also allow more green space to be created and reduce the amount of drainage we have to deal with.

We're also asking that- the code right now says that no more than 25% of your parking can be in a front yard. In some cases that makes some of the lot use impractical and we're asking for some relief along those lines as well.

In addition, the regulations say that for a corner lot and I'll take this one as an example, a corner lot right now has to have two front yards. And we're suggesting that as they do in some municipalities on a corner lot, only one of the frontages is required to meet the front yard setback and then on the other street frontage, this is considered a side yard. And then there's one rear yard and two side yards depending on the configuration of the lot.

We're also asking that the Board, as I mentioned before, recognize the fact that there are pre-existing buildings that cannot meet the standard for building setbacks. There are a handful of them and I'll point one out to you, the "Kamco" site which is right here on the property, and you can't see it from where you sit, but there is a rear yard setback line and a front yard setback line and these buildings encroach slightly into those setbacks. And I think there's about four, five lots that have that situation. And we'd like that relief as well.

And, finally, as I mentioned, the site is extensively cleared and we're suggesting that the wooded areas configurations allow for inefficient development of the lots and we're suggesting that we be allowed to clear and re-vegetate. So whatever areas we clear on a square foot per square foot basis, be re-vegetated with native species to a standard that the Town would set and, again, within the PIP (phonetic) there's an overall requirement of no more than 65% that can be cleared and we're suggesting that we may be allowed to have some of that shifting-- clearing of re-vegetation go over lot lines, again, respecting the-- again, that's a district-wide regulation we'd like to have it applied on a district-wide basis.

In terms of the environmental impacts that we looked at in this document here and also in the traffic study, in all cases our impacts are less than the proposed reuse plan that was developed for the environmental impact statement back in 1997. In every case whether it's water use, generated sewer flow, peak hour traffic volumes, this use is less intensive than the use plan that was anticipated to be developed.

I'll try to be brief because I know I've taken up some time. I'll be finished in about one more minute. This plan also assumes that there will be a shift in cooperation with the New York State DEC of the WSRR (phonetic) boundary. There has been so many discussion and the State supports the effort. We also know that the Calverton Sewer District will be expanded to accommodate all of the buildings on the property. And right now the sewer plant that's here will be used until it reaches capacity and, hopefully, by then the new plant which will be up in here approximately will have been constructed.

The groundwater divide the parts of the site like that and the new plant will be on the north side of the groundwater divide, discharge into groundwater and eventually that flow would be into the Long Island Sound as opposed to the Peconic River and Peconic Bay.

And the site is now served by public water from the Riverhead Water District although the site is outside the district. And, again, we've made application to have the district expanded to include this site.

The objective of this exercise is to develop a major subdivision that will attract private investment, increase the town tax base, provide new jobs, and maintain the existing character of the environment.

And with that, my presentation is done. I'm here for any questions you might have and thank you for this opportunity."

Supervisor Kozakiewicz: "Thank you. Anybody who would like to address the Board with respect to the comprehensive development plan that's been quite elaborately and I think adequately discussed? Any questions? Anybody who would like to comment? Yes, hand in the middle. Come on up. Please state your name and address for the record."

Patricia Hollins: "Yes. Patricia Hollins, Sound Shore Road, Riverhead. The gentleman started his presentation by saying one of the constraints on this property were freshwater wetlands. He didn't mention it again. I'm hoping that when he's asking for consideration of some sort of easements in his site plans, that he's not asking to be able to encroach on the freshwater wetlands."

Supervisor Kozakiewicz: "No. Actually, one of the things that he-- maybe didn't tie it in clear enough, is that part of the movement of the Wild Scenic Rivers Recreation line does involve the wetlands that are on the property and has been put in by the town and that is designed to respect those wetlands on the property. So they're, in fact, one and the same that, in fact, they're not looking to encroach. They're looking for a shift of the Wild Scenic Rivers setback, I mean the current line to be changed so that it does envelop or take in those current wetlands on the site."

Patricia Hollins: "Thank you for the clarification."

Supervisor Kozakiewicz: "You're welcome. Anybody else who would like to address- yes, hand- Steve Haizlip."

Steve Haizlip: "Steve Haizlip of Calverton. I don't want to put anyone in a particular spot, but if I remember correctly, that street is now Grumman Blvd. not Swan Pond Road, unless it's been

changed back. And I think that's important to have the correct street address.

As far as what the gentleman explained, all these comprehensive, doing this, doing that, that's over my head. I'm leaving that up to the experts."

Supervisor Kozakiewicz: "Thank you. Anybody else, because I had a couple of cards. I'm not sure if those speakers are here and whether they wanted to comment specifically on this hearing. It says Calverton Camelot. It says James Rogers. And for the record, state your name and address."

James Rogers: "My name is Jim Rogers, 103 Carleton Avenue, East Islip, New York."

Supervisor Kozakiewicz: "Thank you."

James Rogers: "Good evening, Mr. Supervisor, Members of the Board. I'm here as a representative of District Council #9 which represents painters, drywell finishers, glaziers, paper hangers, structural steel painters. We represent roughly 12,000 members. I'm also a delegate to the Nassau-Suffolk building trades which has roughly 60,000 members in Nassau and Suffolk County. I'm also executive board member of the Long Island Federation of Laborers which has roughly 200,000 members in Nassau and Suffolk County.

As you could see from the turnout here, a lot of our members have shown up tonight. They have a big concern on the construction of this project being the size that it is. The gentleman before me was mentioning it was three million square feet of construction. Our big concern is are they going to use contractors that undermine our area standard wage. The developer Calverton Camelot properties and Burman properties have done construction projects in the past where the contractors that they used under- they did undermine our area standard wage which hurts our membership. We've got a lot of hardworking members that are here tonight. They've got to feed their families, pay their taxes, make their mortgage payments, college payments. And it took us a long time to establish these wages. We don't need contractors developing this property that are going to undermine what we've established already.

You know, we're here because we have a big concern on who is going to do the construction on this property, these properties, and I don't know if they can answer who it would be that would be doing it,

if they would be using the Nassau-Suffolk building trades. I direct the question to them and we just want to let the Board know we have a big concern on what this project is going to be."

Supervisor Kozakiewicz: "Well, I'll leave that up to them to answer. I would expect that this is part of a subdivision process as has been noted before, and many of the properties will be sold to third parties who will then be doing the construction as opposed to the individual who's submitted the application to us. Is that a fair comment? Okay. So the individual who is actually making the application or the entity that's making the application in this case-- I guess the point I'm trying to make, it may not be and it's likely not to be the same person or people or entities that will do the ultimate buildout.

Saying that, I- you've pointed out, there is a lot of potential work out there for members of your union and others. With that in mind, I would think that there would be support for this to go forward. Is that fair to say as well?"

James Rogers: "If this was done with the members of the Nassau-Suffolk building trades, we'd be in total support but the track record in the past projects that are going on right now and ones that have been done in the past, they haven't used the Nassau-Suffolk building trades."

(Inaudible remark from the audience)

Supervisor Kozakiewicz: "Hold- wait a minute, wait a minute. You're going to have to get up and respond and Jan, what I will do is I will call- I'll allow you an opportunity to respond so we can get it on the record. Okay?"

And I think we're maybe getting a little afield for the purpose of today's hearing which was the other point I wanted to make. Because I do want to keep this to the purpose for which it is and that is for the public to comment on the idea of whether this comprehensive development plan makes sense in accordance with the zoning regulations that are in place as pointed out by Mr. O'Callahan earlier which are the planned industrial park or the PIP zoning regulations.

I've, you know, I want to be respectful but I also want to point out that the purpose for the meeting is- the hearing I want to say is for that purpose and I'm going to give Mr. Burman a chance to respond because he indicated a desire to do so. So, unless there's anything

else that you want to comment on, Mr. Rogers, I'll ask him to come up at this point."

James Rogers: "That's pretty much- "

Supervisor Kozakiewicz: "Okay. Thank you."

Jim O'Callahan: "If I can respond. Again, as you pointed out, that's really not relevant to what we're talking about tonight. But Mr. Burman has told me that in the recent history, the last year or two, his firm has developed two large assisted living facilities with a total construction cost of more than \$7 million dollars- "

(Inaudible from the audience)

Supervisor Kozakiewicz: "You can do that, I don't care if you take the mike. You've just got to identify your name and address."

Jan Burman: "My name is Jan Burman."

Supervisor Kozakiewicz: "All right. That's all."

Jan Burman: "MGBC Properties."

Supervisor Kozakiewicz: "Thanks."

Jan Burman: "We did build a- the (inaudible) Nursing Home last year. We spent \$40 million dollars. It was a union job. We did build the (inaudible) last year with you all. We spent \$27 million dollars. It was a union job. We did build a nursing home in Poughkeepsie last year for \$26 million dollars. It was a union job. So it's not as though we don't use union labor. We spent 100 million dollars last year and Jack knows it, he's here, with union labor."

But that being said, this is a job where we're probably not going to be doing most of the development. There are going to be third parties that are coming in, that are buying the sites that are creating jobs that want to own their own home. So it's really separate and apart. But you should also know that it's not as though we shun the unions. Where we can, we use the unions. There are certain circumstances where we can't. But it's not as though we're a non-union operation. We're not."

Supervisor Kozakiewicz: "Thank you for that clarification. And with that, Jack, I'll let you come up and respond because you were

mentioned. And, again, I don't want to be he said, she said, but, go ahead."

John M. Kennedy: "Part of the application or the justification for the application- "

Supervisor Kozakiewicz: "Oh, I'm sorry. Yes. I forgot to ask you your name."

John M. Kennedy: "John M. Kennedy."

Supervisor Kozakiewicz: "And you represent, John- Jack?"

John M. Kennedy: "I'm the President, Secretary, Treasurer of the Nassau-Suffolk Building Trades."

Supervisor Kozakiewicz: "Thank you."

John M. Kennedy: "And part of the application- "

Supervisor Kozakiewicz: "I'm getting excited here, I forgot- I'm forgetting to get names and addresses and then later I'm going to get chastised by the Clerk, who was that who spoke? Go ahead. I'm sorry to interrupt."

John M. Kennedy: "As part of the application or the presentation was there was mention about it would provide jobs and the previous speaker mentioned about protecting our area standards. It's not uncommon to develop a zone which was done right by MacArthur Airport where there were covenants or language that said anything that was in that area would at least pay the prevailing rate. And that's established by the State.

Mr. Burman did mention about a number of jobs that he did build with the Nassau-Suffolk Building Trades. I think we have two jobs going on right now that are totally non-union. Okay. One. Okay. So you're not totally (inaudible). All right? Which we would love you to be and we want you to be."

(Unidentified from the audience - inaudible)

Supervisor Kozakiewicz: "Jack- hello, gentlemen. If you want to do that, I'll say go outside."

John M. Kennedy: "A couple other questions being that I'm up

here. What about the roads? Who owns the roads? Will the builder or the developer own the roads?"

Supervisor Kozakiewicz: "The proposal as I understand it involves an offer of dedication to the Spine Road. There is- the concept proposed private roadways which will be maintained by a roadway association within the CDP thereafter."

John M. Kennedy: "What about the sewage plant?"

Supervisor Kozakiewicz: "The sewage plant, there's- the Town presently has an easement to the current sewage treatment plant which will be Town operated. We have enacted or provided for a separate and distinct sewer district from the Riverhead Sewer District, namely the Calverton Sewer District. We've established a boundary and the idea is that the current sewer district location will be ultimately a pump station for an advanced wastewater treatment facility as they call the sewage plants now, which will be located on the northeasterly corner or towards the northeasterly corner of the property so that we're north of the groundwater divide and, therefore, not having any of the effluent going into the Peconic Estuary. So it's going to be town."

John M. Kennedy: "Okay. So it's- "

Supervisor Kozakiewicz: "It's going to be a town district."

John M. Kennedy: "It will come under the public works- "

Supervisor Kozakiewicz: "That's correct. That's correct."

John M. Kennedy: "Okay. So we know at least we're going to be dealing with - "

Supervisor Kozakiewicz: "As far as water district, as far as sewer district, they will be municipal."

John M. Kennedy: "And again, my office would be glad to if there's some kind of covenant that could be written into the sale, we'd be- "

Supervisor Kozakiewicz: "I think I'd like to further that conversation because you talk about Islip- was that Town of Islip property that had the covenant or was it private property within a zone that had the covenants?"

John M. Kennedy: "It was the Town of Islip part of it, and part of it was private, too. It was- "

Supervisor Kozakiewicz: "Well, we'll further that discussion."

John M. Kennedy: "It was a foreign trade zone that was developed- "

Supervisor Kozakiewicz: "All right. Thank you. Anybody else who would like to address the Board either for or against the CDP as proposed? Mr. ~~Burman~~, I do have one question for you which was a comment made by Mr. Hanley earlier. Is there any objection to us keeping this particular hearing open for written comment only- not keeping it held over, not adjourning it over for further oral comment, but solely for the purpose of receiving comment back from the Planning Board with respect to issues that are going on simultaneously? Is there any objection from the applicant in that regard, understanding the Planning Board process- okay, good. Thank you. Hand in the back. The lady. Yes. Your name and address, please. There you go."

Virginia Lammers: "Virginia Lammers, 108 Green Street, S. Jamesport. You've got a couple applications that I'm not familiar with this plan, but the groundwater runoff, I heard something about groundwater runoff and it may not go so much to the Peconic Bay, but it might go into Long Island Sound, if I understood correctly. And also the spotted salamander now that they're going to go in and take some of the trees down in different areas, is that in the area where the spotted salamander is residing. I- question- environmental type of question."

Supervisor Kozakiewicz: "(inaudible)that question earlier. Maybe Jim can point out again, the issue first with the salamander locations. The wetlands and the tiger salamander site that's within the property conveyed, Jim, can you point out that area?"

Jim O'Callahan: "There are two ponds on the site that are identified as a tiger salamander habitat, this pond right here and this small pond right here. This line represents the area within a thousand feet- within a thousand feet of those ponds."

