

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 18, 2002, at 2:00 P.M.

Present:

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

Also Present:

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

Supervisor Kozakiewicz called the meeting to order at 2:02.

Supervisor Kozakiewicz: "Let the record reflect the time of 2:02 p.m. having arrived. Call this public meeting to order. Is there anyone would like to lead us with the Pledge of Allegiance? Gentleman in the yellow shirt, would you like to do that? Come up to the podium, please. No, no, not going to do it. Oh, there it is, okay, good. Pledge of Allegiance- "

(The Pledge of Allegiance was recited, led by Bruce Madonna.)

Supervisor Kozakiewicz: "Okay. We have all the necessary parties for the LMC? Because if we do, why don't we go down into the well and we'll come around front if the Board will join me.

While we're getting set up, I'm going to ask the representatives from LMC, Labor/Management Committee to come forth. What we have today is our quarterly recognition of Employee of the Quarter. I'm not sure who's going to pass on this and who's going to take the next step. Madelyn, is it going to be- oh, okay, great. Well, he's already up here.

Det. Frank Hernandez, so he almost needs no introduction. Certainly with me he doesn't. I had the good fortune of having borrowed him for a short period of time. He was on loan from the Police Department when I was Town Attorney and I had the good fortune of having to work hand in hand with Frank for a couple months and got

to see him to some real neat investigative type of work for my office on some zoning matters, and I got to see just how skilled he was, what a good police officer- at that point, I'm not sure if he had made Detective grade at that point, but he certainly had the skills and they were being- they were very obvious to me.

It's my pleasure to recognize Det. Frank Hernandez. Now I understand someone is going to read the proclamation? Pat, all right."

Pat: "Whereas, it is both fitting and proper that the Town Board and the residents of the Town of Riverhead join with Riverhead Town Labor/Management Committee and the Riverhead Police Department in recognizing an individual who provides excellent and professional service above and beyond the standard while executing his responsibilities as police detective of the Town of Riverhead Police Department for the past 14 years; and

Whereas, Det. Frank Hernandez has since 1988 worked to encourage the further development of his fellow department members and furthering his education in law enforcement and computerization of the detective division of the Riverhead Police Department; and

Whereas, Det. Frank Hernandez has demonstrated initiative and creativity in carrying our the responsibilities of his position with a cheerful, caring and enthusiastic attitude.

Now, therefore, be it resolved, that the Town Board of the Town of Riverhead wishes to congratulate Riverhead Town Detective Frank Hernandez for being chosen by the Riverhead Town Labor/Management Committee as Employee of the Quarter in consideration of his efficient and courteous performance while fulfilling his professional obligation to the Town of Riverhead; and

Be it further resolved, that I, Robert F. Kozakiewicz, Supervisor of the Town of Riverhead do recognize on this day Det. Frank Hernandez.

Congratulations.

Do you want me to bring his family up or- "

Supervisor Kozakiewicz: "I was just going to say. Come on up."

Det. Frank Hernandez: "My wife, Eileen, my daughter, Becky, my

son, Tommy."

Pat: "I just want to thank a minute first just to thank the Labor/Management Committee for selecting such a fine officer and second to thank Frank for his professionalism, his dedication, his ability to get the job done. It's because of people like you that make the Riverhead Police Department an outstanding place. Thank you."

Maureen Fagan: "I'd just like to introduce the members of the Labor/Management Committee. We have Pat Mulcahay, James Lull, myself, Maureen Fagan, Barbara Grattan, Eileen Roman, Madelyn Sendlewski, Mike Reichel, and Matt Hattoff. And he also gets a hundred dollar savings bond and a day off with pay along with that proclamation."

Frank Hernandez: "I'd like to thank the Labor/Management Committee, the Town Board, Chief Hagermiller, and members of the department, really make it easy coming to work every day. Thank you."

Supervisor Kozakiewicz: "Okay, Reports, please."

REPORTS:

Receiver of Taxes	Total taxes collected to date: \$71,079,522.78
	Utility Collections \$138,467.92
Building Department	Total collections for May \$144,324.00
Sewer Department	Sewer monitoring report for May
Open Bid Reports	Repainting of Pulaski Street tank opened on 6/11 - one bid was received
	Corrosion control - opened the same day - one bid was received

Barbara Grattan: "That concludes Reports."

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

APPLICATIONS:

Shows & Exhibition Permit

Jesus Is Lord Church in Lombardi Park, July 20 at 1:00 p.m. to 3:00 p.m., singing and speaking

Silver Dollars Shows, Inc. June 27 to July 7, Route 25, Calverton Fair

Fireworks Permits

Ms. Julie Ward - July 4th at the Vineyard Caterers

Silver Dollar Shows - June 29 Calverton Campground

Kim Loeffler - July 3rd - Vineyard Caterers

East End Arts Council - August 10th Palmer Vineyards August 24th Jamesport Vineyard

Site Plans

Cooperidge Inn, amending previous approved site plan Wading River Plaza expansion

OC Riverhead 58 LLC

Calverton Manor LLC

Supervisor Kozakiewicz: "Correspondence, please. I didn't give you a chance to breathe. Did I?"

CORRESPONDENCE:

Molly Roach

In favor of the "Y"

Peter Danowski

Regarding application of Country Trails being exempted by the moratorium on residential development

Mary Stanslir

Regarding the proposal to move the softball site to the Grumman property

Kendal Kelly

In favor of extending the moratorium

Barbara Grattan: "That concludes Correspondence."

Supervisor Kozakiewicz: "Any Committee reports?"

Councilman Densieski: "Mr. Supervisor, I'd just like to point out there's an application tonight from the Riverhead Central School District for the Relay for Life. I'd like to invite the entire community. There as a lot of volunteerism from- a lot of people from Riverhead and there's going to be a walk from 4:00 p.m. Friday until 9:00 a.m. Saturday. So it's all night and there's a lot of festivities. It's to benefit the American Cancer Society. I think all of us know somebody that's faced with some kind of affliction. So we hope the whole community will come out and support all of the volunteers that worked very hard."

Supervisor Kozakiewicz: "Thank you. Anybody else with any Committee Reports? If not, the time of 2:10 p.m. having arrived, Barbara, would you read the affidavit of publishing and posting for today's first public hearing?"

Public Hearing opened: 2:10 p.m.

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on June 18, 2002 at 2:05 p.m. regarding the extension to the Water District to be known as Extension #73."

Robert Lucas: "Good afternoon."

Supervisor Kozakiewicz: "Good afternoon."

Robert Lucas: "My name is Robert Lucas. I'm with H2M Group. We're the engineers for Riverhead Water District. And I'm presenting the proposed Extension #73, Kulesa Subdivision."

The developer has petitioned the Town Board to allow the proposed development to be served by the Riverhead Water District."

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

Supervisor Kozakiewicz: "You guys can't hear? Turn it up a few notches."

Robert Lucas: "The developer of the property- I'm sorry. The developer of the property has petitioned the Town Board to allow the proposed development to be served by the Riverhead Water District. The property is located just outside the boundaries of the existing Water District. Therefore, in order to provide water to the site, a formal extension of the district boundaries is necessary."

I'd like to refer to the exhibit. As you can see, I've outlined in blue, delineates the existing Water District boundaries, in red shows the proposed Kulesa subdivision. The description of the extension for Kulesa subdivision is located on the westerly side of Twomey Avenue just south of Deep Hole Road intersection. The construction- proposed subdivision construction of two single family dwellings. The nearest water main to the subdivision and the proposed extension is adjacent to the property along the east side of Twomey Avenue. However, the existing Riverhead Water District water main does not extend across the frontage- the entire frontage of the property.

In keeping with the procedures of the Water District, the developer would be responsible to extend the water main across the entire frontage of the property. I've indicated in yellow in the exhibit the water main extension and it's scaled out to be approximately 180 feet. Approximately 180 feet of 12 inch water main will be required including valves and appurtenances and they will be installed along the easterly side of Twomey Avenue. And, again, I refer to the yellow marking and that is the proposed water main extension.

The estimated water use for the two lot subdivision is approximately 600 gallons per day or a maximum day demand of approximately 1800 gallons. The Water District is currently in the planning stages for additional supply wells and storage tanks that will be capable of handling this additional demand from Kalesa subdivision.

The project cost- total project cost including water mains, engineering and inspection contingencies for the 180 feet along the frontage is estimated at \$13,000. This total cost of this will be borne by the owners at no charge to the Riverhead Water District.

In addition key money fees will be necessary at \$2,500 per dwelling, times two, that gives a total key money cost of \$5,000 to be borne by the developer and the key monies is assessed to cover the cost of construction capital improvement facilities, including wells and storage tanks related to the water and transmission of water in the District.

With that, H2M recommends that the Town Board accept the extension 73, Kalesa subdivision."

Supervisor Kozakiewicz: "Thank you. Anybody who would like to address the Board either for or against the proposed extension, extension 73? Steve Haizlip."

Steve Haizlip: "Steve Haizlip of Calverton. I just want to see if I can get this pinned down. On Twomey Avenue, on the old Jerome Hogan's place, there's two houses offset, back off the road, at the edge of a field. Would this be to accommodate them?"

Supervisor Kozakiewicz: "This is not Hogan. This is Kulesa. This is as you travel south from the old Hogan piece, go past the intersection that would be on your left hand side, Deep Hole Road, and this would be just southerly of that other subdivision which is at that intersection with Deep Hole Road. Correct? This is south of the Hogan piece. This is the K lesa farm."

Steve Haizlip: "Oh. In other words- "

Supervisor Kozakiewicz: "It's on the west side of the road, not the east side. Hogan is on the east side of the road up near Twomey and Youngs. This is down by Deep Hole Road."

Steve Haizlip: "Okay. I think I've got just the location. It's where Mr. (inaudible), I think was involved with a housing project in there about 28 houses."

Supervisor Kozakiewicz: "Sounds right. And- "

Steve Haizlip: "Okay."

Supervisor Kozakiewicz: "Yes."

Steve Haizlip: "Well, hey, I waited seven years for water. I don't want them to wait as long as I did. So give it to him."

Supervisor Kozakiewicz: "All right. So you're saying yes. Thumbs up. Okay."

Steve Haizlip: "Give it to him. Yes."

Supervisor Kozakiewicz: "Anybody else? All right. That being the case, declare the public hearing closed, the time of 2:16 p.m. having arrived."

Public Hearing closed: 2:16 p.m.

Supervisor Kozakiewicz: "Time still being 2:16 p.m., Barbara, would you read the affidavit of publishing and posting for the second public hearing today."

Public Hearing opened: 2:16 p.m.

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on June 18, 2002, at 2:10 p.m. regarding the consideration of a Local Law to amend Chapter 101 of the Town Code, Vehicles and Traffic, Section 101-8 Weights Limits, Mill Road."

Supervisor Kozakiewicz: "Yeah, this one is to establish a weight restriction on Mill Road. I had a question on this one. I think we may have not described it properly. It would be Mill Road, 1300 some odd feet to the intersection with Osborne. Correct? We describe it as being the intersection with Sound Avenue. Is that right or is that wrong?"

Councilman Lull: "It's Mill Road. Thirteen hundred and fifty or whatever it is feet north of Route 58 to- all the way to Osborne."

Supervisor Kozakiewicz: "Right. The way we described it, we describe it as- "

Councilman Lull: "I didn't see the publishing."

Supervisor Kozakiewicz: "We describe it as the following. So this is why- we may need to repost it, I'm not sure, and that's why I asked the question. Mill Road, 1320 feet from the intersection of Route 58 in a northerly direction to the intersection of Sound Avenue. We were not intending to go all the way up to- first and foremost,

Mill doesn't go all the way to Sound."

Councilman Lull: "It doesn't go to Sound Avenue."

Supervisor Kozakiewicz: "And, secondly, I don't think we intend it to go all the way to Sound Avenue."

Councilman Lull: "No."

Supervisor Kozakiewicz: "All right. But if there is anybody who wishes to speak since we did notice this and then, of course, I think the intention was to say Osborne Avenue not Sound Avenue. But, again, this was to place vehicle weight restrictions on Mill Road if you travel from Route 58 to the intersection with Osborne Avenue. Is there anybody who wishes to address the Board either for or against the proposed change to our Chapter 101? I've probably confused-- everybody know what we're trying to accomplish here. Anybody who wishes to speak? No. No comment. All right. With that proviso that we may need to renote it under that question, I will close the public hearing the time of 2:19 p.m. having arrived."

Public Hearing closed: 2:19 p.m.

Supervisor Kozakiewicz: "And what I will do is, once again, we have a new procedure. At this point rather than open it up for general discussion, we will hear any comment from anybody who wishes to address us with respect to a resolution which is on today's agenda. Once we close that period, we will then take up for vote the resolutions that are appearing on today's agenda, those include the one resolution that's on the Community Development Agency's agenda and the resolutions that appear on the Town Board agenda.

Is there anybody who would like to speak to the Board or address the Board with respect to items that are on today's resolution agenda and the resolution agenda only? Yes, hand in the back on the right hand side."