Supervisor Kozakiewicz: "Just so if people didn't hear that. He identified on that area that he pointed previously, two wetland areas where tiger salamanders have been located by the DEC and then he pointed out a line which I'm not sure if all of you can see-- we can see, I'm not so sure how well the audience can see it, that shows a

1,000 foot setback from the wetlands area, not the water itself, but the wetlands that- go ahead, Jim, describe that 1,000 foot setback."

Jim O'Callahan: "The thousand foot line runs from the perimeter of the pond to this dash line on the plan. The state regulations allow 50% of that area to be disturbed because most tiger salamanders don't go beyond 500 feet from their habitat."

In conjunction with the DEC and the Town Planning Department, the new WSR line which now runs this way to the property will come up to the north, wrap around the site, exclude this already developed piece of the property here, exclude this here and include all of these wooded areas. That will provide in the eyes of the DEC far stronger protection for the tiger salamander than they have right now in the current regulation."

Councilman Densieski: "Jim, roughly, how many acres are you talking about right there?"

Jim O'Callahan: "Roughly, 50 acres."

Councilwoman Blass: "And what percentage of that did you include when you allowed (inaudible) your area calculation? The actual- what did you- did you include any of that wetland area as unbuildable?"

Jim O'Callahan: "No. We included it in the denominator of the equation but we're not building- we're not proposing to build anything in that area."

Councilwoman Blass: "Right. But when you indicate that your actual floor area ratio is well below the required .15, you are including areas that couldn't have been built upon anyway, is my point."

Jim O'Callahan: "That's correct. (Inaudible). And in terms of the groundwater to the Long Island Sound, (inaudible). As you mentioned, Mr. Supervisor, the new advanced treatment plant will be up in this area. The existing plant will be converted to a pump station and the sewage flow pumped up to that site and this is now treated secondarily, the second stage of treatment. The new plant will have three stages of treatment and then leaching into the ground and eventually over time and through the soil below the site will also help purify wastewater. This will eventually go into the Long Island Sound which is a larger body of water and not as sensitive as the

Peconic Bay.

Still, we know traceable wastewater in the Sound (inaudible)."

Councilman Lull: "Jim, you- I'd just like to make something very clear so everybody who asked that question or was thinking in terms of that question, just draw the line across that property to show where the divide is between south groundwater flow and north groundwater flow."

Jim O'Callahan: "My arm represents approximately the groundwater flow and the new (inaudible)."

Councilwoman Blass: "I just have a couple comments for you or questions for Mr. O'Callahan, if I can. There are- you indicated that there are several areas of relief as you are requesting in this application and I'm just trying to understand, would it be a fair statement to say that the restrictions with the surface limitations and the clearing limits and the FAR that we talked about, would it be a fair statement to say that in some instances you are using the site as the whole site but in other instances where you're asking for relief, you're using the individual lot as being the site?"

Jim O'Callahan: "That's correct. We believe that the (inaudible) lot regulations will be justified on (inaudible) and in several cases, the FAR can only be on a lot by lot basis. But certainly the impervious surface, although it's written right now on a lot by lot basis, if makes a little bit more sense to have that treated as an overall site regulation."

Councilwoman Blass: "I had another question with respect to the existing situation and we talked about it very briefly and I won't go into it in detail. But with respect to the existing sewer requirements that the Town Code currently calls for, I indicated that I probably would not be supportive of a major subdivision until those violations or until the tenants on the site are in compliance with what is required."

Jim O'Callahan: "I think- you and I spoke about that issue I think last Thursday."

Councilwoman Blass: "Yes, we did."

Jim O'Callahan: "The following day we were in contact with your Sewer District consultant who was in contact with a representative of

the Sewer District and (inaudible) to leave some paperwork (inaudible) but I'll- and we're in the process of notifying each of those tenants that they should comply (inaudible). So that's well under way."

Councilwoman Blass: "That's great. I very much appreciate that. And one final comment. I was on the Planning Board when we were dealing with the minor subdivision and I recall some very strong comments from the Council- or I should say the Consulting Engineer to the Planning Board at that time- certain conditions that must be considered at the major subdivision stage so I am very appreciative of the fact that the Supervisor has left the hearing open because I'd be very interested to hear the Council, again, the Consulting Engineer to the Planning Board- I'd be interested in hearing his comments relative to this major subdivision proposal. I appreciate that."

Jim O'Callahan: "Thank you. We met a number of times with the consultant and with the Planning staff, both in Town Hall here and at the site, and I think you'll find that we've come up with a number of creative solutions to some problems that reflect the character of the site and also respect the goals and objections of the (inaudible)."

Councilwoman Blass: "Just a point of procedure, Mr. Supervisor. I know in previous- in consideration of subdivisions anyway, when we have situations that require DEC approval for one reason or another, it was always the policy of the Planning Board at the time to get that approval before approvals were given for a subdivision. I was just wondering what kind of conditional situation would this in terms of- "

Supervisor Kozakiewicz: "Are the (inaudible)?"

Councilwoman Blass: "No. I'm more speaking to the DEC- to the WSSR application. Would this be subject to the resolution of that issue by the DEC or would an approval be- "

Supervisor Kozakiewicz: "The plan that's shown to us is, I think, envisioning a change to the WSSR (inaudible). I think that procedurally, it would- and we'll have to talk about this amongst ourselves. I don't think this is the place to talk about that issue. But I think we've got to talk about this and work through it. I'm not sure of the answer. Whether it's subject to that approval or whether we wait until the approval issues from the DEC first, I think we have the option."

Jim O'Callahan: "If I may provide some light on that issue. If the line is relocated as proposed, we will not need any DEC permits to

develop the site. If the line is late in getting done, the process has been slow, (inaudible), I would suggest that this can be approved subject to the- that line being moved (inaudible)."

Supervisor Kozakiewicz: "Anybody else who would like to address the Board either for or against the proposed CDP plan as presented? Anybody? If not, I declare this hearing for purposes of oral comment closed and we will keep it open for one month for written comment from the Planning Board or from anybody else who wishes to submit written commentary to the Town Board. I don't have that date right off the top of my head- was that July 2? Does anybody have a calendar or is it- July 4<sup>th</sup> we'll be closed. July 4<sup>th</sup>? So we'll make it July 5 since the Board- it's a holiday. So it's close of business July 5<sup>th</sup> for written comment. Okay."

Councilman Densieski: (Inaudible)

Supervisor Kozakiewicz: "For written comment. We're not going- we've going to have to give comment and this is going to go hand in hand with the Planning Board's approval of the subdivision anyway. All right. Thank you."

Jim O'Callahan: "Thank you."

Supervisor Kozakiewicz: "Let the record reflect that the time of 8:30 has arrived and I declare the public hearing closed."

Public Hearing closed: 8:30 p.m.

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Public Hearing opened: 8:31 p.m.

Supervisor Kozakiewicz: "And at this time, I'd like to read the affidavits of publishing and posting for- we'll take a moment, let everybody exit. Just waiting for the people to vacate- take a stretch, 7<sup>th</sup> inning stretch. Do a 7<sup>th</sup> inning stretch."

All right. Are we- we'll keep on rolling here so we can keep this meeting going. Diane, you ready? Let the record reflect actually the time is now 8:31 and if I could, I'd like to call open the last public hearing which is- why don't you read the affidavits of publishing and posting, please?"

Diane: "I have affidavits of publishing and posting for a

public hearing to be held at Riverhead Town Hall, Riverhead, New York on June 4, 2002 at 7:45 p.m. regarding the consideration of the adoption of a Local Law entitled Moratorium on Residential Development."

Supervisor Kozakiewicz: "I'm not sure if this one needs any prelude. This is a proposed resolution- I mean a proposed local law which is looking to repeal and replace the current Chapter 109 which is the prior moratorium that was enacted by the Board in December of 2001.

As pointed out in the language, this moratorium is a moratorium which is not a building moratorium. It's (inaudible) on page three and simply states that applicants for development who have obtained valid building permits are excluded from the moratorium, likewise applicants for development who have received final conditional approval for residential land subdivision, residential site plan, or residential special permit are also not included within this particular moratorium.

This is, I guess, the technical phrase for it is a planning moratorium. The planning moratorium is for a period of time of 12 months or one year and it's identified also in the language that the idea is to continue the moratorium in order to protect the status quo while the Town Board undertakes and completes the task associated with the master plan or comprehensive plan that's been underway.

There are some other changes with respect to this- the proposed local law. We are indicating the same at page 4, Section 109-002 that these provisions will not only supersede the relevant provisions of the Town Code, the Town Law, but also those spelled out in New York State Department of Conservation Law and the NYCRR Part 617 also known as the State Environmental Quality Review Act.

At this point now, it's a one year moratorium designed to expire 12 months from its adoption date in order to provide the Town the time which we anticipate to be needed in order to complete the comprehensive plan.

Anybody who would like to address the Board either for or against? Sid Bail."

Sid Bail: "Good evening. There's a line in a country/western song which I'm not going to sing but the line goes something like this: There's a light at the end of the tunnel but, Lord, I hope it

ain't a train. In regards to the update of the comprehensive master plan, I don't think it is a train. I think there is a true light, there is true progress. Like six months ago, when we were gathered in this room to discuss the necessity for a moratorium, the reason why the duration of six months was chosen, I don't think people had the expectation that everything would be completed within six months. I know with our experience in Wading River, it took two six month moratoriums to complete the hamlet study.

So, I'm here obviously to support the moratorium that is being proposed. I think the duration is appropriate. I think- not to talk about the legal ramifications, there is a tremendous moral responsibility of holding people up and I think there's a tremendous obligation on the part of the town, everyone who's involved and all the stakeholders to see that this process is completed in a timely, timely fashion and in the best of all possible worlds, it could be completed in less than a year and if it could be completed in less than a year, I would recommend that there be some provision in the ordinance where it could be terminated at that time.

The exemptions, the exclusions which again the law requires and are, I think, appropriate and I think they've been refined from the first moratorium so I'm here to support it and it's not in the interest of Wading River, the moratorium is going to have very little effect directly on Wading River obviously, but it's going to have a tremendous effect on Riverhead, the township and east end. Everyone is looking, everyone is watching. And so this is our last chance to get it right. So we enthusiastically support it."

Supervisor Kozakiewicz: "Anybody else who would like to comment? Steve Haizlip."

Steve Haizlip: "Steve Haizlip of Calverton. Are you going to leave the 70/30 closed in this here new moratorium extension? You know, Mr. Stark got away with that and he's building 30 homes or trailers and leaving 70 acres open and 82 of them, man, I figured it out, that's going to be way under 300 acres."

Supervisor Kozakiewicz: "The answer is there is discussion of the 70% rule but there's also an increase lot size or reduced yield. In other words, the yield is contemplated on a two acre yield."

Steve Haizlip: "Oh, okay."

Supervisor Kozakiewicz: "Anybody else who would like to address

the Board with respect to the proposed local law? Ray Saltini."

Ray Saltini: "Thank you. I'll be very brief. The Jamesport Civic Association is (inaudible) support of the moratorium as it is currently proposed and feels that Sid Bail spoke quite eloquently on the subject and we urge you to pass this without any delay. We think it's the right thing to do for all (inaudible)."

Supervisor Kozakiewicz: "Thank you. I saw a hand in the back, oh, yes, Faye Anderson."

Faye Anderson: "Faye Anderson, Middle Road, Riverhead. I have a line from a song, too, of Johnny Cash's. Before you accuse, criticize and (inaudible), walk a mile in my shoes. This town appears to be in a self-destruct mode. Panic over two acre zoning changes and the moratorium has put a house on every nook, (inaudible), and cranny and new for sale signs up. The moratorium shortens available land and has jacked up prices just as the fuel shortage created or not created did.

Economically a farmer cannot purchase land for farming. Prices are too high and he doesn't know the outcome of the zoning changes. There is only one thing farmers want. Leave them alone and let them farm. And they will so long as they are able. They retire from farming for many reasons: age, health, economics of farming, labor shortages, tired of being hassled by government agencies, long hours, labor intensive, nature dependent and sometimes shallow returns.

Some of this building is happening on land that was no longer farmed. Some open parcels have no access to water. If you cluster and leave 70% for farming, what is the tax picture? I'm going to come back to this question. And how is it used and who owns the 70%? What happens if the well goes down? It just cost us \$8,989 to repair. We did not put in a new well, this is to repair a well that we put in back in 1970 sometime on a 25 acre parcel of land.

One of the questions that's never been addressed I went to the scoping hearing the other day but where do you plan on getting the future farmers from? The new kid on the block isn't going to buy a tractor. And for farm families who have had their property rights taken from them, the future generations aren't going to continue to farm and risk the same consequences. These families stayed with the land, there is no income tax deduction on the purchase of land. They paid high interest rates years ago and families who have farmed for generations have paid hundreds of thousands and millions in estate

taxes to keep this land in farming through the generations.

It makes me angry to hear government officials claim they are preserving agricultural land. If you want to preserve it, buy it at fair value not zone it or mandate it. You should be passing a resolution praising those farmers who have (inaudible) agriculture here and those from other towns who have through the years come to Riverhead to continue their farming operations.

Now we have several families in town who have done that. We also have some young farmers in town who are continuing the farming operation.

I've sat through many Town Board meetings and I see many people stand here and tell you things like I don't want helicopters flying; I don't want (inaudible) for birds; I don't want irrigation motors running at night; I don't want the race track; I don't want planes flying; I don't want a crusher; I don't want a chipper; I don't want all these homes. These people say this is entrenching on my quality of life. I spent \$250,000 or \$300,000 on my home and I don't want to lose equity on my home. Landowners and farmers feel the same way. We don't want to lose equity of our land. This is our IRA, insurance policy, retirement fund, etc.

I see these same people stand here and say we want two acre zone. What about the \$250,000, \$300,000 and maybe a million or so on the side, the farmers spent to keep their land? We want our values preserved also.

The quality of life- this is my definition of quality of life, is one's own perception of what life should be like. Mr. A wants to mow his lawn Sunday morning, 6:00, so he can (inaudible). And Mr. B wants to go partying until 3:00 in the morning and sleep until 10:00 and he lives next door. And this is an example of a quality of life and we have a conflict.

Those who already own homes on one acre have had values increase and will continue to increase while two acres of land will probably decrease- I don't know, I'm getting figures of around 30% in value from real estate people, if you go through with two acre zoning. Values of west end homes have increased and in cases doubled. So this is not going to stop the influx. It will cost them more but this town already tried to stop the influx by recreation fees, transfer tax, etc. It didn't work, and this won't work either.

Sooner or later we will (inaudible) affordable housing somewhere and Southampton just approved their affordable housing on the racetrack proposal or whatever. I don't know if it's approved but anyway they were talking about going through with it. And that brings it down to a quarter acre. Meanwhile you will hurt the farm families now. Clustering is a (inaudible) disaster. If I pay for two acres, I want two acres. If you take two acres and you plant trees around two acres, you can plant trees on one acre of land on the perimeter, give you some privacy. You'll do much good maybe even more environmentally than (inaudible). And clustering is only a (inaudible). You can't guarantee a farmer on that land.

I have yet to hear anyone address where these future farmers will come from 20 years down the road. I have yet to hear any goals in Riverhead as to how many acres this town feels should be preserved in farmland. (Inaudible) purchase of development rights. Clustering, agriculture in bits and pieces could be a disaster since all phases of agriculture are not compatible (inaudible) chemicals.

Riverhead town (inaudible) less than 2,000 acres according to (inaudible) and that's moratorium in approximately 30 years, that's up to 1996. This is- I don't feel it's (inaudible), but this is nowhere near what's the projection for 13, 14 years ago when we went through this whole zoning issue. Nowhere near.

And I'd like to go back to the tax. This as an example, if you took a 100 acre farm and for round figures say it sold for \$30,000 an acre, at \$3,000,000, you're going to put 70% of it as farmland and develop the rest, I want to know how- who pays for what- how the taxes run on that, who owns that 70% of the property and as an example, if the well went down, who owns it? Who's going to farm it? How are you going to work it out? I mean does the 30% with the homeowners, do they pay the taxes on the full thing if they own two acres? Or does the farmer have to pay the tax on the 70% and is he taxed in full on that or what's the story with it? Anybody have any answers? Anybody thought about it?"

Supervisor Kozakiewicz: "Well, I think what was envisioned, to answer the question and I'm probably wrong in saying this, but this is an easement that would be on the 70% area so that the development rights would be taken from. So, therefore, it would seem to me that the real estate taxes would be reduced accordingly. The question of who would own it, I don't think this particular moratorium or the master plan addresses that in any particular case. It would be a case by case basis as I understand the way it's envisioned so that it could

turned over, that the residual agricultural rights on that area if, in fact, this is the way it goes, would be turned over to the grower or farmer and your question is well put. Where do you- these new farmers from. Unless you meet a certain threshold of land so that it continues to work.

We've talked about it certainly when we went down to Washington as you know, there was a certain fail safe that was identified as the numbers and we all, I think everybody's been out here for a while, that we've seen the farmers (inaudible), we've seen some of their family members whether it's brothers and sisters or daughters and sons, leave the industry. I don't think it's done yet. I think and another thing you added is that there are some new family members, younger family members who still want to continue the tradition and I hope they do. And I agree that the way to keep the farmer farming is to probably just leave them the heck alone and let them to their own thing."

Faye Anderson: "I would think it would be much wiser to identify approximately how many acres you think you or somebody would be feasible for the town (inaudible) instead of 70 and 30% in houses and whatever and approach the farmers. Because I do believe some of these farmers would sell the development rights if they were offered their value.

And here's another question I have for you. How is this moratorium going to affect the appraisals on development rights? If I wanted to sell the development rights now here we have this moratorium. How would this property appraise?"

Supervisor Kozakiewicz: "I could only talk about what I've seen in the last six months with the current moratorium and, in fact, the property values seem to be increasing in the numbers that we were receiving back in the appraisal process, keep going up. So I don't think from what I've seen there's been a correlation between the moratorium and those numbers that are starting to show up in the appraisal process with respect to the purchase of development rights and the agricultural rights.

What this would do for the future, I can't address. I can only say what I've seen for the last six months."

Faye Anderson: "Okay. But if you continue this moratorium for another year and you shorten the amount of available buildable land, it's going to send prices up. Anybody who has a small lot anywhere

can get almost what they want for it if somebody wants to build a house on it. Because the land is not available. So in that respect, yes, it's going to drive up the prices if you're going to talk about appraisals in relation to development rights or whatever. Some of these farmers are- you know, it's not going to be the same, you know, because you're not taking a block of 50 acres already, you know, it takes money to subdivide it, etc. So that's an accountable factor, but I definitely think it has to affect them in some way or another. It's definitely affecting the prices. And it's also going to affect the price of the people who own homes now who maybe paid \$150,000, \$175,000 for that home. That home is now, you know, say several years ago. Some of these homes are up to \$300,000. Because somebody is going to buy a house on one acre of land before they're going to buy, spend the money on two acres of land to build a house on it. You're making the whole picture totally unaffordable not only for that person but if a farmer wants to buy a piece of property, for get it. There's no way farmers can buy farmland."

Supervisor Kozakiewicz: "Well, they can buy it if the development rights were stripped."

Faye Anderson: "The farmer might buy a piece if he knew he could sell the development rights on it. But this is another problem because if he put the money into it and then you're turned down for the development rights purchase, you know, it could be- the farmer wants to buy a piece of property, subdivide it into say four parcels or whatever, figuring they're going to develop four parcels and then sell the development rights on the rest of it, you know, if something like that would go through but it makes it hard if you don't know what's going to happen with it. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board- Mr. Danowski."

Peter Danowski: "Faye has actually taken away some of my comments. On the appraisal question, why did you use the word actually? I'm sure you expected that. You're right. I stand corrected. You know, I've always criticized the appraisal process both as to speed and the numbers that the appraisals come up with over the years. I've always felt they haven't been real and that's the reason this town hasn't been able to protect and certainly the county has failed over the years in acquiring agricultural land."

Now we're at a time when appraisals are being sought. Farmers are willing to listen to purchase offers and I'm afraid just as Faye

mentioned that we need- this Town Board when it considers this moratorium, to make sure it instructs its appraisers that the Town of Riverhead currently has and their appraisal shall consider one acre zoning and whatever other zoning there may be throughout the town in reaching an appraisal number. The fear I have is the suggestion of this moratorium may lead appraisers to suggest or think that the appraisal should be based on the future possibility of two acre zoning in the town which will mean less of a price to the farmer who wants to sell. So I have the same concern that Faye did mention. And all I suggest is when you do consider the moratorium, also consider your conversations with your own appraisers.

When I read through the language, and I always have a little difficulty reviewing some of the terminology. I think you meant to exclude at the top of page six paragraph B, and this- you can pick it up after tonight, but it talks about a transfer of density paragraph where a receiving area would attach some extra yield from a sending area thereby enabling a 40,000 square foot map to be produced because they purchased over rights. But then it follows with a sentence that talks about an 80,000 square foot yield. I think someone forgot to drop that sentence so it makes no sense in the paragraph.

I get a little confused when you talk about master plan and upzoning and GEIS and scoping hearings and where we are in the process as well. It's bothersome when I see you had a six month moratorium, you are suggesting 12 but your language on the 12 month (inaudible), still contains that same language that talks about the possibility of extending it further. To give some confidence in the town and the people who have to deal with the moratorium issue, I think you should just cut it off and say if you're going to pass a moratorium, this is it. If as Sid Bail said you can't get it done in 18 months, then call it a day. And I say 18 months for a rezoning if you're going to rezone. Because to suggest let's keep it going 12 months and have a paragraph that says it may go further, is, again, cause for concern.

There was also a question about terminology such as a comprehensive plan update. Has that update been completed for the entire town? Is that terminology correct that it has been completed? Does anyone know?"

Councilwoman Blass: "Draft documents have been received that geographically cover the entire town as well as by topic if you will. So all of the elements have been addressed and the entire town has been reviewed if you will. But they are still in draft format."

Peter Danowski: "Okay. And I only look for it not to debate it as much as you have a reference in the exemption criteria. It references the comprehensive plan update. So I just want to know when anyone goes to the Town Clerk's office and they say okay, here are the exemption criteria, here is the update for any piece of property in the Town of Riverhead and they can see they meet the exemption criteria or not. And if you are telling me there is a final document entitled Comprehensive Plan Update on record with the Town Clerk, that's not an issue or a problem with me as long as I can find it and see what it says.

And I think lastly you do put a clause in there talking about a (inaudible). I think there may be an application or two and I have certain clients who are- who have been discussing the possibility of negotiating the sale of certain properties or part of them, so the appraisal is one factor and the other is the continuing process in the application. You may have to take a look at whether you had any other pending requests that you haven't acted on by resolution for exclusions prior to the adoption of the moratorium if you do that. Because right now it talks about resolutions having passed. You may have some in the hopper. So with that said, obviously you all know that I oppose moratoriums and this one in particular. Thanks."

Supervisor Kozakiewicz: "Thank you. Yes, Brad."

Brad Berthel: "My name is Brad Berthel from (inaudible). I'd like to go on record as congratulating the Town Board on their consideration continuing the moratorium and in deference to Mr. Danowski's comments, he seems to be in favor of a lot of deadlines. I can see why this land is (inaudible) perhaps extending the moratorium if necessary if the town doesn't get to approve the master plan within the next six month period or the last period of the moratorium. It would seem to make sense because if there is some delay then what was the purpose of holding the moratorium open for 12 months in the first place. That would seem to negate the whole process.

Also, somewhat surprised that our construction industry brothers and sisters left at this point. They seem to be the most adamant in opposing the moratorium in the first place. They don't seem to have such concerns any more or else they want to get out of here for the other hearing.

I was interested to hear the Board's comments about what had happened during the course of the present moratorium and it doesn't seem that most of the dire predictions have come true. Land values

have held or increased. There doesn't seem to be a big concern about unemployment in the construction industry in the town. So I think the moratorium was well advised and the rationale that we shouldn't make precipitous decisions before the master plan is in place was a decision well taken. Thank you"

Supervisor Kozakiewicz: "Thank you. Anybody else who would like- Larry Oxman, and a hand in the back- was it George or Jill? Okay."

Larry Oxman: "Good evening. Larry Oxman, (inaudible) Real Estate and Eastern Long Island Commercial Real Estate located on Main Street in Riverhead.

I do have questions about how this moratorium- people are saying that the extension of the previous moratorium, there are some very different- differences- "

Supervisor Kozakiewicz: "Right. On its face it's saying that it's repealing the existing local law and replacing it."

Larry Oxman: "I know. But just the perception of people are coming up and saying I like the continuation of it."

Supervisor Kozakiewicz: "Well, there is a continuation- the moratorium that's in effect now but it's different language."

Larry Oxman: "Right. And I'm particularly concerned about how this does affect the value of farmland property and how it will be appraised because this moratorium now talks about an 80,000 square foot density where the moratorium that I guess is currently in place as we speak, just talks about clustering, saving open space and clustering of 30% of the property. This new proposed moratorium talks about a completely different density, basically cutting the density in half, and cut the property values in half.

You spoke about the (inaudible) of the current moratorium not affecting property values but, again, didn't address- didn't change the density. This- we have, the town is in the process of buying new development rights from the (inaudible) acreage and that deal is not consummated, the county is still, I guess, going through its review process. I don't know how- "

Supervisor Kozakiewicz: "Well, the contract, but there was environmental issues that needs to be addressed and there was a Phase

I, I understand, Phase II, that's part of the reason why closing hasn't occurred."

Larry Oxman: "Well, (inaudible) with the county."

Supervisor Kozakiewicz: "We're not."

Larry Oxman: "No contract has been signed from (inaudible) office?"

Supervisor Kozakiewicz: "That's not what I understood the case to be. I understood that there was a contract signed and that there was some closing issues that needs to be addressed."

Larry Oxman: "No. That's not correct. We are not in contract at this time, however, we have been negotiating for, I guess, a year and a half. So, again, I don't know how- if the special (inaudible) with the county and the appraisals and what they're buying property at, whether they might have to review this again (inaudible). I don't know, but I question how this is going to affect property values for farmers. This is now 12 months instead of a six month moratorium. Will they be able to borrow money to plant crops again (inaudible)."

Supervisor Kozakiewicz: "(inaudible)-- unless you want me to, okay, just (inaudible) of the extension."

Terry Hulse: "I think it's definitely another important step that the Riverhead Town Board can take and it's vital and just, you know, much has been said I'd just like to show my appreciation to the Town Board for the other steps that they've taken and as a group that understands the worth of wetlands, I'd like to thank you again."

As- presented by the Riverhead Town Coalition and the wetlands are an important part of the moratorium. A lot of the development that's slated would have a drastic impact on the wetlands and this group has shown that it understands the importance of wetlands and the ability to do the right thing. Thank you."

Supervisor Kozakiewicz: "Thank you. Joe Lewis- oh, George Schmelzer."

George Schmelzer: "This moratorium- all I hear in the background is two acres, you want two acres. How many of you Board members live on a house lot with two acres or more? Please raise your hands."

Supervisor Kozakiewicz: "But we grew up on more than two acres."

Councilman Densieski: "How many of us would like to?"

George Schmelzer: "No, really. No kidding. Is your house lot more- two acres or more? (Inaudible) Do as I say but don't do as I do, huh? Is that what your theory is? What size do you live on, Ed?"

Councilman Densieski: "1.2."

George Schmelzer: "Huh?"

Councilman Densieski: "1.2"

George Schmelzer: "Well, and you want two acres?"

Councilman Densieski: "Yeah."