Angela DeVito: "I'm Angela DeVito and I live at 127 Green Street, South Jamesport. And I'm addressing Resolution #658.

First of all, I'm- my comments are in support of the action that the Town Attorney is going to take but I would be really remiss if I didn't thank the Board, having been here, I believe, about two weeks

ago, for their prompt action on this particular matter, especially the clean up down there. Having been down there it was last Friday, it looks a lot better than it did. So I think we're moving in the right direction with this and this particular step would ensure not only the access that people immediately in the area there should have, but also for all town residents who may wish to use that particular area to access our beaches.

One of the questions that I do have is that as this action goes through the courts, how the access of individuals there since there had been reported some incidences of the owners of the properties there trying to limit access, what steps or actions would be recommended for residents of the area to take or what enforcement would be done as interim measures on the part of the town as we wait for the Supreme Court to make its decision?"

Supervisor Kozakiewicz: "I think last time you were here, we tried to separate and distinguish the rights that the private property owners may have and those that the Town of Riverhead may have and that they are enforceable through our pursuit of litigation and lawsuit.

Our remedies and, Dawn, if I start getting into stuff that's really litigation items, please stop me short, deal with the question of a roadbed and the laying out of a road as shown on a map, and I think- I haven't analyzed this from a legal mind set just from what I understand as one of the Board members here, our rights are enforceable under that road map, that map that's shown that paper street and the fact that when there is a road that's laid out on a paper street, it's there, and it provides a right to the town as a municipality or a village as the case might be and our position is that unless there is an affirmative step which would be an actual abandonment procedure which would erase that road on a map, we have the rights to it.

So our rights are limited to that. If there is a denial of access to residents, that's a little bit of a different issue but certainly if it gets to the point where it rises to criminal type of activity or to something at that level, the police would need to be called into calm down and make sure the situation is not getting out of control.

I guess my point is that if there's a beach use issue or an access issue, you may have to seek out and obtain counsel to enforce those rights for you. That's my point I guess I'm trying to say and I kind of went around and around with it."

Angela DeVito: "Well, one would be, you know, the issue of just parking your car on the street as we're allowed to do now with the permits. Okay. If you have your permit, you can park on town roads there and the fact- "

Supervisor Kozakiewicz: "That would be something that would be enforceable through the township."

Angela DeVito: "Okay. So I guess, you know, really the answer, you've answered it and sort of (inaudible) was suggested the last time was that we basically exercise our civil rights that we have available to us in this action."

Supervisor Kozakiewicz: "Right. And clearly we will enforce, you know, our rights as a municipality to ensure that that road that's shown on that map which we feel strongly cannot be interfered with except if there had been an agreement by a road abandonment proceeding is what we will pursue with vigor force."

Angela DeVito: "Again, thank you."

Supervisor Kozakiewicz: "Okay. Yes?"

Bruce Madonna: "Good afternoon. My name is Bruce Madonna. My wife, Rosemary, is here with me today and we purchased a beautiful piece of beach in South Jamesport two years ago. I have to tell you, today I stand in front of you very disappointed. I had hoped for so much more.

The last two summers, my family used the beach along with everyone else. I brought my chair and my umbrella down there and I sat with the people there. I watched the children playing with their parents and their grandparents. I watched friends that I made in the area and neighbors all enjoying the beach and the water.

I thought that was the way it was supposed to be and I expected it to remain that way. While I sat there, I dreamed about our house, how wonderful it was going to be to live on this beach, in this community, and it seemed like a little piece of heaven. Then came the letters from the Civic Association asking the DEC to revoke our permit. There were reports made to the police and other agencies that were eventually found to be unfounded against the Schultz', my neighbor to be. And then there were headlines in the local papers that were heralding the destruction of Miamoque (phonetic), meaning me.

I didn't answer the articles and that took a lot. I'm Italian, I bit my tongue big time for weeks. I'm telling you. But I didn't want to- "

Supervisor Kozakiewicz: "Mr. Tria understands that, right, Mr. Tria?"

Bruce Madonna: "I didn't want to fan the flames; I didn't want to stir the pot. So I kept quiet. I knew the change was going to be hard for the people of this community. Any change. So I kept quiet but on the 12th of May, my wife and I had a confrontation with a woman on the beach. The very next day, I called Councilwoman Barbara Blass and I asked to meet with her in an attempt to increase the communication, to cool the rhetoric and the feelings on both sides - I'm excitable, too.

We met on Wednesday, May 15th. Barbara listened and, I think, saw some merit in what I was offering. She said that I should meet with Ray Saltini, President of the Civic. I didn't look forward to that. His name was the one quoted in those articles. But on Monday, the 20th of May, Ray Saltini, Barbara Blass, Don Schultz, and I met in this room and we talked for two hours. Don and I offered the use of our beach, our private property, without any fences. We explained that our intention has never been to keep the people off the beach and we didn't want to put up fences on the beach. We wanted them to advocate a courteous approach rather than support threats of legal action.

We also asked them to encourage people to enter the beach from South Jamesport Avenue as much as possible. And there's a reason for this. If I may, I've got a bit of a map here, appropriate scale-wise. Everything that's outlined in green is undisputed private property and has been for, I guess, 200 years or more. The disputed part, the subject of this referendum or resolution, excuse me, - "

Supervisor Kozakiewicz: "Mr. Madonna, I'm going to ask you- because I'm not sure how much of this is going to be quoted on the record. We have to catch this on the record, so you're going to have to either grab the mike and bring it over to you or just point- that's fine. One way or another. Okay. Good."

Bruce Madonna: "Okay. The green areas, the outline in green, is undisputed private property, has been for a very, very long time. I made that yellow area there which is the quote unquote extension of Center Street down to the water. It's the disputed area. We've been

told that we own it, the town obviously believes that it has some rights to it.

But our request for Jamesport Avenue, you have to look at this and the line going down the center of that, nobody walks down there. It's right over the dune, it's 350 feet across the sand to the water. No one uses it. Where the red is, just beyond Don Schultz' new house, everybody turns to the right and walks right out into the middle there, in the middle of his property, and sets up their blanket. Still no problem.

Don will go out and talk to them or I'll go out and say, if you don't mind, next time you come out here, could you move over down there? Or if it's somebody who walked over from the east and walked all the way past South Jamesport, we'll say, maybe you could walk down South Jamesport, not maybe, maybe we said, we'd like you to walk down South Jamesport Avenue. Enter the beach that way. A lot of nice people, no problem, hand waves, and we left as friends.

But some people come down here with attitudes, very serious ones. Right where the X is, where it says the Schultz. I had a woman stand there and say I've been told by the town that I have every right to be here. And when I tried to talk to her, I'm not having this conversation.

We want to be able to say- we went to this meeting because we want to be able to say, please talk to Ray or talk to Barbara when feelings ran high. Our hope was that Ray and Barbara could help to diffuse any trouble before it really got going. We asked that they explain to the people what's this going to be like if a lawsuit begins? How little beach there's going to be left if fences go up on our properties. Picture that.

The best the town is talking about here is a 40 foot wide road. That's the best. It could be a lot less in width, maybe nothing. But the best would be fences, 300 and something feet out to the water once it becomes a fight.

We also wanted them to explain to people how much could be gained by courtesy and understanding. You have to give a little. Maybe you're going to have to enter by South Jamesport. But look what you get. That beach is gorgeous.

Don and I left that meeting believing that we had an agreement. We thought we were all going to try and get along this summer, there

would be no fences and fewer bruised feelings. We went back and moved whatever construction debris there was that was in the way. So luck went wrong. In a month since that meeting, why hasn't anybody from this Board ever picked up a phone and called us to ask what's going on? I don't understand that. What is your vision from Miamogue Point? Can it really be that this Board sees fences on all the green lines on that map as a victory for the people of Riverhead?

My family and the Schultz' offered a vision that I think is more like preservation of the beach, a vision that has people, not fences, down there. This legal fight looks more like the destruction of Miamogue. It's going to be fences, not people, on the beach.

I would ask you please look into your heart before you vote today. Have you exhausted all the opportunities to achieve a peaceful resolution? Have you examined every possible solution? And are you advocating the best one? If you commit the taxpayers of Riverhead Town to a costly legal battle, are you later on going to look back at this moment and wonder if there had been a better way? The legal path is going to be costly in terms of dollars but it's also going to have a high emotional cost. People who could have been friends are being driven apart right now or you could be the ones who help bring them together.

I don't want to belabor it, but last question. Do you really believe Riverhead is better served by a fight and then fence approach because as I said, I had hoped for so much more. Thank you."

Supervisor Kozakiewicz: "Um, please. Is this on the resolution? I saw a hand go up. Is this on the resolution? Okay, come on up."

Barbara Kimmel: "Mr. Kozakiewicz, Members of the Board, I'm Barbara Kimmel, I live in Jamesport and I'm here this afternoon to address the issue of Center Street in Jamesport.

This is a town road that abuts the property of Bruce Madonna and Donald Schultz. I reference here the town map dating back to 1930. The Highway Department has documentation that this road has been in use for 50 years at that point and is considered a municipal road. It further states the road is 40.8 feet and ends at the water line.

A deed dated 2/6/87 clearly states in four tie lines the road in question, Center Street, and it is measured from the westerly side of Center Street to the mean high water mark. This uses Center Street as

a reference point. There is a second deed dated 2/2/2002- 2002, but it was 2/20, excuse me, with three new tie lines. This deed uses Center Street as a reference point also. However, it measures from the Center of Center Street. It also states that Center Street is not in use and is not open. The deed claims the west property has drawn an extension of Front Street which never existed.

I'm just formally requesting that the Town Board and the Highway Department assure the taxpayers that this municipal road remain open and accessible to the water line with the width of 40.8 feet as referenced in the Town Highway Department map which is dated May of 1930.

As an aside, we are bi-coastal. I live in California and in Malibu we are dealing with the same issue. Multimillion dollar homes cutting off access to the beach and it is very distressing that the taxpayers take this land, we pay for the access to the beach and we pay for the beach, but we're not permitted to use it. We have been using the beaches for many, many years and we clean up after ourselves. We don't want fences either. And I would certainly like to meet with you because I don't want confrontation but that road has been open for many, many years my kids have been using it. We used to bring our sailboat down there and have the kids launch down there. Thank you."

Supervisor Kozakiewicz: "Thank you. Yes. Come up. Yes."

Deborah Brehm: "I'm so glad you let me come up here. My name is Deborah Brehm, I live in South Jamesport. I've been there for going on 18 years. I didn't write anything preplanned to tell you, so I come here. This is a very passionate issue, I think, with all of us because one of the reasons we love living down there is because of the beach. The beach is so beautiful and for many years a lot of that land was owned by the Luce family and the Downs and actually for generations people have used those beaches down there whichever way they wanted, mostly local folks. And I met Mrs. Luce, she never minded. And the property was deserted that the new house is being built on, I believe Mr. Schultz' house.

Anyway, cut to the chase. All I really want to say is I hope we all approach this. Everybody including yourselves has a problem to be solved and not a battle to be won, because we will all be losers if those fences go up. Those people that put those fences up won't want to live there either. They won't be happy with the people surrounding them and we won't be happy with them. So it won't be a win-win

situation at all. In effect, all they will have built is a fortress for themselves. Because no one- there will be no one that will even want to speak with them.

On the other hand, those of us that live there want to be friends with them because it's- that's one of the nice things about going to the beach is to go down there and just meet the people that live there. Even when it was scallop shacks, everyone was allowed to go down there. I mean there's such a long open history with that beach. There's never been dividing lines.

I'd hate to see it turn into the Hamptons where you have to pay a fee to go to the beach. That's what happened there.

It seems to me also that last year and the year before, I'm noticing a lot of people showing up at that beach that have no business being on that beach, with no permits. So there's that also that's happening also. There's actually an increase in the (inaudible) of people showing up on that beach coming from I don't know where, using the beach, that shouldn't be there. And I take offense to that.

I mean, if Mr. Madonna and the other homeowners on the beach and us locals can work this out, that's fine. Maybe that's another issue that has to be addressed later on is all these other people that are coming to the beach. Maybe some day we can form some sort of civic association for that area where it's really just the homeowners on the beach and the locals. If we had to show ID, I don't even have a problem with that. But to lose the beach, that's a really big deal. That's what defines that area.

And I don't know if a road is really even an answer. That would be ugly. If there were some sort of legal documentation that, I don't know, can't you make like a path there instead of an ugly road? Can't we- this is like Rodney King says, you know, can't we work this out, you know. But there's got to be a way to work this out."

Supervisor Kozakiewicz: "Well, I think- just to stop you there. I think Mr. Madonna has said that he's willing to talk with the group and work out a solution that both sides end up win-win. Whereas, if it's litigation, it may end up lose-lose."

Deborah Brehm: "Yeah, it's going to- "

Supervisor Kozakiewicz: "So and I think that's what I heard."

The question is, what are the respective parties willing to talk about and compromise upon? And if there's no ability to reach an accord, settlement, compromise, then we're back full circle to each party exerting their legal rights."