George Schmelzer: "How about you, Jim?"

Councilman Lull: "Mine was built at the time as Residence C and it's about three-quarters of an acre."

George Schmelzer: "How about you?"

Supervisor Kozakiewicz: "I grew up on more than two acres."

George Schmelzer: "I know what you've got now."

Supervisor Kozakiewicz: "I don't have anything right now. This job is taking everything out of me."

Councilman Densieski: "(inaudible) Grangibel Park."

George Schmelzer: "How about you?"

Councilwoman Blass: "A little shy of an acre and a half."

George Schmelzer: "See. Do as I say but don't do as I do."

Supervisor Kozakiewicz: "You're opposed to it."

George Schmelzer: "Does that make you all hypocrites?"

Supervisor Kozakiewicz: "You're opposed to it."

George Schmelzer: "You should first get yourselves two acres on your own lot or buy an (inaudible) of land before you tell everybody else what to do. Now if you want to preserve the farms, why don't you zone it for farm use only? (Inaudible) You can zone all the farmland for farm use only. If anybody wants to change the zoning, let them apply for it. Everybody else has to apply for it, big lawyer's fees and everything. It wouldn't cost you a damn thing."

Supervisor Kozakiewicz: "I'm going to ask you to address- you're talking about preservation of farmland which I know was addressed in connection with this local law which is to do a moratorium for 12 months."

George Schmelzer: "Yeah, yeah."

Supervisor Kozakiewicz: "Are you in favor of this or are you opposed to it?"

George Schmelzer: "To what?"

Supervisor Kozakiewicz: "The 12 month moratorium."

Councilman Densieski: "The thing you're talking about."

Supervisor Kozakiewicz: "The topic, the public hearing, why we're here."

George Schmelzer: "Well, do something you don't need to do then. Zone all the farmland for farm land use only. You don't need a moratorium. And also make sure your own house lots are two acres. Yeah. Otherwise you're nothing but hypocrites. Really. Spending this \$30 million dollars for nothing. You want to preserve farms? You can do it very easily. Everybody else has a lot of trouble, spend bit lawyer's fees, takes years and everything. So what are you afraid of?"

Supervisor Kozakiewicz: "Your comment- you do this every meeting, George."

George Schmelzer: "Well, you- "

Supervisor Kozakiewicz: "Let's deal with why we're here. It's not just to attack the Town Board which you so aptly do and so

consistently take your shots at us. The real reason we're here and the real reason everybody else is here is to give us their comments on why we should and why we shouldn't take up this local law which is calling for a one year moratorium. What's your- "

George Schmelzer: "You can't do anything in the allotted time? Are you scared to do it?"

Supervisor Kozakiewicz: "Are you in favor of this or are you opposed to this?"

George Schmelzer: "What's your reasoning?"

Supervisor Kozakiewicz: "Are you in favor of this or are you opposed to this?"

George Schmelzer: "Well, tell me your reasons."

Supervisor Kozakiewicz: "You tell me, are you in favor of this or are you opposed to this?"

George Schmelzer: "You don't tell me a reason, you don't live on the land you want everybody else to live on."

Supervisor Kozakiewicz: "That's not the reason we're here, Mr. Schmelzer, and you know it."

George Schmelzer: "I'm opposed to the way you're doing it without answering any questions."

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

Art Binder: "I have more than two acres. Art Binder, Baiting Hollow. I am in favor of the moratorium."

George Schmelzer (from the audience): (Inaudible)

Art Binder: "He's not, but I am. I think it's the right program for the right time and it's happening in the right town. I do believe that if the Town Board does enact the moratorium, prices will continue to rise the way they have the last 12 to 18 months. And as far as affordable housing issues go I don't believe the farmland, upzoning to two acres, in any way affects the likelihood that the likelihood that young folks or seniors won't be able to afford to live

in this town. As we all know, Riverhead is called Riverhead on account of the river. And around the river, downtown Riverhead, Polish Town, there's many wonderful old homes that if they're not on the market currently, will be in the very foreseeable future due to the aging population of this town.

The beauty of downtown Riverhead simply put is that it's not a subdivision. They're all basically individual type homes masterfully built by real carpenters 50, 60, 70, 80 years ago which are affordable to young people who want to live in this community.

The two acre pieces that would basically be derived from subdivision of farmland, are going to be the Gold Coast of this town. I believe that two acres is imperative to keep this town viable, to control the final buildout of this town. If we don't upzone it, we're going to wind up with 70- 80,000 people. And that's going to require a heck of a lot more schools and a whole new cost basis for the townspeople to bear. We're at about 26- 27,000 in population now. Can you imagine doubling or tripling that? That's kind of scary."

Supervisor Kozakiewicz: "Did you say 70 to 80 buildout? Is that the number you used?"

Art Binder: "70,000."

Supervisor Kozakiewicz: "Where did you get that number from? The Suffolk County Planning Commission has a different figure as a result of a study they just did last year. It was less."

Art Binder: "Well, this figure goes back probably two or three years. That's what they were talking about. Seventy-five thousand- "

Supervisor Kozakiewicz: "You say they. Who is they?"

Art Binder: "Seventy-five thousand- "

Supervisor Kozakiewicz: "Because Suffolk County Planning Commission was quite a bit less than that. Not that it's a good number but it was 59,000. I'm trying to find out where you got this number."

Art Binder: "Suffolk County- they also said that OTB would make money."

Supervisor Kozakiewicz: "So now you're saying Suffolk County

Planning Commission doesn't know what they're doing?"

Art Binder: "Well, you know, let the people decide. Okay. When they built the Long Island Expressway that was a wonderful thing, too.

What I'm trying to say is they're going to be building on two acres- they should be building on two acres in the big parcels and the houses are going to be selling for \$5, 6, 700,000. On my road, there's a 27 lot subdivision that's almost sold out. There are six pieces left and some of the houses are going for over \$400,000 right now.

That's going to be the north- the Gold Coast of Riverhead without a doubt. There's probably going to be mostly city people, second homes, hopefully, with not a heck of a lot of burden in the school district. As far- like I said, as far as the affordable housing issue, we have it. We have a fabulous affordable housing area."

Supervisor Kozakiewicz: "I'm going to stop you. We're- because we're getting a little afield again. We're here to talk about why we should deal with the moratorium. You're talking about the end results of a master plan, I think. We're talking about a moratorium today. Just to be clear. We're not discussing the two acre upzoning, we're talking about a local law which is stating its purpose to be putting the brakes on for 12 months. Because we could be here all night talking about this topic if we're going to go well beyond the scope of what tonight's public hearing is. So, you are in favor of it?"

Art Binder: "Absolutely."

Supervisor Kozakiewicz: "All right. Any other- any other comments with respect to that aspect, that public hearing which is to do the moratorium."

Art Binder: "Nope."

Supervisor Kozakiewicz: "All right, thank you."

Councilman Densieski: "Hey, Art? Any comments from Little Red tonight or no?"

Supervisor Kozakiewicz: "Anybody else who would like to address the Board? Yes, Mr. Adams."

Paul Adams: "Good evening, Members of the Board. My name is Paul Adams and I live in Baiting Hollow and I'm on the Board of the North Fork Environmental Council, and as you can imagine, the North Fork Environmental Council is very much in favor of the extension of this moratorium.

Very briefly, it will allow the Town to put in place a zoning that will ideally direct building and development away from the most agriculturally productive areas, the most scenic areas and the most environmentally sensitive areas, perhaps to other area such as the downtown areas where considerable renovation not new building could be done, although there are of course some notorious empty building sites, even Town owned building sites downtown.

But I think it's very important that the Town Board not only pass the moratorium but continue to facilitate a lot of other things that could help. I think particular there have been cases recently where town- where county or state agencies have been interested in acquiring and preserving environmentally sensitive areas and the town has been opposing these rather than capitalizing.

It seems to be a win-win situation for everyone. It will be reducing the density of building in the town and we seem to be looking a gift horse in the mouth. And I think we should do a 180 degree turn and start helping. So go back to the moratorium and please pass it. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board with respect to today's local law? Rob Pike."

Robert Pike: "Robert Pike, 138 Ostrander Avenue, Riverhead, New York. It's very tempting just to take my comments from the first moratorium hearing up in Wading River and include them here. In fact, I'll do that."

Supervisor Kozakiewicz: "But be brief."

Robert Pike: "Cut and paste. I'm done. Because I suggested a one year, I suggested you close the loopholes and suggested you get on it so I'm very much in favor of this."

Supervisor Kozakiewicz: "Thank you."

Robert Pike: "I try to find things that I agree with my

opponents on any time I speak, and I struggled very, very hard to find something that Pete and I agree on and actually there is something. And it has to do with clarity of the process and the seriousness of the process. These are real people with real lives and real businesses and real cash flow problems.

And the criticism I'm going to make is equally true of myself because we have played with the idea of doing a comprehensive master plan for this town for over 30 years. And like all good ideas, it tends to float around. People run it up the flagpole. But it's time to bring it down to earth.

You, I think, are the last Board to have that opportunity and this is no longer a joking matter. It is time to get real. Shutting down the existing applications, I think, is a good thing, but only if you divert the resources that that frees up to the hard task of getting onto the final drafts and the final hearings and the final regulations and the final laws and the final adoption forever- well, for this generation anyway, of a new master plan for the Town of Riverhead.

So while I'm very much in favor of this, let me be clear.. You have to hold yourself, each of you, accountable to go to these planning meetings, to be there to support the Planning Board, and to provide the resources to Ricky who I have criticized but once this job gets done, will laud to the highest to the highest end, give him the resources, all of us, the resources we need to get the job done. With that caveat, with the need to bring it finally to reality. I'm very much in favor of this. Please pass it and pass it tonight."

Supervisor Kozakiewicz: "Eve Kaplan."

Councilwoman Blass: "If I could just follow up a second. Rob, the final drafts within a month on all of the chapters, for real."

Eve Kaplan: "Eve Kaplan. I'm the Riverhead coordinator for the North Fork Environmental Council and a Northville resident. In keeping with Sid's multi media presentation, I just wanted to instead of making some verbal comments, I wanted to hand something (inaudible). Take a moment to look at now, maybe pass it around.

And these are just photos that I've been taking this fall, this winter, of projects that have been approved just in the last year, year and a half, Saddle Lakes, Sound Meadow, Sunken Ponds, Foxwoods, the Long Island Cauliflower Association property is for sale. Cook

Pony Farm has signs all over town. Century 21 as well. And I think sometimes the visual speaks louder than any kind of argument that we could make. It's something that we all see as you drive around town every day.

Just because these are signs we see and we don't always think about them, think about what they mean for the future of our lives, our town, taxes, our neighbors, and sometimes taking a moment out to look at them and to the- the colors, the forms, the location, it sort of brings it all home.

I think Paul Adams also spoke very eloquently for the Council on the reasons why we support the moratorium and I just have really one specific comment as far as the content of the exemption and that's on Section 109-006 as far as the exclusions, Section 3, that refers to development rights receiving area. And my question is that when you begin to refer to sending areas or receiving areas, I think you invite some confusion because it's not clear whether you're referring to a development rights transfer program that right now exists in the town code, which is essentially a paper program that has never been used. And it's not clear where those rights come from or whether it's a new program which hasn't been made public. It's not clear where those receiving areas are necessarily, whether they've been publicly discussed or approved."

Councilwoman Blass: "Eve, to answer that. Right now, my page numbers might be different because I've got the old as well as the new in one document. But the sending and receiving areas are what currently exist pursuant to Chapter 95. So that is the prior identified area of agricultural, the spine if you will, of the sending area and properties north of as the receiving area. That was what is codified now and mapped now.

But in terms of the program itself, the recommendations are such that the receiving area would be based upon a yield of 80,000 square feet. You could transfer one unit per acre from the sending area but your resulting subdivision north of Sound Avenue could not have lots less than 40,000 square feet. So Mr. Danowski's comment earlier about it being internally inconsistent, it's not. It's based upon an 80,000 square foot yield. You can build down to 40,000 square feet if you transfer one per one based upon the mapped areas that were adopted by a prior Town Board."

Eve Kaplan: "Right. Okay. Thank you, that does clear up that point. And I still have the concern that this creates density in

areas- in receiving areas which have not really been publicly discussed in a long time that you're going back to an old border to implement a new plan, no?"

Supervisor Kozakiewicz: "1997. Right?"

Councilwoman Blass: "Well, that was codified in '97, yes, that's correct."

Supervisor Kozakiewicz: "(inaudible)-- identified and adopted by the Town Board."

Councilwoman Blass: "That's correct. That's correct. But the densities are actually less than what would- than what is currently allowed. In other words, we're talking about something that is an improvement to a situation as opposed to going in the other direction, just to make everybody clear on that."

Eve Kaplan: "Right."

Councilwoman Blass: "Okay."

Eve Kaplan: "I understand that."

Councilwoman Blass: "Okay."

Eve Kaplan: "And I certainly appreciate these issues being included in this version of the moratorium and I know that it's an effort to move us one step closer to some new planning tools that we'll have after the master plan is finished."

And I think that there's a residual question about where receiving areas should be and whether they should be north of Sound Avenue and that's the concern that by codifying that in this legislation as well, you serve to further reinforce that reality that that was the receiving area, it will- it is the receiving area and it will be the receiving area in a new program that has not yet been publicly discussed.

Does that make sense?"

Councilwoman Blass: "I do understand your concern and I think we will probably see a reworking of the TDR program in general. Whether we will see an extensive re-mapping, I don't know yet. I haven't seen the final recommendations but we know that there were

concerns about the original recommendation on the receiving areas and I know the consultants were taking everyone's comments into consideration."

Eve Kaplan: "Okay. Okay, thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who hasn't had a chance to address the Board and would like to address the Board with respect to this local law, this moratorium? Not seeing anybody indicate a desire to speak, Ray, do you have any other comments other than what you already stated?"

Ray Saltini: "I think the Board was correct to include provisions in the current resolution to extend the moratorium. I mean, to do otherwise, to omit that language, creates a lame duck moratorium and I think although I don't want to diminish the potential or perhaps the hardship that may exist as a result of the moratorium, I think, in fact, keeping language like that in provides an incentive to get the planning done so that it won't be renewed. So I think it was smart to include it. And I don't think you should omit it. Thank you very much."

Supervisor Kozakiewicz: "Thank you. Anybody else? If not, declare the public hearing closed, the time being 9:26 p.m."

Public Hearing closed: 9:26 p.m.

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Supervisor Kozakiewicz: "At this point, as indicated, we're going to enact a little bit of a different procedure from what we've done in the past. I'm going to ask people to come up, this will be- I guess, did we agree that we'd do this also as a five minute rule or would be open time period for resolutions? Five minutes also to address us with respect to resolutions and resolutions only as they are on today's agenda.

We have one that we had that's going to come off the table and that dealt with a release of a certificate of deposit. Is that correct?"

Councilman Densieski: "That's correct."

Supervisor Kozakiewicz: "That was the only one, I think that was for Auto Zone. Other than that, everything that's on the agenda

is going to be addressed. Anybody who would like to address resolutions and resolutions only? If not, we are going to take up resolutions at this time. And that being the case, I guess we'll adjourn the Town Board portion."

Meeting adjourned: 9:27 p.m.

Meeting re-convened: 9:29 p.m.

Supervisor Kozakiewicz: "And reconvene the Town Board. Take up resolutions."

Resolution #576

Councilman Densieski: "Provisionally appoints a Senior Citizens Center Manager and that person is Debra Schwartz. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Comment. Although I don't take this appointment any more lightly than any other appointment and I do support it and based on the Personnel Committee's recommendation, the position certainly needs to be filled. But for future reference, I would like to be on the record as just asking for the names of the other individuals who were candidates for the position and any information as to why a specific person was selected over others. But I do support the position and I do support the- I agree with the recommendation. Therefore, I vote yes."

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

Councilwoman Blass: "Yes. And I can say having sat in on the interview in this particular situation, Councilwoman Sanders, there was one other individual, she was a resident of the town of Smithtown."

Councilwoman Sanders: "Okay. I'm just asking, but that's great."

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

Resolution #577

Councilwoman Blass: "This resolution approves a stipulation of settlement with an employee, the CSEA and the town. 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 #578

Councilman Lull: "Authorizes the Supervisor to execute a contract agreement. 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 #579

Councilwoman Sanders: "Authorizes the Supervisor to execute a grant application for the Justice Court Assistance Program. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Supervisor Kozakiewicz: "This grant will help fund redesign of the courthouse in order to deal with some of the needs over there including the use of that courtroom as a drug court. So, yes. Any assistance we can get to help us with that task would be great. Yes."

Resolution #580

Councilman Lull: "Authorizes the Town Supervisor to submit a

grant application for Peconic River walkway and water quality improvements and for the money to finish the Peconic Riverfront. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Yeah, this is one of the tools that we're going to use to revitalize- finish revitalizing the riverfront, revitalizing downtown, and I think it's the Town Board's job to create an atmosphere that's friendly to business and tourists to come to Riverhead. And also other things that are included in this resolution include the reduce of storm water going into the Peconic River. With those items said, I'm going to vote yes."

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

#### Resolution #581

Councilman Lull: "Accepts the resignation of Sheryl Heather with thanks from the Board, from the Architectural Review Board. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Yes. And I do want to thank Sheryl. Those positions are very difficult. They're very time consuming and she did a great job and I appreciate her efforts."

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

Councilman Densieski: "Yeah, I agree with the other Board members on those comments. Yes."

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

Supervisor Kozakiewicz: "Yes. I also want to thank Sheryl for the service she rendered to the Architectural Review Board and vote yes on the resolution."

Barbara Grattan: "The resolution is adopted."

Resolution #582

Councilwoman Blass: "This resolution appoints a member to the Architectural Review Board, that being Joan Rogers, who will serve an unexpired term through December 31 of 2002. So moved."

Councilman Lull: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Comment. My comments regarding Resolution #576 hold true here as well. I respect the fact that the interview process was conducted and the recommendation was made but for future reference I would like to know in these types of positions who came to the interviews, who was interviewed, and why the selection for this particular person was made. Yes."

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

Resolution #583

Councilwoman Blass: "This resolution appoints a member to the Architectural Review Board, that being Miss Judy Jacunski to serve an unexpired term through December 31<sup>st</sup> of the year 2003. 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 #584

Councilman Densieski: "Authorizes the Town Clerk to publish and post a public notice for a public hearing to consider a proposed local

law for an amendment of Chapter 101 Vehicles and Traffic of the Riverhead Town Code. 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 #585

Councilwoman Sanders: "Appoints a fill in beach attendant to the Riverhead Recreation Department. 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 #586

Councilwoman Sanders: "Appoints a fill in beach attendant to the Riverhead Recreation Department. So moved."

Councilman Densieski: "That's Jill Hockett. Second the motion."

Supervisor Kozakiewicz: "Second the motion."

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

Resolution #587

Councilman Lull: "Accepts resignation, again with our thanks, of our part time driver messenger, Richie Stiegler. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Comment. Although I haven't been here that long, I was always greeted by a smiling face and a warm welcome and it was nice to have him here to say hello to me every day. So I hate to see him go, but I vote yes."

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

Councilwoman Blass: "I vote yes as well and I will miss him for those same reasons. He had a very up attitude about him, it was great. Thank you, Richie."

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

Councilman Densieski: "Yes. I'm going to miss him for the same reasons that my fellow members said, and also he was a hard and good worker and a good human being, and he has some health concerns, so our prayers and thoughts will be with him. So yes."

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

Councilman Lull: "Yes. And with our thanks, certainly."

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

Supervisor Kozakiewicz: "Yes. Richie worked pretty closely with my office, he helped out, he pitched in. Whenever you needed him, he was the go to guy. I am sorry to see him go. I hope he gets to do a lot of fishing which I know is a passion for him. Yes."

Barbara Grattan: "Resolution is adopted."

Resolution #588

Councilman Lull: "Now that we have a vacancy as a driver messenger, this resolution authorizes the Town Clerk to publish and post a help wanted ad for a driver messenger. 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 #589

Councilman Lull: "Authorizes the Town Clerk to publish and post a help wanted ad for homemaker and we are looking for both full time and part time homemakers. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Discussion. I just wanted to clarify, homemaker or home aide. I know- does it make a difference? Is there a home aide title? Because at the work session we discussed home aide not homemaker and I just- I don't know if they are one and the same. And the other part to that- "

Councilman Densieski: "They are one and the same."

Supervisor Kozakiewicz: "They are one and the same? Okay."

Councilwoman Sanders: "They are one and the same. And we did discuss part time and full time?"

Supervisor Kozakiewicz: "Yes, we did."

Councilwoman Sanders: "Yup. Okay, thank you. Yes."

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

Councilman Lull: "Rose, excuse me, Rose. A total of two or three no matter how it comes out (inaudible)."

Resolution #590

Councilwoman Blass: "This resolution promotes Maintenance Mechanic III in the Department of Buildings and Grounds. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Yeah. The person is Chris Schroeher."

Yes."

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

Resolution #591

Councilman Lull: "Amends Resolution 537, changes the title and the pay. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, no; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #592

Councilwoman Sanders: "Appoints a Summer Rec Aide I to the Riverhead Recreation Department. So moved."

Councilman Densieski: "And that person is Ryan Carr. Second the motion."

Supervisor Kozakiewicz: "Second the motion."

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

Resolution #593

Councilwoman Sanders: "Appoints Kristy Ross a Summer Recreation Aide I to the Riverhead Recreation Department. 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 #594

Councilwoman Blass: "This appoints David Spinella as a

Recreation Specialist to the Riverhead Recreation Department. 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 #595

Councilman Lull: "Appoints a seasonal instructor in tennis to the Riverhead Recreation Department, Jeff Sterlacci. 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 #596

Councilman Densieski: "Appoints Ray Bulak as a fill in park attendant at the Riverhead Recreation Department. 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 #597

Councilwoman Blass: "This resolution appoints James Welsh as a part time seasonal assistant recreation leader to the Riverhead Recreation Department. 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 #598

Councilwoman Blass: "This resolution accepts the resignation of Police Officer Shaun Brady. So moved."

Councilman Lull: "And second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Officer Brady did a fine job on the Riverhead police force and he's going into another career, so I wish him well. Yes."

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

Councilman Lull: "Federal Marshal. So moved. I mean yes."

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

Supervisor Kozakiewicz: "Yeah, I think if you had a chance to- which I really didn't know him that well but just getting a little bit in conversation with him and talking with him, he was a guy who really was gung ho. He's pretty intense and he was the guy who jumped out of aircraft and rescue efforts and was in the service and I think he just needed something a little more exciting which is the Federal Sky Marshal. So anyway we accept his resignation, thank him for his service to the town. He was one of our guys who did bike patrol, pedestrian patrol, you name it, and he was a good cop and I thank him for his service, and yes, on his resignation."

Barbara Grattan: "The resolution is adopted."

Resolution #599

Councilman Lull: "599 is a resolution authorizing the appropriation of \$725,000 dollar funds- thousand dollars, sorry, in funds, from the Park and Recreation fund of the town of Riverhead to pay additional costs of the original improvement and embellishment of Stotzky Park by the construction of a skate board complex therein, in and for said town. So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Okay. Moved and seconded."

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

Councilman Lull: "This is \$725,000 from the Park and Recreation Fund that exists in the town and so yes."

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

Resolution #600

Councilwoman Sanders: "Approves application of Larry's Lighthouse Marina for a boat display at Vinland Commons parking lot on June 8<sup>th</sup> and June 9<sup>th</sup>. 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 #601

Councilwoman Blass: "This resolution is calling for a public hearing for Extension 73 to the Riverhead Water District, Kulesa 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 #602

Councilwoman Blass: "This resolution authorizes advertisement for bids for the Sunken Pond Estates Section 2 Riverhead Water District for water mains and appurtenances."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Lull: "I'll second it."

Supervisor Kozakiewicz: "All right. Moved and seconded."

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

Resolution #603

Councilman Densieski: "603 is a Town of Riverhead general fund budget adjustment. So moved."

Councilwoman Blass: "I'd like to make a motion to amend this resolution, Mr. Supervisor. The - I don't know if I need to have it seconded first or- "

Supervisor Kozakiewicz: "What's the amendment?"

Councilwoman Blass: "The amendment is the transfer that is indicated last on this list, I believe, the justification in the backup had to do with a particular project that we are not authorizing this evening, so- "

Supervisor Kozakiewicz: "Further discussion?"

Councilwoman Blass: "Yes, sir. So I would like to amend this budget adjustment authorized in Resolution #603 to exclude the transfer from environmental funds to the general fund."

Councilman Densieski: "Yeah, I would second that amendment."

Supervisor Kozakiewicz: "Moved and seconded to amend. So- "

Councilwoman Blass: "\$75,000- "

Supervisor Kozakiewicz: "From anything- the portion that's below \$4,800 to and from- from and to, will be deleted, the last two transfers from and to. Okay. Okay. It was seconded. So vote on the amendment."

The Vote: "Blass."

Councilman Densieski: "The resolution as amended. Correct?"

Councilwoman Blass: "As amended."

Councilman Densieski: "Or are we just voting on the amendment?"

Councilwoman Sanders: "Or do we have to- "

Supervisor Kozakiewicz: "Well, there was a motion to amend so I think we should vote on the amendment- "

Councilman Densieski: "Okay."

Supervisor Kozakiewicz: "-- of the motion and then vote on the resolution."

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

Supervisor Kozakiewicz: "Now the vote on the resolution."

The Vote: "Sanders, yes."

Supervisor Kozakiewicz: "Was it seconded? Okay. Sorry. It should be seconded."

Councilwoman Blass: "I'll second as amended."

Supervisor Kozakiewicz: "All right."

Barbara Grattan: "All right. Who introduced it?"

Supervisor Kozakiewicz: "Ed- Councilman Densieski."

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

Resolution #604

Councilman Densieski: "604 is a Stotzky Park skateboard complex capital project budget adjustment. So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilwoman Sanders: "Discussion first."

Supervisor Kozakiewicz: "I think we need to second it first."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Okay. Discussion. Moved and seconded. Discussion."

Councilwoman Sanders: "Discussion. I was going to offer that we table it. There's a section in here for park improvement that has not from my recollection been considered or discussed by the Rec Committee. So I would recommend that it was going to be tabled under the next meeting to give them the opportunity to comment and to discuss."

Councilman Densieski: "Mr. Supervisor, do we know that this is time sensitive?"

Supervisor Kozakiewicz: "Some of these improvements are necessary for the ongoing operation of this particular complex. I think time sensitive is maybe a fair word to use but clearly we've- as we expected and as I think we talked about, there's nuances and things that are involved with the operation of this park which require tweaking and modification and changes. And they also involve making sure that it's not only a great park but that it's also safe so that we're protecting the taxpayers from any potential liabilities that result."

Councilman Densieski: "Okay. Member Sanders, is it your- do you have a problem with somebody getting paid for something that's not done? Is that your concern or what is- I don't- "

Councilwoman Sanders: "No. There are park improvements- "

Supervisor Kozakiewicz: "I think her concern is that it hasn't been addressed by the Recreation Committee."

Councilman Densieski: "Okay. I see."

Councilwoman Sanders: "We- the Committee went to great lengths to come up with a plan for that particular portion of the skatepark as you are aware, and these particular improvements negate some of the thoughts and design, it compromises the design of a certain area of the park and I just think that they should be given the opportunity to discuss it amongst themselves and possibly come up with an alternative solution."

Councilwoman Blass: "May I make a suggestion, respectfully,

that rather than tabling the resolution, we make a motion to amend to just delete that particular line item from the transfer and then in that case, we'd be able to proceed with the balance if there are some time sensitive issues?"