Deborah Brehm: "I was wondering if it could be taken even one step further as if there is a meeting of the minds, is there some way to make that legal? Because I think it's just about time something like that happens."

Supervisor Kozakiewicz: "Certainly there could be."

Deborah Brehm: "You know- "

Supervisor Kozakiewicz: "I mean the possibilities now before litigation starts are probably unlimited. Well, they're probably limited but they're- there's a great deal more alternatives available now than once the- "

Deborah Brehm: "Once the lawsuit- "

Supervisor Kozakiewicz: "-- the line is drawn in the sand. Okay."

Deborah Brehm: "Right. Right. I just want end on saying that, like I say, count me in, I'm for both sides. You know, I understand where they're coming from but I- and I think Mr. Madonna knows where we're coming from. I've met him. He's a nice man.

If anybody wants to see how ugly that beach is going to look, go down there now and look at that one encampment there, the small blue house, they put a fence up right to the high water mark. And that is an indication of what is going to happen down there. It's horrific. I can't believe how ugly it is. We don't want that. We don't want that."

Supervisor Kozakiewicz: "All right. So, so, yes."

Georgette Keller: "This is also on Resolution 658. I, too, am a resident of Jamesport, South Jamesport."

Barbara Grattan: "Please state your name."

Georgette Keller: "Whether it's actually South Jamesport is in dispute. My name is Georgette Keller. I live on 6th Street. Our

family has owned our property for more than 25 years and I just formally moved to the Town of Riverhead within the last year. And part of that reason is because of the location of our piece of property and the access to the water.

Now I have in-laws who live on the beach that's down the road. So I could go to their house but I choose to be a part of my community and go to the beach down in South Jamesport. What Mr. Madonna is asking that he'll allow us to have South Jamesport access from what I understand, if we give up our Center Street access.

Now, I'm not up for giving up anything that we already own or we already have access to or we already have right to. And we all know that when it comes to the time of high summer, people with permits do park down there and there are people without permits as well, but there are people with permits down there and if you restrict all the parking to one area, you're going to put all the impact of parking on that, you know, small area, South Jamesport Avenue, and that's not fair to those people who live there when it gives exclusiveness to the other side of the neighborhood.

Now I don't even live on that side of the neighborhood, I live farther up Jamesport Avenue but I have used both Jamesport Avenue and Center Street as a point which to enter the beach with my dog and my two kids and to go for a walk. And it's really nice to see everybody down there and, yes, we all know that the only people who win in litigation are the lawyers because they get to collect the legal fees, you know."

Supervisor Kozakiewicz: "Not always."

Georgette Keller: "But, but at this point, I think maybe we need to establish out who has the legal right and I understand the chain of title, you know, I work in real estate, and we really need to settle this because, I think, once everybody knows where they stand, then we can come to some compromises. But I have to stand on the record right now and also as a member of the North Fork Environmental Council, disagree with the giving up of any protective open space that's open to the people. Because that's part of the reason I moved here. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to comment on resolutions that are before the Board today? Terri."

Terri Fenton: "Good afternoon. I would like to go on record as Center Street has always been since 1880 as established when it was adopted into the map, 1930, it was stated that it was used for 50 years prior. It's a town dedicated road to the high tide mark. The town also owns a right of way 10 feet on either side of that road, if I'm not mistaken. The road is 40 feet wide. The extra 10 feet on either side would make it 60 feet. That the taxpayers have been paying for, not only my generation, back to the 1800's they've been paying taxes on this road. It is town property; it's taxpayer property and I object to closing (inaudible). Thank you."

Supervisor Kozakiewicz: "Anybody else who would like to address the Board on resolutions? Yes, Steve Haizlip or Ray Saltini. Are you coming up, Ray?"

Ray Saltini: "Yes."

Supervisor Kozakiewicz: "Okay. And, Steve, you'll be next."

Ray Saltini: "Also on Resolution 658, thank you very much. I'm Ray Saltini. I did meet with Mr. Madonna and Mr. Schultz earlier in the year and I would like to state- I stated and I don't think Mr. Madonna appreciated it or Mr. Schultz at the time, that I really do believe that they are as much victims in this as anyone else. You know, they walked into a hornet's nest. Miamogue Point has been on the list of preservation for a long, long, long time.

I do, however, believe that Mr. Madonna unfortunately has been a willing victim because, Mr. Madonna, you could have made some choices not to build your home there. And, so, it's without any reservations whatsoever that I urge the Town Board to approve this resolution and act on behalf of the interests of all the townspeople of Riverhead in passing this resolution and pursuing the full- the rights to the fullest extent of the town people.

And it's not without, however, any regret of the hardship that it may cause the Madonnas because I think, you know, they're human beings like the rest of us and we wouldn't want to see ourselves in that position. I do unfortunately believe that that's the only course of action in this matter and that the Town Board needs to take this action.

I'd like to urge other members of the South Jamesport community that are here to come up and speak after I speak.

Also, just for the record, we didn't send the DEC a letter- "

Supervisor Kozakiewicz: "Mr. Saltini, you are addressing the Board."

Ray Saltini: "Thank you. We didn't send the DEC a letter asking that Mr. Madonna's permit be revoked. Sixty plus members of the- and members of the South Jamesport community sent the DEC letters asking that a permit not be issued. And there's a big difference, I think, with that. And so that just goes to demonstrate and prove my point that the Madonnas however unfortunate their situation is, were willing victims."

Supervisor Kozakiewicz: "Well, the letters will speak for themselves what they said. So, I mean, I'm sure there are of record and we can gain them."

Ray Saltini: "The town can have copies of those letters. And that's it for now. Thank you very much."

Supervisor Kozakiewicz: "Thank you. Steve Haizlip."

Steve Haizlip: "Steve Haizlip of Calverton. What I've got to say on that resolution that the- 568 I believe it is- 658."

Supervisor Kozakiewicz: "658."

Steve Haizlip: "658. About 75 years ago, there was two brothers and their name was Monroe, Charlie and Bill. And they wrote a wonderful song, Live and Let Live. That's what should be taking place there. Not some high society dude, you know. Okay."

Now, on Resolution 680- 680, amending the employment status of the Deputy Town Attorney. What is this going to involve? More money?"

Supervisor Kozakiewicz: "Well, today it's going to be tabled because we need to have some further discussion with respect to it. But it was to clarify the employment status of the Deputy Town Attorney as to whether a day of vacation is a seven hour day as opposed to a four hour day and whether a sick day was a seven hour day as opposed to a four hour day, so it was more of a clarification resolution than anything else."

Steve Haizlip: "Okay. I get you, along civil service lines."

681 authorizes Supervisor to engage the Peconic Land Trust to prepare 2002 Department of Agriculture Farmland Protection Grant. Is this still within the hands of Hoot Gibson?"

Supervisor Kozakiewicz: "Hoot Sherman is one of the members of the Peconic Land Trust- "

Steve Haizlip: "Hoot Sherman, okay."

Supervisor Kozakiewicz: "-- and whether he'll be doing it or whether Julie Wesnofske (in +...) will be doing it is- they might both be working on it. This is to submit an RFP, Request for Proposals, to the federal government as part of the federal farm legislation that was passed earlier this year where there was monies put in for farmland purchases at the federal level."

Steve Haizlip: "Good enough. We could use it."

Supervisor Kozakiewicz: "Absolutely."

Steve Haizlip: "All right. 682. You know, I just can't unravel those words where it says here authorizes the Supervisor execute a letter agreement with James C. Nichols- is he a psychologist, PhD, for the purpose of obtaining an estimated value of transferrable development rights in Riverhead pursuant to the Town Code. Can you unravel those words, explain- "

Supervisor Kozakiewicz: "I'll be very- he has submitted a proposal to help analyze the economic impacts and the economic repercussions of the transfer of development rights. So simply put, they're authorizing me to sign an agreement with Dr. Nichols to do that so that we can further the master plan discussion with agricultural elements, so that we can look at what it costs or what would be a fair number for- and if I'm wrong on this one, someone correct me. Basically it's to allow him to complete his study on the transfer of development rights and how it economically works in this township so that we can tie that into finishing up the master plan. That's it in- I think as layman terms as I can- "

Councilman Lull: "He's a consultant."

Supervisor Kozakiewicz: "He's a consultant."

Steve Haizlip: "I understand it. In other words, we're trying to- instead of having things so complicated and waiting so many years

to try to get it down to layman's language and- "

Supervisor Kozakiewicz: "Well, we also- we also are reacting because in the past we've heard that we are too short and we don't explain enough in the resolutions that we're guilty that way, too. So we're trying to give a little more explanation in the heading."

Steve Haizlip: "It's just that- I just got a letter from the telephone company and it was high phraseology. They didn't want me to understand it, so I just didn't understand it, that's all."

Supervisor Kozakiewicz: "Oh, okay. Mr. Madonna."

Bruce Madonna: "I would just like to make a couple remarks- "

Supervisor Kozakiewicz: "And I'm going to ask you to address the Board, Mr. Madonna."

Bruce Madonna: "Okay."

Supervisor Kozakiewicz: "This is not- hopefully at a later time, the groups will get together and try to work this out. So, I will certainly encourage that to happen but this is to address us on resolutions."

Bruce Madonna: "Will do. I just wanted to comment on what Mr. Saltini said about being a willing victim because I choose to live there. I believe that the civic association is a willing victim in that they never bought this and I don't understand that. It's a group of people, they could have put the money together and probably pay more than I paid for it, taken it away from me or any of the other purchasers before this.

But they're a victim because they choose to have the Town of Riverhead, all of the taxpayers of Riverhead, buy this for them. It's a very, very big difference. That's not subtle. They don't want parking lots, they don't want everybody else there. They want the beach. Why didn't you buy it? So I contend that you're also a willing victim here.

I'd also like to say as reference to the DEC, I have a letter- I'll be right here after this, I'd be happy to show it, from the DEC to me telling me that they interpreted a letter sent to them by I don't know if it was Mr. Saltini but it was definitely the civic association only a couple of months ago, they interpreted that letter

as a request to revoke my permit and they dealt with it accordingly. So please stay after, including Ray, please stay after and take a look at that. I wasn't mistaken; I was accurate."

Supervisor Kozakiewicz: "All right. Anybody else who would like to address resolutions? Yes, hand in the back."

Carolyn Walicki: "Carolyn Walicki (phonetic), a resident of South Jamesport Avenue and 2nd Street. I just want to say there's a phrase that goes with liberty toward all and malice toward none. I think the town should absolutely exert its right to do what is proper and what is correct and to exercise the right of the town that we have had for many, many years. I get nervous and choked in front of a mike, but I want you all to know that we are here in support of this resolution. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board with respect to resolutions, resolutions only? Anybody? Ray Saltini. This is going to be a he said, she said?"

Ray Saltini: "There were a number of letters that we've made reference to sent to the DEC regarding the Madonna site. The DEC did not respond at the time that the letters were written. They responded only after phone calls were made many months afterwards and we also did receive a letter at that time that Mr. Madonna references. So that point of clarification.

I would like to shed a little bit of light on the conflicts between personal, private property rights and the public interest. I think it is a central issue to this discussion on this resolution and other discussions that we expect the Board to have on the acquisition of Miamogue- the remaining parcels of Miamogue Point regarding eminent domain or condemnation proceedings. I believe it is central to both points.

There is a concept that acquiring property rights against owners' wishes is un-American. Some have likened it to extortion. We don't agree. We meaning the Greater Civic Association of Jamesport. Neither do a few prominent Americans, American institutions or our nation's courts, our judicial system. But for those who may be inclined to believe that property rights, private property rights, trump all other rights, we offer these opinions.

The true friend of property, the true conservative, is he to

insist that property shall be the servant and not the master of the commonwealth who insists that the creature of man's making shall be the servant and not the master of the man who made it. Every man holds his property subject to the general right of the community to regulate its use to whatever degree the public welfare may require it. So said Teddy Roosevelt in 1910.

Not a fan of the former Rough Rider turned President? How about the US Supreme Court speaking in 1837. The court ruled we must not forget that the community also has rights and that the happiness and well-being of every citizen depends on their faithful preservation. And, again, in 1887, all property in this country is held under the implied obligation that the owner's use of it shall not be injurious to the community. Don't think the Supreme Court represents the average Joe? How about the US Constitution and the Bill of Rights? Is that American enough?

The Fifth Amendment requires that owners must be provided just compensation when private property is taken for public use and so doing guarantee's the public's right of eminent domain. Of course, this is already property that has been held publicly and that has been documented for many, many years by an act of this Town Board in the 1930's.

Still not convinced about the validity of the public interests over private property rights? Well how about a Founding Father, would that help convince anyone who's in doubt? Ben Franklin said in 1789, private property is the creature of society and is subject to the calls of that society whenever its necessities shall require it. Even to his last farthing.

Okay. Don't care much about history? How about an economic development consultant, Donovan D. (inaudible) speaking about property rights and public values in 2001. As a crass unrepented capitalist real estate Republican type, I am certain all for property rights. But who is talking about property responsibilities? This surreal concept that the right to own real estate somehow exempts one from having to balance rights with responsibilities. Larry Flint's attitude of I can do what the heck I please and the rest of you be darned is not only alien to 300 years of American political history, antithetical to how the west was developed and most blatant renunciation of fiscal responsibility. Today, it is the ultimate gimmick to pass on bankrupt cities to our kids 20 years from now.

The so called property rights movement is the singularly most

misguided, historically inaccurate fiscal irresponsible political movement of the last half century. Unquote. Not my words. And I will wind it down.

Eminent domain and the right to public property and the right of Town Boards to act in the public interest is guaranteed under the US Constitution and lauded by individuals of all size from the political spectrum, enables communities to obtain land necessary for schools, roads, parks and urban renewal projects. It enables communities to preserve historic sites and purchase conversation easements to protect open space, habitat, scenic views and farmland. These arguments are good enough for us.

The rest of my statement I will submit for the record and we urge the Town Board to pass this resolution based upon the fact that you, as a Board, are stewards of the public interests. And we also urge the Town Board to proceed with the condemnation proceedings on all of Miamogue Point because it's not the civic association's job to do that. It's the Town Board because that property and the acquisition of it is in the public interests. Thank you very much."

Bruce Madonna: "I feel so unprepared."

Supervisor Kozakiewicz: "State your name for the record again."

Bruce Madonna: "Bruce Madonna, just one more time. Please look into your heart and do what you believe is right. Not what everybody wants, what you believe in your heart is the right thing for all the people in Riverhead."

Supervisor Kozakiewicz: "Can I ask a question?"

Bruce Madonna: "Sure."

Supervisor Kozakiewicz: "You have a resolution in front of us. You have indicated a willingness to work with your neighbors. You talked about the fact that you sat on the beach with them two years ago and felt that you were part of the neighborhood, things started to change. There must be some recognition of the fact that there was a road laid out on a map at some point in time. Yes or no?"

Bruce Madonna: "I understand the map and the resolution. I've looked them up and I have to tell you I'm at a disadvantage, I'm not a lawyer, I haven't sought legal counsel although we're starting to look for people."

Supervisor Kozakiewicz: "I'm not suggesting that this be, you know, the legal battle until the end of the world. But you indicated in the paper when this question was posed and I think you also indicated earlier that there could be a resolution short of lawsuits and fences as you put it. And my question, Mr. Madonna, is what is that resolution, what is the alternative?"

Bruce Madonna: "Well, I hope I didn't say it like resolution like a- "

Supervisor Kozakiewicz: "Resolution, like Town Board resolution. No."

Bruce Madonna: "Because I don't know what we can do legally and what we would agree to eventually legally. I didn't express a willingness to work together with people. I expect a true desire for us to find a way that the beach can be used. It's not going to be exactly what it was. That can never happen again. But I expressed a desire for us to be able to use the beach in a way where the people would be able to come down there and we'll be able to be happy, too. I did express that and I still hold that. I mean that would be very nice for us. I'm not willing to sign away any of my rights. I don't think you need to sign away any rights that you might have either. I think- "

Supervisor Kozakiewicz: "I think that's what everybody is saying here today or at least that's what I'm hearing. The Town has certain rights to a roadbed or a road that was laid out and I think what we're being asked to do from our position is to enforce our rights to that road as shown on a map."

Bruce Madonna: "Can I say I believe there are real reasons why I don't accept that those rights truly exist but that is not central to our desire. I like seeing people on the beach. I enjoy it more when there is someone there with us. So, I don't know what the Town's rights are and I'm not 100% certain what mine is. I would bet that the Town Attorney isn't going to bet their salary on what the outcome is if it goes legal, but I'm willing to work with people if there's a way we can do this without a legal battle. I believe Mr. Schultz is also."

Supervisor Kozakiewicz: "Okay."

Bruce Madonna: "Thank you."

Supervisor Kozakiewicz: "Thank you. Yes. Mrs. Madonna."

Rosa Madonna: "I'm Rosa Madonna and with reference to Mr. Saltini's quote of Larry Flint, he said that you can do whatever you damn well please on someone's property. We didn't do that. We appealed to the town, we put all of our permit requests in. We were given, we were granted the request to build on that property. When the CAC got involved, they asked us to revise what we had, what you, the Town, and the Health Department had told us to do. We did that. Nothing we have done on that property is against anything, any code that exists in this Town. We have our life savings in there. We're not high faluting (phonetic) people as the gentleman said. We are not wealthy. We've put our bottom dollar in there. My husband is retired. We want to enjoy it. We don't have- we don't know how much time we have left in this life. I want to enjoy living there. And I resent people saying that I'm destroying this. That's my children's inheritance. I don't want it destroyed. Thank you."

Supervisor Kozakiewicz: "Thank you."

Councilman Densieski: "I don't think we have anything against high faluting wealthy people though."

Supervisor Kozakiewicz: "Yes?"

Jean Russell: "Good afternoon everybody. My name is Jean Russell. I am a British citizen and I've lived in America legally for 35 years. I've owned property in Sag Harbor for 24 years. I'm a summer resident. I moved to South Jamesport Avenue, two houses from the end of the Avenue four years ago. I must say my existence has been very disturbed by (inaudible) development since I've been there but that's another story."

I don't quite know how this happened but I noticed last year that the other end of the beach, notices went up saying that the Scallop Lane Association was holding (inaudible) private and I heard from some visitors that they were harassed for walking in that part of the beach. So my concern is not with one family, it's with the fact that my end of the beach is- "

Supervisor Kozakiewicz: "Mrs. Russell- "

Jean Russell: "Yes?"

Supervisor Kozakiewicz: "Addressing the Board."

Jean Russell: "The end of my beach is being besieged by what one, two, three, four, five, I think it's four parcels of land that's being developed and people, you know, who are I think there's some antagonism between the South Jamesport Association and the developers about our rights to this public land and I'm- "

Supervisor Kozakiewicz: "I think that's where there might be a little bit of a problem when we talk about public land. There was a road that was laid out but the rest of it, one acre or so, was not public land. There's where a fundamental problem seems to come in."

Jean Russell: "I'm sorry. I mean the beach. I consider the beach to be public. I know in America that you consider if you buy property that's beachfront, that it's legal to the high water mark which I know changes during the seasons but I still feel that beach is a natural, you know, manifestation and that they are there for the public, the water and the beach. And this particular beach has been there with public access and the rights of use for a long, long time.

So I'm very concerned that each end of that bay is besieged by people who are trying to privatize it and I'm concerned about it because of the harassment that's going on there. There has been a certain amount of harassment and I just- that's it- I'm just a taxpayer like everybody else and I feel that I don't- I really don't feel that people who privatize the beach pay any higher taxes than us and that they should not be allowed to (inaudible) these situations arise when there's a great deal of consternation about access and how much of the beach belongs to them, etc., etc. But I just think- "

Supervisor Kozakiewicz: "Well, I mean, first observation or comment is I'm- you keep using the word privatizing the beach but certainly it's been recognized certainly (inaudible) and I'm sure others that an individual as opposed to a public can own land that makes its way down to a water body. And then you have riparian rights. So clearly above the mean high water mark, an individual can have rights of ownership and that's not something that's a new principle by any means of the imagination. Therefore, the property owner has rights to exclude people just like you do on your particular piece of property and you have the right to say I don't want you sitting and setting up a beach towel in my backyard to sun yourself.

So the comment with respect to privatizing I think is somewhat incorrect to make that statement because this has never been a piece of property owned by the Town of Riverhead, the state of New York, the county of Suffolk, the village or anybody else. There were efforts,

as pointed out by Mr. Saltini, it was on a list, there was some discussions but it was never able to be entered into a long arm sale to acquire it and now we're being asked to look at condemnation as another alternative."

Jean Russell: "Well, I noticed that on these new signs at the other end of the beach, it says Scallop Bay Lane Association private, and I don't know how they- it wasn't private when I first bought my house one year ago since these signs have gone up. And I assume that New York State owns the water around it (inaudible)."

Supervisor Kozakiewicz: "That's- well, Mr. Schmelzer is here. He can get into all the legal questions as to who owns what body of water, right, Mr. Schmelzer?"

Jean Russell: "All right. That's it."

Supervisor Kozakiewicz: "Thank you. There was a hand in the back. The gentleman who had his hand up. Yes, someone wanted to speak in the back? Okay. Anybody else who would like to address the Board? I think we've heard the arguments and we- all right, that's fine."

Ray Saltini: "I want to thank the Board's patience on this issue. This is a letter from South Jamesport resident dated June 10th of her recollection on the events Sunday, June 2nd, after the Memorial Day weekend. Around mid-afternoon, I parked my car near the Center Street entrance and I proceeded in the public right of way to enter the beach on Miamogue Point. My two grandchildren, ages 5 and 2 and a half, were with me.

As we began walking down the right of way, I was approached by both Mr. Madonna and his neighbor who is developing the building on the southwest corner. I do not know his name. Mr. Madonna said we are trying to redirect the flow of traffic and would you come in at the entrance around the corner over at the next street? I said no, this is a public access and we can come in here. The two men proceeded to follow me, saying that it was not legal for me to come in there and making additional comments until I told them I do not want to have any further discussion as I did not want my grandchildren exposed to adult unpleasantness.

I sat down near the shore with the children. Mr. Madonna approached me again to tell me that the place I was sitting on was his property and that his property went all the way down to the water. He

continued to talk about his wish and that everyone stay off his property and that he had spoken to Barbara Blass and others and was assured that he and his neighbor were perfectly within their rights and that their property maps showed that the two men owned the property right across the public access road.

I told him that could not be true. I turned my attention to the children and from any further discussion. When I was leaving, I was again approached by the two men. The western neighbor began making personal attacks and also assured me that if I continue to use this route, I would have to put up with that unpleasantness every time. Furthermore he said that he could and might put his watering hose on when we, me and the children, were trying to use the public access road if we continued to do that. The children and I then packed into the car and left.

I'm going to submit this letter to the Town Board for record. We have had contact with the woman subsequent to that and she has informed us that, in fact, she has no intention whatsoever of ever using the Center Street access to the beach again."

Supervisor Kozakiewicz: "All right. And this is the last comment on Resolution 658."

Bruce Madonna: "I'll make this brief."

Supervisor Kozakiewicz: "Because we're going to have the two of you standing up all afternoon going back and forth."

Bruce Madonna: "Right. This is the lady who's been described as a grandmother a couple times. That kind of bothers me. It sounds like the local toughs roughing up a grandmother. And I'm a grandfather. I've got two grandchildren. I didn't feel like I was harassing this woman at all. I understand that I can get vocal as I get going but I didn't feel any sense of this being horrendously confrontational.

Towards the end, there were threats made on both sides. This lady said I am going out of my way to bring people down here. The next time you see me, I'll be here with 40 people. We don't need any of this. We really don't. We need to try to get along. Thank you."

Supervisor Kozakiewicz: "Anybody else who would like to address the Board? Yes?"

Lisa Marshall: "I'm Mrs. Marshall- "

Supervisor Kozakiewicz: "Your name? I'm sorry."

Lisa Marshall: "Mrs. Marshall."

Supervisor Kozakiewicz: "Okay, Mrs. Marshall."

Lisa Marshall: "I am a resident of South Jamesport. (Inaudible) And I want to mention that I don't believe that Mr. (inaudible) I went one day to the beach with my husband he was very rude with me, very, very rude. (Inaudible) And when I ask him what about the cesspool for the water because the cesspool are very, very close to the line of the water and at this time, Mr. (inaudible) answered very, very rudely."

Supervisor Kozakiewicz: "The cesspools for the house? That would have been signed off by the Health Department, by DEC and by the Building Department. So."

Lisa Marshall: "The man is very rude with the people. I just- "

Supervisor Kozakiewicz: "Can I make a comment? Please, because we're going to go on all day long talking about people's character and how they treated one another. And that's really not the issue. It really, really isn't. This is not a place for character assassination and to get into who was rude, who wasn't, what was said, what was said in response and why it took place."

The question here is was there a road laid out on a map? Does the town have rights to the road or not? Is there a willingness to reach some kind of accord or some recognition of respect of rights or not? And what are we ultimately going to gain? We've heard one comment that if we put, again, I'm going to say draw a line in the sand, we're going to have fences. Is that what the people down in South Jamesport want? Do they want fences on all the properties? I don't think you do. I believe, maybe I'm speaking out of turn. But I don't think anybody wants to fences going up and down.

I think what you want is you want to be able to access the beach and on the other hand I think what I'm maybe Mr. Madonna would like some privacy on his property. We have a resolution. Let's address the resolution. Either- again, I want to limit our discussion to the resolution as opposed to getting into character assassination. I'm

sorry, Mrs. Marshall. Okay? And- "

Lisa Marshall: (inaudible)

Supervisor Kozakiewicz: "I'm not? Okay. All right. Anybody else who would like to address the Board with resolutions? Yes, sir."