Supervisor Kozakiewicz: "I think that there's a problem that some of these items have been ordered, that include the item that's set forth as parking improvement anticipating a need that we saw, such as lockers, benches, and bleachers. So there is- the items are being ordered, they're being appropriated. I think the question is where do they become located? Is it- let's just understand what the issue because I think maybe we're overanalyzing here.

We have determined and I think everyone will agree that the current layout has risks and problems so there's a need to develop another checking booth or mechanism by which people check in, which means that a number of these things that are set forth in this park improvement line will be needed. It's just a question of where. Is that fair to say?"

Councilwoman Sanders: "That's fair to say as far part of that \$40,000 that is put into additional fencing and another booth with heating and air conditioning, could very well- the money that we use there could be used to do a ramp as opposed to the steps so- and then we could still stay within the design of the park as opposed to modifying the design of the park tremendously. That's my only comment. I don't think it's- "

Councilman Densieski: "Mr. Supervisor, you do have a motion and a second on the resolution."

Supervisor Kozakiewicz: "I know. We're under discussion."

Councilman Densieski: "Okay, I- "

Supervisor Kozakiewicz: "So the question- let's go forward with a vote or let's make an amendment or let's do something here."

Councilman Densieski: "Well, I think you have to understand- "

Supervisor Kozakiewicz: "I understand what the concerns are."

Councilman Densieski: "I wasn't quite finished. I think you have to just understand the concerns of Councilwoman Sanders and myself being on the Recreation Committee, so you have a motion and

second and just understand our votes when they come. It's not that big of a deal."

Supervisor Kozakiewicz: "I'm not making it a bigger deal than it needs to be."

Councilman Densieski: "Right."

Supervisor Kozakiewicz: "I'm trying not to actually."

Councilman Densieski: "Okay."

Supervisor Kozakiewicz: "So there's discussion. I think we need to do something and now either someone wants to withdraw, we have- actually we have it seconded so I think we have to have a vote on the resolution."

Councilman Densieski: "We do. Let's have a vote."

Supervisor Kozakiewicz: "Vote, please."

Councilwoman Blass: "Well, we have a motion to table."

The Vote: "Sanders."

Councilwoman Sanders: "I have a motion to- well, I had a motion- "

Councilwoman Blass: "A motion to table."

Councilman Densieski: "Further discussion."

Councilwoman Sanders: "Seconded- right and I seconded it and discussed that I was going to recommend- no."

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

Councilwoman Blass: "I would very much like to have the support of the Committee that's been most closely involved in this and if the Committee members are indicating that they are uncomfortable with proceeding at this point, I will agree with them and vote no."

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

Supervisor Kozakiewicz: "Vote no. We'll bring it up next

Councilman Densieski: "And I'd like to move 605 with those changes. Community Development Agency Calverton budget adjustment. So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Lull: "I'll second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "I would gladly support my colleagues. Yes."

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

Resolution #606

Councilwoman Sanders: "Approves application of Living Water Full Gospel Church. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Yes. And I also agree with my colleagues, yes."

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

Resolution #607

Councilman Lull: "That's me. Authorizes the attendance at an Economic Redevelopment Conference. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

meeting. Let's go forward."

Councilman Densieski: "I'll vote yes."

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

Councilman Lull: "Yeah, I'll vote with the professional engineers and the professional recreation people. Yes."

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

Barbara Grattan: "Okay, the resolution is adopted."

Resolution #605

Councilman Densieski: "This resolution has to be amended also, Mr. Supervisor."

Supervisor Kozakiewicz: "Yes, it does."

Councilman Densieski: "Okay. I'd like to make a motion that we amend 605 to delete- "

Councilman Lull: "You don't need to amend it. It hasn't been introduced yet. Just change it- "

Councilman Densieski: "Okay. Change it. Change the top number from \$3,075,000 and the bottom number from \$3,075,000 to \$3,000,000 and delete the \$75,000. Because this item is still up for discussion by the Town Board at the next work session."

Barbara Grattan: "No \$75,000."

Councilman Densieski: "Right. Correct."

Supervisor Kozakiewicz: "All right. So you are moving it with the change that the appropriated fund balance, the top number is going to be reduced from \$3,075,000 to \$3,000,000. And the second line which is the transfer to (inaudible) walk project of \$75,000 will be deleted. Is that correct?"

Councilman Densieski: "That's correct."

Supervisor Kozakiewicz: "All right."

Councilman Densieski: "Yes. This one is \$110 away from my cutoff fee. This is a lot of money to send somebody to a seminar. It's \$1,890. My cutoff is \$2,000. And I still think this is high but we're sending Joe Maiorana. He's a very good worker. He's a competent employee- "

Supervisor Kozakiewicz: "Maiorana."

Councilman Densieski: "Whatever. With that said, I'll vote yes."

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

Resolution #608

Councilman Densieski: "Me again?"

Councilwoman Blass: "Are you getting tired, Ed?"

Councilman Densieski: "Yeah. Authorizes the transfer of county owned property to the town of Riverhead. 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 #609

Councilman Lull: "Adopts a local law to amend Chapter 101 entitled Vehicles and Traffic of the Riverhead Town Code. So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "This is to adopt a crosswalk on Pulaski Street directly in front of the skatepark. That's something that

we've all been working hard for. So I vote yes."

Councilman Lull: "And a traffic control to go with it."

Councilwoman Sanders: "Yes."

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

Resolution #610

Councilman Lull: "Adopts a local law to amend Chapter 101 entitled Vehicles and Traffic of the Riverhead Town Code. This is a- we're placing a weight restriction on Youngs Avenue. 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 #611

Councilman Lull: "Adopts a local law to amend Chapter 101 entitled Vehicles and Traffic of the Riverhead Town Code. 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 #612

Councilman Lull: "Adopts a local law to amend Chapter 101 entitled Vehicles and Traffic of the Riverhead Town Code. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Lull: "It may seem like a repeat. We have to make a motion- we have to have a resolution for every stop sign, every no parking sign, so forth. Yes."

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

Resolution #613

Councilwoman Blass: "This resolution authorizes the Town of Riverhead to enforce a Chapter 96 which would require rubbish removal and the cutting of grass and weeds from property identified as 120 Osborne Avenue in Riverhead. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Yeah. Could we just put an "e" on the end of Osborne, please. Yes."

Supervisor Kozakiewicz: "I've seen it both ways."

Councilman Densieski: "Well, (inaudible) with an "e", isn't it? I don't know. I'm kind of new to Riverhead but I think it's an "e". Only four generations."

Councilwoman Sanders: "It can be both ways."

Barbara Grattan: "We'll put an "e" on it. All right?"

Councilman Densieski: "Thank you very much."

Barbara Grattan: "Did you vote a yes? Did you vote yes?"

Supervisor Kozakiewicz: "Yes, he did."

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

Councilman Lull: "Yes."

Supervisor Kozakiewicz: "With the "e". Is that the Polish spelling of it?"

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

Barbara Grattan: "The resolution is adopted."

Resolution #614

Councilman Densieski: "I'm going to be awful embarrassed tomorrow when I go down Osborne and there's no "e" there. Authorizes the 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. And that's for 130 Osborne Avenue. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Do you have to put an "e" in there?"

Supervisor Kozakiewicz: "Yes, he already did."

Councilwoman Sanders: "Okay. Yes, with an "e"."

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

Resolution #615

Councilwoman Blass: "This resolution authorizes the Town Clerk to publish and post a public notice to consider the purchase of development rights of a parcel located in the Town of Riverhead owned by Allan and Teresa Zilnicki. This parcel is 13.4 acres, south of Reeves Avenue and east of Osborne with an "e". So moved."

Councilman Lull: "Second."

Councilman Densieski: "Yes. Got the "e" on there."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #616

Councilman Lull: "Authorizes the transfer of county owned property to the town of 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 #617

Councilwoman Sanders: "Releases Suffolk County National Bank passbook connection with the minor subdivision of - okay, Kotlarchuk. 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 #618

Councilman Lull: "Authorizes the Town Clerk to publish and post public notice for a public hearing to consider a proposed local law for an amendment of Chapter 101 Vehicles and Traffic of the Riverhead Town Code. 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 #619

Councilwoman Sanders: "I would like to discuss- I would like to recommend that we table this one."

Supervisor Kozakiewicz: "619?"

Councilwoman Sanders: "Yes."

Supervisor Kozakiewicz: "All right."

Councilwoman Sanders: "Site plan for R.C.P. Associates. We had discussion at our last work session that Ed and I were going to sit with the ARB and discuss maybe making some recommendations and improvements to some of the standards that maybe we can set for future site plans and rather than- "

Supervisor Kozakiewicz: "I think we said as far as this one, we were going to allow it to go forward."

Councilwoman Sanders: "Well, I asked Mr. Hanley before the meeting, it was not time sensitive and I asked Council member Densieski and we'd be willing to speak with the ARB prior to the next meeting."

Supervisor Kozakiewicz: "Is that what you guys want to collectively do?"

Councilman Densieski: "Yeah. If it's not time sensitive, it's not, you know, I don't want to try to hurt the applicant but if it's not time sensitive, let's see if we can make it a little bit better."

Supervisor Kozakiewicz: "So there's a motion to table?"

Councilwoman Sanders: "To table."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Yes, to table."

The Vote (Cont'd.): "Densieski, yes; Lull, yes; Kozakiewicz,  
no. The resolution is tabled."

Resolution #620

Councilman Densieski: "Approves the site plan of North Fork

Bank automated teller machine. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "I'm going to have to go to one of these things one of these days. They must be pretty cool. They're all over town. Yes."

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

Supervisor Kozakiewicz: "You don't even use an automated teller machine? Where have you been? Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #621

Councilman Lull: "Approves a temporary sign permit for ABC On The Road at Tanger. 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 #622

Councilman Lull: "Approves attendance at the Empire Development Zone training in Albany for our Economic Development Zone Coordinator. So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilwoman Blass: "Oh, yes."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #623

Councilwoman Blass: "This resolution approves the site plan amendment to Riverhead Centre LLC pursuant to the change- the special permit amendment we had prior Town Board. Yes. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes."

Supervisor Kozakiewicz: "Before we vote, discussion. I'm going to be the pain this time and I'm sorry. I think that on page- paragraph 14, we have in the middle of that paragraph, we talk about that the reason- we have a whole paragraph talking about parking and we refer to a conceptual site plan and, in fact, on- earlier in the resolution we talk about the fact that we have a fully engineered site plan. So for the sake of consistency and for the fact that we did receive a fully engineered site plan, I would ask that conceptual site plan, that word conceptual be deleted and in its place fully engineered to be consistent."

Councilwoman Blass: "Yeah, that's good."

Barbara Grattan: "So you're taking conceptual out and what are you putting in?"

Councilwoman Sanders: "Fully engineered- "

Supervisor Kozakiewicz: "Fully engineered. Or if you want to be very consistent, in the one, two, third Whereas on the first page, we have- we describe it as a fully engineered complete amended site plan so maybe we should use the same wording. Take out conceptual and say fully engineered complete amended site plan. And with that change- "

Councilman Densieski: "Sounds good to me."

Supervisor Kozakiewicz: "Move it."

Councilwoman Blass: "So moved, as amended."

Supervisor Kozakiewicz: "Okay."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Vote."

Councilwoman Sanders: "Yes."

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

Resolution #624

Councilwoman Blass: "This resolution rejects the special permit application of Edward Partridge, T.S. Haulers, for soil, sand, gravel mining and processing and mining operation. On Route 25 in Calverton. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #625

Barbara Grattan: "Resolution #625 is bills."

Supervisor Kozakiewicz: "Is there a motion?"

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. The resolution to pay bills is adopted."

Councilman Lull: "And I will move Resolution 482 off the table."

Councilman Densieski: "I'll second it."

Supervisor Kozakiewicz: "There's a second to take it off the table. Vote on taking it off the table."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz. Resolution is off the table."

Supervisor Kozakiewicz: "Correct. And is there a motion now to move this tabled resolution?"

Councilman Lull: "Okay. Yes. This one which is 482 authorizes the release of a performance bond for Auto Zone, Inc. So moved."

Councilman Densieski: "I'll second."

Supervisor Kozakiewicz: "Auto Zone. Release the performance bond."

Councilman Lull: "It's the performance bond."

Councilman Densieski: "A little discussion, Mr. Supervisor."

Supervisor Kozakiewicz: "Yes."

Councilwoman Sanders: "Please."

Councilman Densieski: "This was tabled because of the- some of the handicapped issues which have all been satisfied to the Committee's approval and would like to see this go through now."

Barbara Grattan: "Did you second it, Eddie?"

Supervisor Kozakiewicz: "Yes, he did. And any further discussion? If not, vote please."

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

Councilman Densieski: "Motion to adjourn?"

Supervisor Kozakiewicz: "No. No, no, no. New procedure. It's now open mike time."

Councilman Densieski: "Didn't we do that already?"

Supervisor Kozakiewicz: "A five minute rule on open mike. No."

Councilman Densieski: "Let's make it three minutes."

Supervisor Kozakiewicz: "All right. Anybody who would like to address the Board on any matter. It's now time. Yes, the gentleman right here. Five minutes- just remember we do have a five minute rule."

Councilman Densieski: "Forgot about that."

Bill Callas: "My name is Bill Callas, 78 Southfield Road, Baiting Hollow."

Barbara Grattan: "What's the last name?"

Bill Callas: "Callas- C-A-L-L-A-S. Two quick questions. As you already know, I oppose Crown Sanitation petitions. I wonder if you could tell me where we stand on that? Number one, and number two- "

Supervisor Kozakiewicz: "We have retained Dvirka & Bartilucci to review the draft environmental impact statement and they will be doing that. They will be communicating with Crown's consultant to address the issues that have been enumerated and mentioned a few times before to this Board."

Bill Callas: "Okay. And then on this here- on the permits to bring yard waste to Osborne Avenue, do you know how many permits were issued?"

Supervisor Kozakiewicz: "Yard waste to-- it's to- I- "

Bill Callas: "The Highway Department on Osborne Avenue."

Supervisor Kozakiewicz: "I don't know how many permits presently there is. No."

Bill Callas: "I'll be back at the next meeting. Could you answer that question then- and the reason I'm asking- "

Supervisor Kozakiewicz: "If you give me your address, telephone number, we'll call you and give you that number."

Bill Callas: "78 Southfield Road, Baiting Hollow."

Supervisor Kozakiewicz: "All right."

Councilwoman Blass: "Were they both- "

Supervisor Kozakiewicz: "This is our residential yard waste."

Bill Callas: "That's correct."

Supervisor Kozakiewicz: "Yes. Okay."

Bill Callas: "Thank you."

Supervisor Kozakiewicz: "And your phone- do you want to give your phone number to my executive assistant in the front row- McClellan, and we'll call."

(Some inaudible discussion among the Board members)

Supervisor Kozakiewicz: "Hal Lindstrom."

Hal Lindstrom: "Hal Lindstrom, Riverhead. As you probably heard or read, we've had a number of severe accidents on the corner of Sound and Edwards Avenue. I was just wondering what the status was on the light that's going to go up there."

Supervisor Kozakiewicz: "It's due to go up before the end of the month. I actually did follow up on the accidents. One of them involved an operator of a motor vehicle traveling north on Edwards Avenue who passed through the stop sign into traffic. So that individual, that motorist, ignored a traffic control device, passed right into the Sound Avenue traffic and as they did so, there happened to be cars coming from both directions so there was a three car accident as a result of that driver's failure to heed a traffic control device.

On the other one, there were two cars traveling in opposite directions. The motorist traveling eastbound stated that the motorist traveling westbound has his turn signal on so, therefore, he presumed he could make a turn to travel north on Edwards and as he did so, the collision occurred. I'm not sure if a traffic control device would have changed the outcome of any of those accidents but just to point that out, I want to make the record clear that the cause of the accidents in those cases would have in all likelihood occurred with or without a traffic control device. But the traffic control device and the light has already been marked out. The company that's (inaudible) will be-- has promised us that they would complete the work in a three week time period- three to four week at the max."

Hal Lindstrom: "Yeah, 'cause there is a problem at that

particular corner. I go that way quite a bit and as you come up to that corner there is an incline and to the left there is a small hill and as you pull out, you really don't see that car until it's just about on top of you."

Councilman Lull: "Hal, as just a second issue and that is to show you that we are confident that this light is going to go up very soon. One of the things we passed tonight was a public hearing to put a no turn on red sign on Edwards Avenue and Sound Avenue after the light goes up. So we'll be- "

Supervisor Kozakiewicz: "In both directions."

Councilman Lull: "In both directions. So we'll be- we're confident it's going to be there. We're already talking about no turn on red."

Hal Lindstrom: "All right. Glad to hear that. Thank you."

Supervisor Kozakiewicz: "You're welcome. Terri Fenton."

(Inaudible - from the audience)

Supervisor Kozakiewicz: "No. We do five minutes. There's no borrowing of time. Unless Ray wants to stay with five minutes."

Terri Fenton: "I just would like- Terri Fenton, Jamesport."

Councilman Densieski: "Terri, pull that microphone down, please."

Terri Fenton: "I have to stand on my tippy toes. I would like to address the fact that Center Street has been on maps going- dating back to 1840 and on-- the Town Department of Public Work maps from Charlie Bloss in 1998, I believe he gave it to me, it's a town road to the water. If you'd like to see the map- and I asked Mr. Bloss at the time does the road go to the water? He said, yes, it does."

My question. If the town road has been on maps since 1840, how come somebody can all of a sudden not only take over the town road and say they own it, but deny people that have been traveling it for at least that length of time, to be turned away?"

Supervisor Kozakiewicz: "I think you're presuming your answer. You've loaded your question and the answer is as I pointed out to

prior speakers we are addressing this, we are looking at the title questions and if there are maps that show this and, in fact, if there's a map that's laid out these roads, then we will enforce the provisions, we will enforce the town law, the state law. So I think you have presumed that this is not occurring."

Terri Fenton: "Okay- "

Supervisor Kozakiewicz: "Go ahead, Dawn."

Dawn Thomas: "I just want to reiterate also that- "

Supervisor Kozakiewicz: "You've got to speak closer to the mike because I know the people- "

Dawn Thomas: "You mentioned two things, one being the right- "

Supervisor Kozakiewicz: "Is your mike on, Dawn?"

Dawn Thomas: "Yes. The town's rights in the road and also the rights of the public to pass over that portion of the beach which is under the map- on the map road. Those are two separate and distinct legal issues and that's what I was trying to impress upon Mr. Saltini when he spoke. I think it's really important that you investigate and pursue those also as we are going to pursue what the town's rights are in that road."

Terri Fenton: "Do you have the Highway Department's copy of the map?"

Dawn Thomas: "I think we do and I'm waiting- like I said, I'm waiting for the title work to come back to me and I think that will include those maps also."

Terri Fenton: "Okay. Because I do have a copy if you need it."

Dawn Thomas: "And if I need them, I'll give you a call."

Terri Fenton: "Okay. And when the final decisions or however this is going to work, could Jamesport Civic be involved in it on the- "

Supervisor Kozakiewicz: "The answer is maybe. Because I think the question and the point I made out before, there's distinct rights to the respective parties. There are rights that the town of

Riverhead may or may not have to a roadbed and the laying out of a road and you may have as property owners who are private interest rights to egress and ingress to the- or access as you've put it, to the beach."

Dawn Thomas: "You may need to enforce those rights as a civic association without- that may be something that the town can't do for you. So that's something that you need to look at."

Terri Fenton: "I understood from Mr. Walters that in order to maintain the rights, the Civic would have to- proscriptive easement?"

Dawn Thomas: "That would be something you need to discuss with counsel that would represent you that maybe some- an avenue you, as a group, wish to pursue."

Terri Fenton: "Okay."

Supervisor Kozakiewicz: "I think there's a point that maybe we're starting to gloss over a little bit. We can undertake an action on behalf of the town that is a generalized taxpayer action. We cannot expend taxpayer funds to enforce rights of a private citizen or private civic group. The state constitution bars municipalities, state, local, villages, towns from taking a public- using public monies for a private benefit. So that's, I think, the point that's being mentioned."

Terri Fenton: "Actually, it would be using public benefit for the town's benefit because the people from Baiting Hollow, Wading River- "

Supervisor Kozakiewicz: "You're missing the point, I think. You were asking if we could- we're getting so far down the field from the question that maybe I'm not 100 clear on."

I think the point that the town attorney was making was that you may have private rights that you may need to enforce through private counsel and to utilize town counsel or the town attorney's office may not be appropriate or, in fact, may be barred by the New York State constitution."

Terri Fenton: "I understand that. I do understand that. But the point being that's a separate point. But the town had had signs on Center Street, south of Front, for many years, parking by permit only from May to September. At that point in time, that was a town

road there. So how can it not be a road now?"

Dawn Thomas: "Well, that's a legal question."

Terri Fenton: "That's a legal- okay, thank you very much."

Councilwoman Blass: "And I think at the very least, maybe we could just pledge that we could keep the lines of communication open. As some of these legal issues become resolved internally, we would certainly be able to share that information with you and in that sense keep the- if that's acceptable to everyone, in that sense the Association would be as informed as we are as to what- "

Terri Fenton: "It would be greatly appreciated."

Supervisor Kozakiewicz: "I don't think there's a problem in that regard. I may have misunderstood the question. Okay."

Terri Fenton: "I thank you very much."

Supervisor Kozakiewicz: "Okay. Steve Haizlip."

Steve Haizlip: "Steve Haizlip of Calverton. I have noticed three houses that are growing up with all kinds of vegetation, trees, vines, and one of them is right by Mr. John Ellwood's lawnmower and equipment place. And I asked his wife if she knew who owned the house. She says, well, there's two people taking claim, one African American came out one day and put up a fence. She said that stopped them from mowing the yard on a bias like so they could see out down the road. Then no time at all some lady came out and wanted to know who put up the fence so she told them, I don't know. There was some African American person here claimed that he owned it. She says, no, I own it. So it's really growing all up and it's not good for the varmints can come in there and snakes get into the grass and so forth so you ought it- even if you just clean back four, five feet, I'd say it'd be acceptable. Not having growth all over the house and trees and all."

Councilman Lull: "Maybe if we send them a legal notice as a Chapter 96 as we talked about tonight, maybe that will make somebody stand up and claim it."

Steve Haizlip: "I was going to- "

Councilman Lull: "Or back off."

Supervisor Kozakiewicz: "Either that or make everybody that has a claim, back off."

Councilman Lull: "Back off."

Steve Haizlip: "I was going to invoke that with Jim. All right. The next house is down there on Forge Road where you were so instrumental with all the vehicles parked around it and it's growing up with that particular peculiar weed around it. So you're familiar with that place."

Supervisor Kozakiewicz: "That one actually has been one of the ones that we've been talking about acquiring."

Steve Haizlip: "All right."

Supervisor Kozakiewicz: "With the crazy weeds. Yes."

Steve Haizlip: "You know, and the next place is right across from the Calverton Deli. It belongs to the Charter School. They have started a clean up there but then they stopped and the trees are overgrown, they should be trimmed, and the brush and stuff should be cleaned up and taken away. Look presentable."

Now, you know, we're trying to keep this town neat and clean as people approach, at least the main roads, and the main bypasses. And I spoke to you last year about summer help, trimming around these telephone poles and trees. They cut the shoulders and they cut down the grass, but when it gets to the trees and the telephone poles, it just grows up a mile high and it's there and nobody ever comes back and trims around them. There's only one road in this town that I know that is nice and trim by the telephone poles and that's Deep Hole Road from Twomey all the way down to John (inaudible), because the people do it in there.

Now, my- you remember on the 15<sup>th</sup> of April I asked you if you recall, and even I didn't recall, how much the DEC fine is on that landfill? Well, I got the figures now. It was \$650,000. And it happened on May 5, 1994. And \$25,000 was paid as a penalty. And the remaining \$625,000 was suspended as long as the town complied with terms of stipulation. And that was environmental projects and other town activities.

Now, my last question, Bob, are you ever under any pressure from the Republican Party on this Cablevision about that \$300,000 donation

to the Republican- "

Supervisor Kozakiewicz: "I have no idea what you're talking about. What pressure from the Republican Party are you referring to?"

Steve Haizlip: "Cablevision has given, roughly given \$300,000. It was 262 but now it's gone probably to \$300,000 and of course that's shared by all Republican parties in the state and the county. And I didn't know if you was under any pressure from Mr. Apollo (phonetic) or whatever his name is to go easy on Cablevision."

Supervisor Kozakiewicz: "Let me assure you that the Republican Party has never said a word to me about doing anything with Cablevision, letting up on them or otherwise."

Councilman Densieski: "I heard it was the Conservative Party."

Steve Haizlip: "Well, that's what I want to hear, Bob, and keep after them."

Supervisor Kozakiewicz: "All right. And- "

Steve Haizlip: "All right."

Supervisor Kozakiewicz: "Anybody else who hasn't had a chance to address the Board yet? Larry Williams. I'm trying to pick people who haven't had a chance to speak to us yet."

Larry Williams: "Larry Williams, Clearview- I must have been about falling asleep back there. It's just a couple of concerns. One, I know you're, you know, tonight, if I'm not mistaken unless someone was talking to me at the time, you talked about the skatepark and getting across the street."

Supervisor Kozakiewicz: "Crosswalk. Correct."

Larry Williams: "Right. That's great. I know the Clearview Civic Association and the neighborhood greatly appreciates that. About I'd say about three or four years ago when Charlie Bloss I believe was the Highway Superintendent, and Tim (inaudible) was the Deputy, the neighborhood wrote some correspondence to them and wrote a letter I think to your office also about traffic on Mill Road. I know recently I've given copies of those old letters to members of the Board."

Clearview is still concerned about traffic on Mill Road. And we also can appreciate the fact that I read in the News Review or one of the local papers that yourself and Councilman Lull didn't want traffic re-routed through Clearview, which we do appreciate. But we still need to look at Mill Road, especially when it comes to Fanning and I think Hinda Blvd. So I ask that members of the Board, or anyone to take the lead, or I can talk to Mark or Mark and a combination of a person on the Board so that we can really take a good, hard look at it. Because there's still the concern about the possibility of an accident on that road, not only for the members of the Clearview, but for the members who live in the Glenwood Mobile Park also."

Supervisor Kozakiewicz: "Okay."

Larry Williams: "So- "

Supervisor Kozakiewicz: "I know that there were a number of other concerns that you had. We have been picking them off so to speak as we go along so this one we'll- I'll ask Jim, the ad hoc member of the Highway Committee, to meet with Mark Kwasna and the Chief and I know that this is something they do and to look at maybe ideas, design criteria, and if you want to be part of those discussion at some point, Larry, I'm sure, and I'm not going to speak for Jim, but unless he tells me to stop, shut up, I'm sure he wouldn't mind bringing you into those meetings as well."

Councilman Lull: "That would be fine. We will."

Larry Williams: "Okay. Just for Jim. I've tried to contact you a couple times and I'm kind of hard to get, especially if I'm at work, I'm hard to get. Now, I just need a- what's the best time to get a hold of you?"

Councilman Lull: "The best time to get a hold of me usually in the morning."

Larry Williams: "In the morning?"

Councilman Lull: "Yes. Here."

Larry Williams: "Okay. Between 8, 9, 10, 11?"

Councilman Lull: "Anytime after 9."

Larry Williams: "Anytime after 9?"

Councilman Lull: "Yes."

Larry Williams: "Okay. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who hasn't had a chance to speak? George Schmelzer. I see Tim Kelly cringing."

George Schmelzer: "You said a moment ago that you can't spend public money to defend people's property rights."