Martin (inaudible): "My name is Martin (inaudible). I live on 2nd Street and South Jamesport Avenue. I am for voting this resolution 658. I just have one question, one question. South Jamesport Avenue has sidewalks. How did we get sidewalks on Second Street in that area? I would like to see sidewalks in addition to the road put on the roadbed."

Supervisor Kozakiewicz: "Okay. From where to where?"

Martin: "From 2nd Street or Front Street down to the water line. I would like to see sidewalks in addition to the roadway. Just like South Jamesport Avenue has all the way down to the water."

Supervisor Kozakiewicz: "Well, sidewalks have been under the code the responsibility of the homeowner. I'm not sure about the installation."

Martin: "Okay. Well, that's something to be researched."

Supervisor Kozakiewicz: "All right. Thank you. Anybody else who would like to address the Board with respect to resolutions and resolutions only? Nothing else? At this point, why don't we go to the resolutions. We'll take up the CDA resolution first. Adjourn the Town Board portion."

Meeting adjourned: 3:18 p.m.

Meeting reopened: 3:22 p.m.

Supervisor Kozakiewicz: "Convene the Town Board portion. Barbara?"

Resolution #637

Councilman Densieski: "Approves the application of Riverhead Central School District for the Relay for Life to benefit the American Cancer Society. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "I'll be there. Yes."

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

Councilman Lull: "Yeah. I think we all will. I appreciate Ed's comments before but I think everybody should know we're talking about a Relay of Life. They're talking about not hundreds of people there, they're talking about thousands. Okay. Participating. So please come out. Yes."

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

Resolution #638

Councilman Lull: "Approves the application of the Riverhead Business Improvement District Management Association for the Riverhead Blues Festival, July 19, 20 and 21st. So moved."

Councilwoman Sanders: "And seconded."

Councilman Densieski: "Discussion."

Supervisor Kozakiewicz: "Discussion."

Councilman Densieski: "I see the three dates for the festival. Does that include or does the parade which is on Thursday have to be included in that?"

Dawn Thomas: "I think (inaudible)."

Supervisor Kozakiewicz: "That's a parade permit."

Councilman Densieski: "That's a separate? Okay. So (inaudible) be included. Okay. That was it."

Supervisor Kozakiewicz: "Any other discussion? Vote."

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

Kozakiewicz, yes. The resolution is adopted."

Resolution #639

Councilwoman Sanders: "Approves the application for fireworks permit of Kim Loeffler (Vineyard Caterers). 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 #640

Councilman Densieski: "Approves the application for fireworks permit of Jolie Ward (Vineyard Caterers). 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 #641

Councilman Lull: "Another fireworks permit for Silver Dollar Shows June 29th. 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 #642

Councilwoman Blass: "Approves the application of fireworks permit for Silver Dollar Shows on July 4th. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "The Fire Marshal is going to go into convulsions with all these fireworks. Yes."

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

Councilman Lull: "Yes. I would suggest that parents make a list of these. This is like five or six dates already and we've got a couple more coming up. You could have the kids at fireworks for a whole two weeks. Yes."

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

Supervisor Kozakiewicz: "Get their thrills. Like getting candy at Halloween, huh? Yes."

Councilman Lull: "The kids love it."

Barbara Grattan: "The resolution is adopted."

Resolution #643

Councilwoman Sanders: "Approves application of Jamesport Fire Department for their bazaar/carnival to be held on July 9th through July 13th. 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 #644

Councilman Lull: "And on July 13th at that Jamesport Fire Department, we have an application for a fireworks permit. 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 #645

Councilman Densieski: "Approves the application for two concert events of the East End Arts Council, one at the Palmer Vineyards and one at Jamesport Vineyards. 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 #646

Councilwoman Blass: "This resolution approves the dedication of highways known as Stoll Drive. So moved."

Councilwoman Sanders: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #647

Councilwoman Sanders: "Authorizes the Town Clerk to publish and post notice of public hearing to consider a proposed local law for an amendment of Chapter 62 Excavations of the Riverhead Town Code. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "I'm sorry. What was this one? I'm sorry."

Barbara Grattan: "647."

Supervisor Kozakiewicz: "This is the Chapter 62 Excavation."

Councilwoman Blass: "The excavation."

Councilman Densieski: "Oh, okay, I'm sorry. Yes."

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

Resolution #648

Councilman Lull: "Authorizes the reduction of certificate of deposit in connection with the subdivision entitled Bay Run Estates, park and recreation fees. 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 #649

Councilman Densieski: "Releases Suffolk County National Bank irrevocable letter of credit of TH Cheshire & Sons, Inc. for water district administration building renovations. 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 #650

Councilwoman Blass: "This releases North Fork Bank certificates of deposit (2) of Richard Olivo Shade Tree Acres in Wading River. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded. Discussion, or I had a question on this one. This resolution is releasing certificates

of deposits and it's talking about in the second Whereas that there's a recommendation of a reduction in the amount of bond in connection with the subdivision.

Is there another substitute certificate of deposit that has been posted? I- "

Councilwoman Blass: "That question came up- "

Supervisor Kozakiewicz: (Inaudible)

(There was some talking between the Board members)

Councilman Lull: "It seems to indicate that there's the 84 and 73 being released and a new 65 being posted but there's no bond (inaudible)."

Councilwoman Blass: "But there's no mention of a replacement as the Supervisor- "

Supervisor Kozakiewicz: "Can we pass that one over and we'll- we can come back to that one? Let's put Resolution 650 aside."

Councilwoman Blass: "Withdraw the motion temporarily or just put it on the table?"

Supervisor Kozakiewicz: "Right. Put it aside. You're going to get an answer for us, right? And we'll go on to the- that one was seconded and moved but we'll continue on."

Resolution #651

Councilwoman Sanders: "Accepts the security bonds for the Woods at Cherry Creek LLC. 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 #652

Councilman Lull: "Accepts cash security bond of Dr. Sciotto."

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 #653

Councilman Densieski: "Accepts performance bond of PRG Corp.
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 #654

Councilwoman Blass: "This resolution authorizes the release of performance bonds of Saddle Lakes. 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 #655

Councilman Densieski: "Authorizes the release of a performance bond of HDI Enterprises LLC (Riverhead Commerce Associates Park, LLC). 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 #656

Councilwoman Sanders: "Authorizes the release of performance bond of Angelo Stravroupoulos (Peconic Bay Diner). So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #657

Councilman Lull: "Authorizes the Supervisor to execute a license agreement with Aeros Cultured Oyster Company to allow the installation of a floating upweller system (Flupsy) in East Creek. So moved."

Councilman Densieski: "So moved. Second, I'm sorry. I'm shot."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Supervisor Kozakiewicz: "This isn't even an evening meeting."

Councilwoman Sanders: "Yes."

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

Councilwoman Blass: "Yes. And I'd just like to say that this activity is actually consistent with a policy that was recently released by the Suffolk County Shellfish Aquaculture Committee. So I'm happy to support this. Yes."

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

Councilman Lull: "Yes. Thank you Barbara for your work on this. Yes."

Barbara Grattan: "The resolution is adopted."

Supervisor Kozakiewicz: "I didn't vote."

Barbara Grattan: "Resolution 658."

Supervisor Kozakiewicz: "Yes."

Barbara Grattan: "I'm sorry."

Supervisor Kozakiewicz: "That's okay. You didn't need me. Go ahead."

Resolution #658

Councilwoman Blass: "This resolution authorizes the office of the Town Attorney to commence an action in the Supreme Court to enforce the Town of Riverhead's interest in Center Street of Front Street in Jamesport, as a town highway. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Comment. I would just like to, I guess, punctuate, reinforce that the resolution is to commence an action to enforce the Town's interest in a street as a town highway. And- "

(Inaudible): "Highway."

Councilwoman Sanders: "Correct."

Councilman Densieski: "That's why she said highway."

Supervisor Kozakiewicz: "All right."

Councilwoman Sanders: "That's what I said, didn't I say highway? Thank you. Yes."

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

Councilwoman Blass: "Yes. And I do commend the individuals for sitting down and trying to negotiate something and I do believe at some point there will be something that will allow everyone to co-exist peacefully in the community. Unfortunately in order to legally know or to negotiate an agreement, we need to know what everyone's legal rights are and the only way that we can do that on behalf of the

town is to commence this action. So I am voting yes."

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

Councilman Densieski: "Yes. I'm going to give my personal advice to both parties involved. I think you should open up the lines of communication, keep them open. I think the Madonnas look like nice people that will fit in well in South Jamesport because you have a great community down there. But I'm going to support this resolution because I think we should know what the Town's rights are and know what we can enforce.

But I hope everybody can work it out and I think you can work it out if you meet and talk face to face. I really hope you do because I don't think anybody wants to see fences down there. I was down there last week with my kids just to look and it is a pristine area and I want the Madonnas to be able to use their private property and I want the community to be able to use the beach. So let's get together. Let's talk to each other and keep the lines of communication open. But I do think as a Town Board member we have to know what our rights are and know what we can enforce if we have to. So I'm going to vote yes."

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

Councilman Lull: "Yes. Along with that, I mean, I've been here a while and this is certainly not the first time I have seen us commence litigation in order to find out what our rights are. We did it with Lilco; we've done it with several cases over the last several years.

Also with this resolution we are commissioning a land surveyor to do an accurate survey of the Center- of Center Street. So it's a dual purpose here. First of all, to get the exact measurements and the survey and then to find out through litigation, the beginning of litigation, find out what are rights lie. Yes."

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

Supervisor Kozakiewicz: "I heard individuals come forth and say that they're willing to work this out and I hope that taking this action does not foreclose the ability for the parties to come together and talk. Because I think that would be unfortunate if as a result of the action we take today, the door gets shut and there's no ability to talk. Because I don't think that's what anybody wants to happen. I

don't think anybody wants fences to go up and I hope by taking this action that's not what we cause to take place.

I (inaudible) a little bit differently because as an attorney I have some familiarity with the highway law and I know this was laid out on a map and it's my sense that (inaudible) of the need to have the law or judge tell me what our rights are because I think we have the rights to that street, that we have the rights based upon the fact that there was a paper street laid out at one point in time and, therefore, that's an enforceable right that we have in the absence of an abandonment proceeding having taken place.

I'm going to vote yes but I'm going to vote yes with the request that the parties get together and try to resolve this issue. If you need the town, the Town Attorney's office, any Town Board members, to be part of those discussions, by all means reach out to us to try and get this matter resolved. I think it would be unfortunate for it to get tied up for years in a legal battle where nobody ends up happy at the end of the process. Yes."

Councilman Lull: "Excuse me. I take it, Mr. Supervisor, that you are offering your office as a- "

Supervisor Kozakiewicz: "My office, the Town Board, the Town Attorney, the Deputy Town Attorney- "

Councilman Densieski: "The janitor if we have to."

Supervisor Kozakiewicz: "All right? I am making that offer. Yes."

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

Resolution #659

Councilman Lull: "Authorizes the Supervisor to execute PSAP Agency agreement to allow the Riverhead Police Department to remain a PSAP Agency for enhanced 911 programming with the County of Suffolk. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Kozakiewicz, yes. That resolution is adopted."

Resolution #660

Councilman Lull: "Authorizes the Town Clerk to publish and post a public notice to consider the acceptance of a donation of property owned by Martin Bass, Main Road, Aquebogue. This property has 360 feet of frontage on State Route 25. It contains freshwater wetlands and is a natural recharge area. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "I'm going to vote yes to post and publish but the Town Board has a little more work to do, a little more discussion on this. But I will vote yes to post and publish."

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

Supervisor Kozakiewicz: "I was thinking something didn't seem right. Okay."

Resolution #661

Councilman Densieski: "Authorizes the Town Clerk to publish and post a public notice to consider a local law to amend Chapter 108 entitled Zoning of the Riverhead Town Code for country inns. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Yes. And I would also like to say that I think at some point this Board should address the recommendations of the Planning Board with respect to country inns that were made at least three times over the last several years to re-define what it currently exists in the code in terms of number of rooms and a couple of other performance standards of a country inn."

I don't know if it would be an appropriate time to do it in conjunction with this resolution or not but I would like this Board to revisit that issue and I'm sure we will hear from the Planning Board that they are interested in our request as well or that they would like us to do that as well. I do vote yes."

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

Resolution #662

Councilwoman Blass: "This resolution adopts a local law amending Chapter 108 entitled Zoning of the Riverhead Town Code. So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilwoman Sanders: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Okay, I'm going to abstain on this because of a possible conflict."

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

Resolution #663

Councilwoman Blass: "This resolution adopts a Local Law amending Chapter 108 entitled Zoning 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 #664

Councilman Densieski: "Adopts a Local Law to replace and repeal

Article XXVI of Chapter 108 of the Riverhead Town Code entitled Site Plan Review. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilman Densieski: "Oh, I'm sorry."

Supervisor Kozakiewicz: "You guys are really- can't you even get the seconding part right? All right. Moved and seconded."

Councilwoman Sanders: "I was paying attention."

Supervisor Kozakiewicz: "All right. Go ahead. Vote."

Councilwoman Blass: "She was looking at Article XXVI."

Councilman Lull: "Yes."

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

Resolution #665

Councilman Lull: "Budget adjustment. 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 #666

Councilwoman Blass: "This is a budget adjustment for the Water District. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #667

Councilman Densieski: "Sewer District budget adjustment of \$1,000. 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 #668

Councilman Lull: "Approves the temporary sign permit for Riverview Homes on Northville Turnpike. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Comment. I know the application doesn't require the recommendation of the Architectural Review Board and recently Councilman Densieski and I met with the Architectural Review Board to get their input and to allow them to have an opportunity to discuss with us things that they are looking for and interested in and they want to be in concert with what the Board's ideas are for design and building and what we would like things to look like.

I also feel that just because a sign is a temporary sign that it should be held to the same standards as what we're trying to impose and enforce with the permanent sign. I will support this, but I would like to make that recommendation that temporary signs are held to the same scrutiny and the same standards as permanent. Yes."

Supervisor Kozakiewicz: "I think with respect to this one, just as a discussion item, we had some problems with the way it was located on the property. Correct? So we really had some issues and this one needed to go back to Riverview and to Mr. Moore, so it should have not been in today's agenda and I think what we had talked about this was

to send it back and ask them to come in and submit us a sign application that fit in with the- because there's a view blockage here. There's a possible interference with being able to see oncoming traffic.

So I'm not sure if you want to change your vote, Rose."

Councilman Densieski: "Mr. Supervisor- "

Councilman Lull: "Table it."

Councilwoman Blass: "Then can we make a motion to withdraw?"

Councilman Densieski: "To sell a house in Riverhead these days you don't need a big sign. Just stick up a foundation and a house, it will go quick. Do we really need to have a sign?"

Supervisor Kozakiewicz: "Well- "

Councilwoman Blass: "Actually the other issue I was going to raise and we talked about that a little bit the other day as well and that was every spec house that gets built in the town, we would be in a position of having to put or grant a temporary sign of this nature and that I think in and of itself is not an issue, that maybe we wanted to get involved in setting that kind of precedent."

Supervisor Kozakiewicz: "Well, unfortunately, we're in a vote."

Councilman Densieski: "Yeah."

Councilwoman Blass: "Well- "

Councilwoman Sanders: "Then I would like to change my vote."

Supervisor Kozakiewicz: "That's why I brought that discussion up."

Councilwoman Sanders: "Thank you. No."

The Vote (Cont'd.): "Blass, no; Densieski, no; Lull, no; Kozakiewicz, no. The resolution is not adopted."

Resolution #669

Councilwoman Sanders: "Authorization to publish bid for Type

III Class 1 Emergency Vehicle. 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 #670

Councilwoman Blass: "This is an authorization to publish bid for diesel fuel. 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 #671

Councilwoman Sanders: "Comment, before I introduce it. I think it needs to be amended, fill in lifeguards, starting rate is \$9.00 per hour, not 7. Can I amend it first?"

Supervisor Kozakiewicz: "Moved it with the amendment. Right. So it's \$9.00 an hour."

Councilwoman Sanders: "That's correct."

Supervisor Kozakiewicz: "Okay. Is there a second?"

Councilman Lull: "Yes, I'm sorry."

Councilwoman Sanders: "I didn't move it yet."

Supervisor Kozakiewicz: "You didn't move it yet?"

Councilwoman Sanders: "No."

Supervisor Kozakiewicz: "Okay."

Councilwoman Sanders: "Appoints fill in lifeguard to the

Riverhead Recreation Department. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Yes, as amended."

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

Councilman Densieski: "Excuse me one second. The next resolution which is basically the same thing has a salary of \$10.50. Is there- "

Councilwoman Sanders: "But they start at different levels."

Councilman Densieski: "Different levels?"

Councilwoman Sanders: "If they've been there before or their first time. A first time lifeguard, the minimum they can start at is \$9.00 an hour."

Councilman Densieski: "Okay. Thank you."

Supervisor Kozakiewicz: "Where are we in the vote?"

Councilwoman Blass: "I'm a yes."

Supervisor Kozakiewicz: "Okay."

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

Resolution #672

Councilwoman Sanders: "Appoints a fill in lifeguard to the Riverhead Recreation Department. 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 #673

Councilwoman Sanders: "Appoints a fill in beach attendant to the Riverhead Recreation Department. 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 #674

Councilwoman Sanders: "Appoints a water safety instructor to the Riverhead Recreation Department. 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 #675

Councilwoman Sanders: "Appoints a part time assistant recreation leader to the Riverhead Recreation Department. So moved."

Councilman Lull: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Lull: "Madam Clerk? Am I correct that you put these in order and gave the same people to do it so maybe we could do it all at once?"

Barbara Grattan: "Could be."

Councilman Lull: "We didn't first pick up on it. Yes."

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

Resolution #676

Councilwoman Blass: "This resolution appoints a student intern for the Engineering Department. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Lull: "By all means, yes."

Supervisor Kozakiewicz: "Yes. The resolution is adopted."

Resolution #677

Councilman Lull: "This is an appointment of a member to the Riverhead Planning Board due to the death of long time Planning Board member Vince Artel, there exists an unexpired term which ends in December, the end of December, 2004, and the Town Board would like to appoint Lyle Wells to that position. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "I'm going to make two very (inaudible) statements. First, I am fully supportive of appointing an agricultural representative to serve on the Planning Board. I am familiar with this nominee and I know that he is capable, knowledgeable and hard working. I am not, however, able to support this appointment at this time. I will abstain."

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

Councilman Densieski: "Yes. Lyle is a very hard worker. He's very intelligent. His land management issues differ from my own. I believe that two acre zoning is absolutely one of the top priorities Riverhead town can have. As a matter of fact, when the master plan

comes back, I'm confident, absolutely confident, that it's going to include two acre zoning. If it didn't, we got ripped off. And Mr. Wells disagrees with that and I think it's okay to have people that think differently. I don't think we need five people that think exactly alike.

Mr. Wells is controversial and to me that means he's doing something because when you are controversial you are not always making everybody happy but you are usually getting work done. I think he's going to do a great job. I think he's going to offer a different perspective, maybe different than my own and maybe different from some of the other Board members that are currently on there. But I guarantee he's going to work hard and do the job and I'm going to support him and vote yes."

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

Councilman Lull: "Lyle has been elected as a member of several bodies in town. He is a very hard worker as Ed said. He will find disagreement with every one of the five members of this Board at one time or another and when he does, we will have argument. But nonetheless I consider him a serious and a steadfast. Yes."

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

Supervisor Kozakiewicz: "I vote yes. I'm voting yes because I agree with the comments that were made previously that he is a hard working individual. I also consider him a very intelligent individual, a very articulate individual and I believe that he will be a good contributing member to the Planning Board. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #678

Councilwoman Blass: "This resolution appoints the Chief of Police to the Riverhead Police Department. That would be Chief Hegermiller. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Chief, last chance to change his mind. Yes."

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

Resolution #679

Councilman Densieski: "Appoints a part time heavy equipment operator on rotating basis for the yard waste program. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Lull: "This is a creative answer to a thorny question. Yes."

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

Supervisor Kozakiewicz: "And hopefully it will work out. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #680

Councilwoman Sanders: "I'd like to make a motion to table Resolution #680."

Councilman Lull: "I'll second."

Supervisor Kozakiewicz: "Moved and seconded to table. Vote."

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

Supervisor Kozakiewicz: "Based upon comments from the Town Attorney that this can be addressed later. Yes."

Barbara Grattan: "The resolution is tabled."

Resolution #681

Councilman Lull: "Authorizes the Supervisor to engage the Peconic Land Trust to prepare the 2002 USDA Farmland Protection Grant Application, we hope. Yes. I mean so moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Yes. And I would just like to add that I was contacted by the US Department of Agriculture to participate in the tele-conference on the Farmland Protection Program with the Land Trust and we can tie in here June 20th at 2:00 p.m. if any of the Board members would like to sit in on the conference it might be really interesting. June 20th at 2:00."

Supervisor Kozakiewicz: "Here?"

Councilwoman Blass: "Here."

Supervisor Kozakiewicz: "Right here?"

Councilwoman Blass: "Yes, sir."

Supervisor Kozakiewicz: "Okay."

Councilwoman Blass: "My vote is yes."

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

Councilman Densieski: "Mr. Supervisor, are you going to elaborate on this a little bit? I believe that you went to Washington to discuss these items- "

Supervisor Kozakiewicz: "Well, this is part of the reason- this is a culmination of the visit to Washington. Yes."

Councilman Densieski: "Doesn't this have something to do with the \$60 million dollars being put up by the federal government?"

Supervisor Kozakiewicz: "This is part of that legislation that was adopted earlier and then signed into law by President Bush. Yes."

Councilman Densieski: "Okay. The point I'm trying to make is that this is a really good thing for the town environmentally. The Supervisor keeps getting "F's". I'm just trying to elaborate that every once in a while- "

Supervisor Kozakiewicz: "I've been skipping a lot of classes."

Councilman Densieski: "This is a really good thing. We're trying to get some federal monies and they are matching grants and due to the fact that we bonded the \$30 million dollars not too long ago, we're in- we are going to be in the (inaudible) seat in possibly getting a good chunk of this money. So with that said, I'll vote yes."

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

Supervisor Kozakiewicz: "Yeah, I do want to comment on this because I know that going down I was very much- well, I didn't have to be asked twice to go down and be part of the contingent that went down to convince our federal representatives that this was the right thing to do, that the timing was overdue, and that we needed assistance from the federal government."

I was very happy with the responses that we received. All too often you think you are going through the motions and you are just receiving the blank stares and the obligatory meetings that were not meant to be acted upon. But quite the contrary took place. We went down and we found a very energetic and a very welcoming reception and it worked out and this is something that I'm happy to say was a culmination of a meeting or a visit that actually resulted in a positive thing for this part of the country.

I know that one other Supervisor was told by certain people in his town that there was nothing more than a dog and pony show, so I guess this proves that this was not just a dog and pony show and that there was something productive that came from this meeting. But not only was it great to have our federal representatives pony up to the table and put some money out there, but they've also done it where they are doing it based upon matching funds and municipalities and governmental agencies which are willing to throw money into the well which I think puts us up on an ever better leg up when we go to the federal government to ask for money.

I am very encouraged by this. I'm- I hope that we have success and hope that we can achieve all the goals that we've been looking and

talking about for a while. So, yes."

Councilman Densieski: "Mr. Supervisor, I know you went away over night with a lot of members of the farming community. Was this a wild and crazy time? Did you guys raise heck down there or what have you?"

Supervisor Kozakiewicz: "We were a very good group of people. We behaved ourselves."

Councilman Densieski: "Yeah, sure."

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

Resolution #682

Councilwoman Sanders: "Authorizes the Supervisor to execute a letter of agreement with James C. Nicholas, Ph.D for the purposes of obtaining an estimate of value of transferrable development rights in Riverhead pursuant to Town Code Section 95A."

Supervisor Kozakiewicz: "I now understand why this title was confusing. Is there a second?"

Councilwoman Sanders: "So moved."

Councilman Densieski: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Yes. This is really an essential component of as the Supervisor described earlier of the master plan agricultural element and if we get the values that we think we will in terms of development rights, then we should have a very viable program which is a good thing. Yes."

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

Resolution #683

Councilwoman Sanders: "Approves the site plan of RCP Association, LLC. 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 #684

Councilman Densieski: "Approves application of Silver Dollar Shows, Inc. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "For the fourth or fifth time tonight, yes."

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

Councilman Lull: "It's on June 27th to July 7th. Full day for the show. Yes."

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

Resolution #685

Councilman Densieski: "Accepts final environmental impact statement supporting the special permit petition of J. Douglas and Agnes Stark, Glenwood Oaks Section 2. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Sanders, yes; Blass."

Councilwoman Blass: "I'm going to abstain on this. I know this issue came up yesterday and I really did want an opportunity to read the FEIS. I don't know if anyone else had an opportunity to read it but I did not and I'm always of the opinion that I would like to know what it is that I'm accepting as complete, so I'm going to abstain."

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

Barbara Grattan: "How about Resolution 686 to pay bills?"

Resolution #686

Supervisor Kozakiewicz: "There is a- going to be- I think you've got a motion but we want to exclude one payment and one check which would be for Kaiser Maintenance which was shown on the abstract of June 6th and that was for tick spray in the amount of \$1,262. So that should be moved with that exclusion. I'll move it. Is there a second?"

Councilman Lull: "I'll second it."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Yes. And I think it's good that you picked that one up for us, Rose. Thank you."

Councilwoman Sanders: "Thank you."

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

Barbara Grattan: "Bills are paid. And now we are going back to Resolution #650."

Supervisor Kozakiewicz: "I think what the question was whether we had another certificate of deposit and we were asking for a clarification."

Dawn Thomas: "Yeah, we do. We had written a letter to Mr. Olivo regarding his security deposit and while we only need to retain based on the reports we have in connection with the completion of the subdivision improvements, the amount of \$65,333.33, we still have remaining on deposit a certificate in the amount of \$157,807. So we are- we still are secured in excess of what we are requiring and it's in the form of a certificate of deposit."