Supervisor Kozakiewicz: "No, no, no, no. You misquoted me. You didn't get it right."

George Schmelzer: "What was it?"

Supervisor Kozakiewicz: "But anyway, look at the New York constitution."

George Schmelzer: "You spend public money to steal their right, that's okay. Anyway, on Edwards Avenue between the railroad track and River Road, it's very dangerous. Cars come down there. Anybody heading east- west on River Road, hard to avoid an accident. Do you think you should make that 30 miles an hour? It would be- we would be safer.

And out of town people park boat trailers and stuff on the road that goes across the dam even though there's signs there, no parking, no standing, but they do it anyway.

So, have you answered- has the town answered in the Southampton newspaper there was vicious attacks by Fred Thiele. Has anybody answered him from the town? A town official? Any of the Town Board members? I don't know what you're afraid of. Does Fred Thiele have something on some of you fellows? Did you make a deal not to talk?"

Councilman Lull: "I don't even know what you're- "

Councilman Densieski: "He was in on the Cablevision deal."

George Schmelzer: "Huh?"

Councilman Densieski: "The Republicans. He was in on that."

George Schmelzer: "You don't know what I'm talking about? What Fred Thiele wrote in the Southampton paper attacking Riverhead

because they don't pay their fair share of the taxes, and they never have paid their fair share."

Councilman Lull: "Well, he's got it just about backwards."

George Schmelzer: "Huh?"

Councilman Lull: "He's got it just about backwards, doesn't he?"

George Schmelzer: "He has, but nobody answers him. And you might lose with the state, then who are you going to blame? Yourself. You should tell Southampton they should pay-- whatever the percentage they have of the students, they should pay that percentage of the budget. Plain as any day. And invite them to make their own school district, south of the river, then we wouldn't have to build a new school for a long time. Put- what are you afraid of them for? They've got something on you or something you can't talk?"

Supervisor Kozakiewicz: "George, it's the same comments every meeting and it's always the same accusations which don't deserve a comment. None of the accusations deserve a comment so anything else you wish to say?"

George Schmelzer: "I just asked you."

Supervisor Kozakiewicz: "Anything else you want to say? I don't even want to honor the comment. And anything else you wish to say?"

George Schmelzer: "Maybe you're afraid to. I don't know what you're afraid of, really. He isn't afraid to lambast the town. Fred Thiele isn't. Why don't you answer him back?"

Supervisor Kozakiewicz: "Are you guilty of tax evasion? Do you beat your dog? Do you- I mean, come on. Let's talk about the ridiculous."

George Schmelzer: "You know what I'm talking about."

Supervisor Kozakiewicz: "Do you- are you guilty of tax evasion?"

George Schmelzer: "We're not talking about- I'm talking about the school tax."

Supervisor Kozakiewicz: "George, please. We know what your issue is. We know your concern. We know that you are concerned about the disparity in the taxes between Riverhead school taxpayer portion and the Riverhead taxpayers in the Southampton. In fact, I've sent a letter over to Fred Thiele suggesting that if there's a disparity due to the inequities in the equalization rate, that he should adopt state legislation so that there's no equalization rate. All taxes are done on an equal (inaudible) assessment value. And I've sent that letter to him and I will continue the conversations and when the matter comes for a hearing at the state level and I can, I will attend personally the Office of Real Property Services when the question of the special segment equalization rate takes place.

And I am hopeful that that Board will do the right thing and not grant the request from Southampton town for that special segment equalization rate."

George Schmelzer: "You have to write a letter to the editor, that's what you need, so the people will know what you're talking about. That's what I'm asking for."

Supervisor Kozakiewicz: "And if the letter goes to the editor, can I ask a question? Will you stop coming up to the podium? Because there's a great incentive for me to send a letter to the editor. Believe me."

George Schmelzer: "Well, you're afraid to, I guess."

Supervisor Kozakiewicz: "No, no, no."

George Schmelzer: "He's not afraid to. He wrote three letters already, lambasting Riverhead town."

Supervisor Kozakiewicz: "I don't know if it's a question of being afraid or different political tactics."

George Schmelzer: "Well- "

Supervisor Kozakiewicz: "And, well, you're suggesting that. So."

George Schmelzer: "Well, it sounds like you're afraid to answer him. Maybe- "

Supervisor Kozakiewicz: "I have answered him. I've written him

a letter, Mr. Schmelzer. I stated that and I also stated that I intend to appear at the segment equalization hearing if it's held, so I don't need to play it out in the press. There's a way to play it out and that's to address it at the Office of Real Property Tax Service and to ask Mr. Thiele to do what I just said, that is to get rid of the special- or the equalization rate the way the state legislation is done now and change it so they're fully assessed. So there is no inequity between the town of Southampton and the town of Riverhead. I've done that. It's not to your satisfaction so, therefore, I'm afraid."

George Schmelzer: "People- the people don't know it, see. You write a letter to the editor, Southampton people read that."

Supervisor Kozakiewicz: "I'll give you a copy of the letter."

George Schmelzer: "I don't care about your copy."

Supervisor Kozakiewicz: "Well, see- "

George Schmelzer: "You write a letter to the editor so the people- "

Supervisor Kozakiewicz: "George, thank you."

George Schmelzer: "- read it."

Supervisor Kozakiewicz: "George, thank you. Joan Griffin."

George Schmelzer: "They're not going to read the letter you, write directly to him- "

Supervisor Kozakiewicz: "Next speaker, please."

George Schmelzer: "- they don't- "

Supervisor Kozakiewicz: "Thank you, George. Next speaker, please."

George Schmelzer: "Yeah. You took my five minutes up yourself, most of it."

Supervisor Kozakiewicz: "Well, we've gone way past five minutes, sir."

George Schmelzer: "Okay, thank you."

Supervisor Kozakiewicz: "Thank you."

George Schmelzer: "No use talking to you."

Supervisor Kozakiewicz: "Just because I don't do it your way, there's no use. Thank you. Joan Griffin, please."

George Schmelzer: "Same to you."

Supervisor Kozakiewicz: "Thank you."

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

Supervisor Kozakiewicz: "You're welcome."

George Schmelzer: "Okay, so long. I'll see you next time."

Councilman Densieski: "Good night, George."

George Schmelzer: "Good night. It is pretty good. It's not raining outside."

Councilman Densieski: "Come on, George."

Joan Griffin: "Good evening, Joan Griffin. I have a couple quick questions on the graffiti resolution a couple of months ago. I believe it said something about that the town would notify buildings that were full of graffiti and ask them to clean up the buildings and give them 30 days. I think the resolution read something like that."

Supervisor Kozakiewicz: "Something like that."

Joan Griffin: "The building on Manor Road and 25, I know it's for sale but somebody must own it currently. Has a letter been sent to them to clean up the building?"

Supervisor Kozakiewicz: "We'll check on it."

Councilman Densieski: "Which building was that, Joan?"

Supervisor Kozakiewicz: "That's the one on the corner."

Joan Griffin: "Manor Road. Right across from Splish Splash."

Supervisor Kozakiewicz: "Yup."

Joan Griffin: "That intersection."

Councilman Densieski: "That gray barn."

Joan Griffin: "And I think Mill and 25 there's a building. It was cleaned up once and painted gray and now it's re-graffiti-ized."

Councilman Densieski: "Which one on 25 there?"

Joan Griffin: "25 and Mill, I think it is."

Supervisor Kozakiewicz: "Which side?"

Councilman Densieski: "Okay. That's going to be- "

Joan Griffin: "The south side."

Councilman Densieski: "- somebody is coming in there very soon, I think. That will be resolved rather quickly."

Joan Griffin: "Okay."

Supervisor Kozakiewicz: "Someone is going to be using that."

Joan Griffin: "Okay. Second thing. The town or state paved from Manor Road west- "

Councilman Densieski: "The state."

Joan Griffin: "Past the Grumman and they did a great job on it but they left all the excess asphalt piled up on the side of the road on the grasses. Is that going to be removed by the state instead of those-"

Councilman Densieski: "I'm sure it would be."

Joan Griffin: "- piles of asphalt there."

Councilman Densieski: "You can follow with a phone call to the state but I'm sure they're- that's part of the contract."

Joan Griffin: "Okay. And last thing, you voted tonight on a resolution about limiting the truck weight from going up and down

Youngs. You can only go from Osborne up to Crown."

Supervisor Kozakiewicz: "Except local deliveries."

Joan Griffin: "Except local deliveries."

Supervisor Kozakiewicz: "Is the way I understand."

Joan Griffin: "So does that mean from Twomey to just past the last residence before Crown, we can get that road repaved?"

Supervisor Kozakiewicz: "I don't want to jump- "

Councilman Lull: "That's Mark's job."

Supervisor Kozakiewicz: "- Mark can address- he has identified roads that he is looking to take on over the next year and a half and I don't recall if this was one on the list that he has. He's been pretty systematic in trying to get to them and this may be one of them. I don't want to say it's not."

Councilman Lull: "I also have to tell you, Joan, that in our discussions about these weight limits, part of that- Mark is obviously part of these discussions. Part of that is which roads can handle the traffic and which roads cannot and that's part of what we're talking about, trying to prevent further damage to the roads as they are."

Joan Griffin: "Because Youngs is like somebody else mentioned, just patchwork."

Councilman Lull: "Yes."

Joan Griffin: "There's one patch over another and more and more residents are coming into the area with the (inaudible)."

Councilman Lull: "I don't know what you're going to see at the corner of Osborne up to Crown at this point with the reclaiming of the landfill going on and the other heavy trucks. I don't know exactly what you're going to see. It probably will be just patching at the present time."

Joan Griffin: "Okay. And from Crown towards Twomey? Could that be put on the list?"

Councilman Lull: "That's on Mark's list. I don't know where it

is."

Joan Griffin: "Okay, thank you very much."

Supervisor Kozakiewicz: "Thank you. Anybody else? Ray Saltini."

Ray Saltini: "Thank you. The intersection of 3<sup>rd</sup> Street and South Jamesport Avenue has become quite dangerous with traffic. There is no stop sign there. Traffic can go from Peconic Bay Blvd. all the way to 2<sup>nd</sup> Street and cars get going at a pretty good clip."

Supervisor Kozakiewicz: "There's no stop sign on the- 3<sup>rd</sup> Street?"

Ray Saltini: "There's a sign on 3<sup>rd</sup> Street but there's no stop sign on South Jamesport."

Supervisor Kozakiewicz: "So you're for four way stop signs?"

Ray Saltini: "Correct. We're in the process of generating a petition and circulating it. I mean, just about three weeks ago, literally a half dozen neighborhood kids, one of them really almost gotten taken out by a pickup truck that was going at least 40, 45 and that's not the fastest that they go in that area. And one of the kids- because I live on that corner, I heard it and one of the kids actually went into the van and hurt his wrist. He was okay, but interestingly enough, one of the kids said he didn't even stop at the stop sign. And, of course, there is no stop sign there but it makes commonsense that there should be.

So I don't know if it's ever been looked at before. You may or may not be aware that about two years ago, maybe three years ago actually, there was a young girl riding her bicycle and had her, I believe, her leg broken pretty severely at 2<sup>nd</sup> Street and South Jamesport Avenue. And there was a stop sign put up at that intersection subsequent to that.

So, you know, it's the season. We've got a new bar, not a new bar but a bar that's changed hands. It's just a pretty heavily used intersection. So I'd ask for the Board's support on getting a stop sign- I know when you talk to traffic folks they say stop signs are not supposed to be used to limit the speed. I'm not a traffic expert, but something needs to be done there.

And, finally, you know, I would ask the Board to come together and to talk about and to consider putting forth a resolution on the Key Span property, and the purchase of the Key Span property whole. I know that there's a difficult short term issue around the tax revenue from that. I believe that there are a lot of good reasons to purchase the Key Span property whole but not the least of them is, I think there's going to be a significant long term economic gain and I think that if the Town Board, especially given the position hopefully that it's adopted over the last few months or what have you maybe can use that as leverage to talk with the county legislature and the state legislature to maybe get some short term mitigation of any loss of tax revenue. It's a big issue for us in Jamesport. It should be a big issue for all of us here. I know it's not taken lightly by any means but I would ask the Town Board to come together as a unit, as a Board, around that issue. And thank you for your time and patience."

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

Larry Oxman: "Hi. It's late, I'll be very brief. We were talking about traffic. Downtown my office being located at the corner of Peconic Avenue and East and West Main Street, the very large trucks, the 18 wheelers that come through the downtown, my understanding is one of the reasons why they have to come through the downtown is that there's a weight restricted bridge over on I guess it's Nugent Drive in front of- just before the County Center. And I brought up this issue at the BID meeting last week. I think they were going to issue some type of a letter. I don't know whether they have or not to you but it's pretty exciting to see some of those trucks maneuver. I mean they whip around there. I've seen quite a number of accidents and if anything could be done to lift that restriction or to have them- I mean, I don't think the trucks certainly like coming downtown."

Councilman Densieski: "They don't. Larry, I sent a letter to the DPW probably eight months or a year ago- "

Supervisor Kozakiewicz: "A year ago."

Councilman Densieski: "Yeah. It's probably been a year ago, with that very same concern. The trucks with "R" permits are not allowed to go over there but the fact of the matter is any truck with an "R" permit wouldn't have the bulk or the weight on a bridge at one time because the bridge is so short and the trucks are so long. So I pointed that out to the Commissioner but I haven't heard anything back

yet. But I know the BID is concerned about it because we don't want those trucks rolling through downtown but I don't think it's going to be a short term issue. I think they're talking about restructuring that bridge before that happens, even though I don't think it's necessary."

Larry Oxman: "Yeah. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who hasn't had a chance to talk to us in open comment period? If not, is there a motion to adjourn?"

Councilwoman Blass: "So moved."

Supervisor Kozakiewicz: "Second. Thank you."

Meeting adjourned: 10:35 p.m.

*Barbara Heaton*  
Town Clerk