Supervisor Kozakiewicz: "So in other words, there's a third one that's not mentioned here that we still have?"

Dawn Thomas: "Right. That's correct."

Supervisor Kozakiewicz: "Okay. All right. Very good. Vote, please?"

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

Supervisor Kozakiewicz: "Okay. At this point, open it up to general discussion. Five minute rule. Mr. Danowski. And then I have some cards."

Peter Danowski, Esq.: "I would just like to make a comment for the record regarding a prior request on the River Club. That application was by a written letter addressed to the Board, filed with the Town Clerk, that requested an exclusion under the then written moratorium rules on the basis of the 70/30 split. I recognize this Board has not by resolution acted on that request. I don't believe it's discretionary. I do believe it was mandated.

I also understand that the town may be pursuing the purchase of this property and in part I had recommended to my client that they not oppose the consideration of the possibility of purchasing some or all of this property. However, I did that with the comment to various individuals that I wouldn't expect that the town would fail to continue to process the application.

In part I have a generalized attitude that when government wants to try to prevent a project from happening, what some government officials do is try to delay, try to obstruct, and at some point take the value away from property by not considering the application. And I'm not accusing this Board of doing it. However, I am saying I believe my client had an absolute right to the 70/30 exclusion as written.

Now if you had granted that exclusion by resolution as you have with other applications, the process would continue, you would go forward with your appraisals and should there have been in the future a meeting of the minds, an acquisition in part or in whole might have taken place. Now as I understand it, by your failing act, you may be suggesting that you have the right to no longer review this application. If that is your position, I think that is actionable. That's all I have to say. Thank you."

Councilman Densieski: "Mr. Danowski, I have a question. Just for my own education here. The 70/30 that the River Club is based on, is that over the entire parcel or is the 30% based on the buildable

amount because there's wetlands and there's riverfront. I'm just curious on how you based your- "

Peter Danowski: "I don't expect you to take my word for the 70/30. You haven't in the past and that's fair. Okay? You typically ask my client, myself, through my engineers and through my surveyors, to submit documents to the town and then you have your consulting engineers review it. I'm not about to take the place of your engineering review people. I believe you've got an opinion. I believe your opinion is in writing from your own engineer saying the 70/30 standard has been met. So I, you know- "

Councilman Densieski: "Mr. Danowski, I don't doubt your word for one moment."

Peter Danowski: "Okay. Thanks."

Councilman Densieski: "My question- but I'm still trying to understand for myself if the 70/30 is based on the entire lot or the buildable amount. I'm just curious how you got your formula. That's all."

Peter Danowski: "All I'm going to do is refer you to the plan and not be an engineer, because it's Howie Young. Our good friend knows, I'm a lawyer, not an engineer. And I try not to get into that situation. Thanks. And I won't talk about auto repairs either."

Councilman Densieski: "I can help you out there."

Peter Danowski: "Thank you."

Supervisor Kozakiewicz: "Ann Miloski."

Ann Miloski: "My name is Ann Miloski, the Greater Calverton Civic Association. And I'm here today to thank the Town Board and the Supervisor, the Department Heads and their secretaries for all the help that they've given us on our World Trade Center project. You've all been very helpful and very supportive and we want to thank you very much. Thank you."

Councilman Lull: "Thank you, Ann."

Councilman Densieski: "Ann, I rode by there today and I think you guys deserve the thanks and Steve, too, because you guys are doing a great job. It looks really nice over there."

Councilman Lull: "Yes. And, Steve, the other side of the street looks great, too."

Supervisor Kozakiewicz: "Rolph."

Rolph Kestling: "Somebody's put a price sticker on there."

Supervisor Kozakiewicz: "How much?"

Councilwoman Sanders: "How much?"

Rolph Kestling: "(inaudible) I've got a couple questions. I noticed on the Hulse Landing parking lot, they've removed the trash barrels. Is that permanent or are they just going to repaint them or put new there?"

Councilman Lull: "Can't answer your question, Rolph."

Rolph Kestling: "Well, the reason I'm mentioning it- "

Councilman Lull: "I'll ask Mark."

Rolph Kestling: "Maybe it's not such a bad idea because most barrels in the lot were mostly filled up by the resident on the- on the hill. I've noticed him. He gets down there late Sunday evening when they're getting ready to go home, see the cars come down, and they throw it in. Same thing happens early Monday morning. They have their own trash thing."

Councilman Lull: "We provide the refuse pickup. Yes."

Rolph Kestling: "Okay, the second one, on T&S Haulers, I thought we closed them down. Well, we came by about 1:15 on the way to the town meeting and one of these big sand trucks was pulling in and behind it, not too far behind it, was another one that I couldn't see if he was pulling in, but- "

Councilman Lull: "Dawn, I know you've had conversations about this exact thing."

Dawn Thomas: "Well, there's a court order that's precluding them from operating while the court decides our enforcement action against them. They're enjoined from mining, processing, and basically anything to do with the mining operation. What the trucks were doing there, whether they were accessing the site for some other reason, I

don't know. We can talk to code enforcement, have code enforcement take a look and see what they think. But if they are operating in violation of that court order, we can ask the court to hold them in contempt."

Rolph Kestling: "All right. I just thought I'd mention it. Okay. And the next one, you know where that trade show is supposed to be next to Stove and Stone?"

Supervisor Kozakiewicz: "Trade shop."

Rolph Kestling: "Trade shop. Have they ever filed a site plan or anything?"

Supervisor Kozakiewicz: "They have a site plan, yes."

Rolph Kestling: "You know why? Because last week and a couple times I've gone by and you see on that road that goes alongside, these tracks- dirt tracks coming out and either going east or they are going west, like they're moving something out and it's the big wheels, you know, the double wheels that are wider, and they leave a stream a dirt hanging in both directions. So what, do they move dirt, too?"

Supervisor Kozakiewicz: "Part of that site plan did involve the removal of material and they pay a fee for that."

Rolph Kestling: "Okay. I just was wondering. You know, I'm still suspicious of (inaudible). Okay. Thank you."

Supervisor Kozakiewicz: "Thank you. Steve Haizlip."

Steve Haizlip: "Steve Haizlip of Calverton. I have a feeling that we'll have to get Dawn involved in this question. Mark heard about, of course, me bringing up the subject here, getting a juvenile apprentice or whoever (inaudible) and put them to community service and then the town shop steward or the union can stop it and say you can't put them guys out there doing community service. You can't have them cutting grass around telephone poles and trees. Now hey what happened to the justice system? If they get (inaudible) to do 30 days of community service, why come they can't do it? Why is some shop steward from the town union is stopping them?"

Supervisor Kozakiewicz: "Well, no one stopped it because, in fact, we have utilized individuals who have been sent over by the court for community service in different departments at the town."

Highway Department has been one of those departments; seniors has been another location that we have sent people to. The animal control, the- up on Youngs Avenue. Individuals have served community service at that location. So the answer is, I don't know what information is out there in the general public, but we have utilized individuals who have been asked to serve community service as part of a pre-plea or post-plea scenario to do community service. And that, in fact, has occurred."

Steve Haizlip: "Well, the information that I have- "

Supervisor Kozakiewicz: "Well, I know that people sometimes get upset. They think that we are using community service to invade their work providence but I kind of see it differently. If we have them cleaning up debris alongside a road, I tend to think that that's probably not work that we would have the highway guys doing anyway. And plus if they're doing that work, cleaning up the debris alongside the road, that frees up the highway guys to work on sewage issues- I mean on drainage issues and road improvement issues and other things that they can tend to- that they couldn't otherwise attend to."

Steve Haizlip: "You're right. There's few- "

Supervisor Kozakiewicz: "So there's a lot of ways we can utilize the community service people that helps the town."

Steve Haizlip: "Well, I haven't seen any of them doing any grass cutting around the poles- "

Dawn Thomas: "Mr. Haizlip, if you would like to come to our office, we could show you a stack about this thick of people who have completed community service in the town and you can look at each one and what jobs they've done. If you want to do that, we'd be happy to show it to you."

Supervisor Kozakiewicz: "I didn't pick up on your comment that as far as doing the grass around the trees. That is not something generally we do utilize community service people to do. There is a need when we send out people to do community service that they be supervised. So when we utilize individuals to do community service, we have them doing work that would not put them at risk and, therefore, put us at risk as far as possible injuries or occurrences that would happen. We have given them lighter duty work if you will or work that our union people may not have otherwise been able to address."

Councilman Lull: "Steve, I think, Bob did not say it but he indicated we're talking about not giving community service for work that gets down with power equipment."

Councilwoman Sanders: "If they chop their foot off by accident, it could be a problem for the town."

Councilman Lull: "Yes. We get those people who are trained who already handle the equipment."

Steve Haizlip: "Yeah. That sheds a new light on it but, in other words, then they can only pick up papers."

Councilman Densieski: "Steve, you wouldn't want some of these people operating power equipment. A broom handle with nails--"

Steve Haizlip: "I'm asking if- the technical question is why they can't do the community service whatever is selected by the town department heads want them to do and--"

Councilman Lull: "They are."

Steve Haizlip: "-- the union says, no, you can't do that with those people."

Councilman Densieski: "This is a very successful program."

Steve Haizlip: "I just wanted to get that question cleared up. So you are clearing it up. All right. Now, the next subject here, you know, Cablevision just gave it to me a little more today. And my analysis of this Cablevision thing, I know you are fighting for principle as to the senior citizen discount but- and the pay channel. But those people up in Albany that says they can go right on running the show and gouging you and they could care less and if they ever- and if you ever win the suit about the senior citizen discount, they're going to (inaudible) it anyway just like they did the other one. But I give you credit for at least standing up for principle and taking the stand and fighting for what you may ever get out of them."

On June the 6th, Bob, I have to commend you for addressing the Veterans that opened up the beaches in World War II in Normandy. I was one of them. Now, you know, we've got Republican politicians and I'm not slandering this Board at all. I've never had no trouble with anybody here. I make a phone call, I ask to get back to me, you always do. But I try not to bother only when I have to.

But we've got them down in Washington and we've got them at the county. You've got to speak up for your rights that you fought for and the freedom to be in office. (Inaudible). The latest caper that I ran across with Grucci, he's (inaudible). He don't answer the phone for you to talk to him. He puts a voice on there, oh, if I can help you with a Veteran's problem or something. I'm not talking to him about a Veteran's problem. I'm talking to him about a civil rights problem. But they're not talking to you any more. They only want you when they come for the voting and vote for them and take your tax money to get the high salaries and benefits. That's what I think of them."

Supervisor Kozakiwicz: "Thanks, Steve. George Schmelzer. I was having a tough time trying to figure out how I would ask Steve to sit down if he was going to go much longer because that comments about D-Day and Normandy, that was going to be a tough one to try- so, thank you, Steve."

George Schmelzer: "All right. I don't know why you need two acre zoning for. Who will be able to afford it? A lot of people won't be able to afford it. Why don't you zone all the farmland as farmland? It will cost you no money. You want to spend \$30 million if you don't have to? Are you afraid to? Politically afraid some farmers might not vote for it? They said they want to preserve farming. It would be very simple and easy. All we want is to mooch, huh? You want to mooch off the county, the federal. You went to Washington just for a mooch job. Mooch- this is a mooch-aucracy the country is becoming."

How are you coming with Southampton on this school tax business?"

Supervisor Kozakiewicz: "August 20th."

George Schmelzer: "Or you haven't done anything?"

Supervisor Kozakiewicz: "August 20th."

George Schmelzer: "Huh?"

Supervisor Kozakiewicz: "We have a hearing August 20th."

George Schmelzer: "Where?"

Supervisor Kozakiewicz: "State- Albany, up in Albany with an officer of property services."

George Schmelzer: "Yeah? Well, I- how are people going to buy a house with two acre zoning?"

Councilman Densieski: "In my opinion- "

Councilwoman Blass: "Mr. Schmelzer, how- "

Councilman Densieski: "I'm sorry. In my opinion, there's plenty of more affordable houses in Riverhead in some nice communities. I don't think it's about necessarily everybody affording a house on two acres. I think it's about controlling taxes by not expanding the school district, by limiting the amount of people that eventually can come here. Can you imagine this town with 60,000 people?"

George Schmelzer: "Yeah."

Councilman Densieski: "We'll need five new schools."

George Schmelzer: "Supposed every town in the country didn't want any more people, what would they do? Would you shoot them? Really. You said there's plenty of houses. So why not zone all the farmland for farm use? You said there's plenty houses around now. Really."

Councilwoman Blass: "May I just clarify something, Mr. Schmelzer? And that is that if this town decides to implement two acre zoning, that does not mean that every house in this town gets built on two acres, and I know you asked us individually before whom on this Board lives on a parcel two acres in size. Two acre zoning does not mean that every house that gets built would require- "

George Schmelzer: "What does it mean then?"

Councilwoman Blass: "It means that when you develop a parcel, the overall yield is based on two acre zoning."

George Schmelzer: "Well, maybe you steal some of the land from the owner."

Councilwoman Blass: "You're not stealing anything. The overall yield is based on two acres. If you'd like to sell development rights, it's going to be based on the current one acre zoning. But every house in the town- and some people may argue that they would like to see every house in the town build on at least two acres, but

two acre zoning in and of itself technically does not mean that. I just wanted to clarify that for you."

George Schmelzer: "It means if you have acreage this town wants to steal some of it for nothing, the rest of it you can build houses on. Huh? That's what it is? That's the system we have. Yeah. Really. Getting back to these roads again, some of the roads dedicate- I mean declared as a road years ago didn't cost the town anything. The description is very poor. You can't tell where the road is. You see in the woods three or four roads, you don't know which one it is. Like with the county map made by a local surveyor, from the track north at the forge, he called it part of River Road, (inaudible). I looked it up the road, they said it was Parker Road, declared the road after, three (inaudible). So sometimes your description is very bad. That time that the town got the road for nothing, they declared it a public easement forever after as a road. Actually it was being used for 20 years. That's why the deeds now many of them say to the bed of the road. (Inaudible) subject to the easement of the town permanently for a roadway. That's the way it is.

So, really, I think you'd be better off, declare this farmland farm use, save the \$30 million. Really. How about it? You are going to take a- say 100 acres piece and the town will steal a third of it and then you make the rest smaller lots? It still going to cost you so much money. Because they don't get that 30 acres for nothing, the town would, but the people would give it away for nothing. Really. Yeah.

So, what's the trouble with this land in Jamesport, you don't know if it's a road or not?"

Supervisor Kozakiewicz: "Presently it's not a road that's paved. However, it's shown on a map as I understand it."

George Schmelzer: "Is it on the town record? Is it a road?"

Supervisor Kozakiewicz: "You know, this- from what I understand, it's on the town records as a road."

George Schmelzer: "I had a town file on town roads that goes up pretty thick and Bob Pike's borrowed it from me."

Supervisor Kozakiewicz: "And he says he doesn't have it."

George Schmelzer: "I know. He stole it from me. He never gave

it back to me."

Supervisor Kozakiewicz: "He says he gave it back to you."

George Schmelzer: "No, he didn't. He- "

Supervisor Kozakiewicz: "Well, that's what he told me."

George Schmelzer: "Well, he's a damn liar."

Supervisor Kozakiewicz: "No. I'm teasing. He hasn't said that. I figured I'd revert the attention somewhere else for a change."

Councilman Densieski: "Thanks."

George Schmelzer: "How was- you mean, you have two acres and you haven't got two acres, as long as the town can steal some of it. That's the way it goes. You think we're bad, you ought to look at the Brookhaven road records."

Supervisor Kozakiewicz: "Thank you, George."

George Schmelzer: "Okay."

Supervisor Kozakiewicz: "All right. Have a good day."

George Schmelzer: "I thought I forgot something but I can't think of it right now."

Supervisor Kozakiewicz: "All right."

George Schmelzer: "Okay."

Supervisor Kozakiewicz: "Take care."

George Schmelzer: "So long."

Supervisor Kozakiewicz: "Thank you. So long. I'm not sure if Richard Nasso was called. He had a card. Richard? Yes. Come on up."

Richard Nasso: "Good afternoon, Supervisor and Board members. My name is Richard Nasso. I live on- in Flanders, on the other side of the river on the Southampton side and what I want to bring up to

the table to make you aware of is we have a bit of a problem in respect to your ambulance services. I don't know if you know much about it. If they're up to snuff or if the Board knows- first of all, is anybody on the Board, you know how it operates or how the operating day to day operations go with the ambulance corps?"

Supervisor Kozakiewicz: "I know that we have paid people there during the day. We did that about a year and a half ago because we were having problems with calls."

Richard Nasso: "Right. You are running into a problem. Here's what happened. You may not be aware of this and this is a good time so maybe you could- I heard before about doing budgeting things. I think your ambulance corps, with no disrespect to them, they've got their hands full. You could hear on a daily basis, the police department has their dispatching records. Southampton has their dispatching records and they are constantly running. And what they're doing at present is they are- we have what they call mutual aid, which is your neighboring adjoining area will throw in and give you a hand if need be.

Well, Riverhead has no gotten so far beyond the extension of help, it's on a daily basis, where you're now calling out the Flanders Northampton side on a daily basis which equates to thousands of dollars out of Southampton side which technically is now my tax dollars. I'm getting beat over the head with the school problem. Now I'm getting beat over the head with the ambulance problem. It doesn't seem like you're addressing it. You've got a serious problem.

I called New York State Department of Health Emergency Services, spoke to Special Investigator Brian Sherwood (phonetic). He told me that Riverhead has what is called a CON, which stands for let's see if I remember, it has to do with being able to- it has to do with being able to supply in a particular area, it's something of need. Geez, I'm really screwed up here with this- well, anyway, it has to refer to- oh, it's called a certificate of need, CON. And a certificate of need means you have to file with New York State to maintain a designated area, to maintain the emergency service of that area and if you don't, you could be without an ambulance service. That's what he told me.

So at this point, as it seems, you to either re-budgetize the ambulance corps. I don't know what the problem is. I don't know if it's just a budgetary problem or scheduling problem, manpower. I know it's hard to get volunteers. They're doing the best they can. But they've got their hands full.

That's why I'm saying, I don't know if you people are really aware of what really happens. I mean you have a number of accidents going on on a daily basis. I'm sure you've heard through the grapevine the last couple of days what you've had. I mean the last few weeks. You had fatalities. Especially on the road, I think it's called Middle Road, you have a number of fatalities going daily. And your ambulance corps right now is like a revolving door. They are running ragged. I think it's time you have to reevaluate what there is, restructure them or something because they need help in more ways than one. It's not just a matter of money. They need help. Whether you have to get more paid people in there, whether you have to reschedule them to overlap certain hours. It's really a serious problem."

Supervisor Kozakiewicz: "Has anyone from Flanders spoken to the Riverhead ambulance? I know in the past it's become a problem. The chiefs met and talked and that's when we went- "

Richard Nasso: "Your Chief Billy is always talking to the chief on the other side, they're always giving hands, but what is happening is that you are now- it's like-"

Supervisor Kozakiewicz: "I heard what you said earlier that it's on a daily basis."

Richard Nasso: "Yes. Big time. And it really has to be addressed somehow because I don't know if you are aware of how much it costs to run an ambulance but budget is- like you guys do. You figure out your budgets, what you need, you prioritize, but if your money is going somewhere else, you're going to wind up short somewhere along the way, especially if the State is now getting involved where they're going to oversee it. If you can't handle it, New York State will pull your ambulance on the street, they'll pull them over. Which they do on a daily basis. They'll come over, they'll stop your ambulance, just go through it, give it a fine check. If they find one thing out of place, the ambulance is out of service and you can't afford to have any more down at this point. So I'm just bringing it to your attention."

Supervisor Kozakiewicz: "Thank you."

Richard Nasso: "I think you really have to address that problem because it's monumental and- "

Supervisor Kozakiewicz: "Thank you."

Richard Nasso: "And you could document this also, not just by what I say, your police department has tapes, Southampton police department has tapes, the same thing. They're all aware of the ongoing situation."

Supervisor Kozakiewicz: "Thank you."

Richard Nasso: "And you may really want to address- I'm just bringing it to your attention."

Supervisor Kozakiewicz: "I know. I know."

Richard Nasso: "All right?"

Supervisor Kozakiewicz: "You've said that. Thank you. Mr. Brown, Ralph Brown."

Ralph Brown: "Ralph Brown from Riverhead, Doctor's Path. Good evening, Mr. Supervisor and Members of the Board. I'm here to talk about a problem that I have. I don't plan to waste too much of your time. I see you're very, very busy. But I've lived on the corner of Northville Turnpike and Doctor's Path for 60 years, a little over 60, maybe 62. In fact, I heard you talking about Lyle Wells. Well, me and Vernon was on the wrestling and Vernon used to drop me off on that corner when he'd go home, with his little green Ford.

But I've seen everything that can possibly happen on that corner and I know that our civic association up there in our area is working on this but nobody sees as much as I do. I live there. I see accidents up there that are never even reported. People just get out, they make an agreement with themselves and they go about their business. I see other accidents where there are confrontations. One man got punched and I said do you want me to call the cops? He said, no. So there's a lot of things going on up there and there's a lot of danger.

On June the 5th, on a Wednesday, there was a collision there in the place where I stand often to do yard maintenance in my sister's yard. A car came up onto the lawn, clipped the hedge bush that I usually trim. If I would have been trimming that day, I trimmed a couple of days prior to that- if I had been trimming that day, I would have been history.

Something has to be done up there. I don't know- I know that Doctor's Path itself has no speed limit. I think the speed limit on

Doctor's Path is the same as the Long Island Expressway. You can go from Sound Avenue to 25 and you won't see any posted speed limits on Doctor's Path. And Doctor's Path has become the bypass of Middle Road and 58. When I'm out there working in the yard every day there are people coming from everywhere. They want to know where the Motor Vehicle Bureau is. They want to know where the aquarium is. They come Sound Avenue, down Doctor's Path, and they're looking for all these areas. And they have no speed limit. They just cruise past those homes like they were on the expressway.

And the people coming back and forth on Northville Turnpike, they are flying. Caution lights mean nothing. Caution lights to them mean that they have the right of way."

Councilman Lull: "Ralph, what's your- what your concentrating on here is the need for speed limits on Doctor's Path, and intersection control at that intersection. Is that what you're talking about?"

Ralph Brown: "I-- even to the degree that I feel that for my own personal safety and I have to maintain my sister's yard there."

Councilman Lull: "Yes. I know where it is."

Ralph Brown: "For my own personal safety, I need a guardrail or something there. That's how bad it is."

Councilman Lull: "I will take this to the safety committee at our next meeting. I will talk to them about this. Both speed limit and traffic lights are a state issue. But if the need for an examination by the state of the intersection- I know we already have an examination going on with the state of the intersection at Northville and Middle Road. If you would like us to begin one at Doctor's Path, we certainly can begin that and also ask them to evaluate the speed limits on Doctor's Path. Certainly we will take care of that this week."

Councilman Densieski: "Isn't it a county road, Jim?"

Councilman Lull: "Yeah, but-

Supervisor Kozakiewicz: "Northville is a county road."

Councilman Lull: "Northville is a county road, not Doctor's Path."

Ralph Brown: "So is Roanoke Avenue a county road."

Councilman Lull: "Yes. Yup."

Supervisor Kozakiewicz: "Part of it."

Ralph Brown: "Let me just make one other statement, Jim, I appreciate what you're saying. Just west of Doctor's Path- Doctor's Path on Northville, you've got a group of retired ladies along there. That's their retirement community. It's not gated, but that's where they live. And they are getting old. They're elderly and they have to cross that street every day to get their mail. So I just feel like a four way stop or something- I don't have the answer. If I did, I wouldn't have the authority to enforce it anyway."

But something that would just slow that traffic down so that those ladies can get across the street to get their mail. You know. You might say, well, let somebody else get the mail. But there's a certain amount of dignity and a person would like to pick up their own mail, to hear from their children, etc. So, it's a more serious happening up there than one would realize by some (inaudible) periodically. You have to be there every day to see what transpires on that corner."

Councilman Lull: "Okay, as I said I will take those two issues to the traffic committee and Councilman Densieski added that I will also talk to the Highway Department about a guardrail."

Ralph Brown: "Okay, thank you very much."

Supervisor Kozakiewicz: "Thank you, Ralph."

Councilman Densieski: "Mr. Brown- "

Ralph Brown: "Yes?"

Councilman Densieski: "I'm not used to you asking me things. I remember 20 years when I worked for you, you'd tell me what to do and I'd do it."

I'd just like to point out that Mr. Brown is one of the finest citizens we have in this community and I worked for him and he was the best boss I ever had. So we'll take your- we know your issues are serious."

Supervisor Kozakiewicz: "Anybody else who wishes to address the Board? I saw a hand. Joan Griffin."

Joan Griffin: "Good afternoon. Joan Griffin, Baiting Hollow. I didn't even think of this until Mr. Brown brought it up. As long as you're looking at the roads and trying to control them, Twomey Avenue there's a long stretch from Sound Avenue to Manor Road with no controls on it, very few intersections, but cars do go exceedingly fast to put it politely what they're doing there and there's a huge dip in the road just before you come to the intersection of Riley and Youngs at Twomey and the school is right there and you can't see the cars coming up once they're down in that mini hollow I guess you can call it. So if some kind of signs can be put up? I don't know. As long as you're looking into- "

Supervisor Kozakiewicz: "Are you talking about the dip. Is that where someone painted on the side Bump Your Head?"

Councilman Lull: "Yes."

Joan Griffin: "Yeah."

Supervisor Kozakiewicz: "Bump Your Head. Okay."

Joan Griffin: "So that area, if you can look into those roads also. Also, how's the consultant doing with the Crown situation?"

Supervisor Kozakiewicz: "I'm sorry. What was that?"

Joan Griffin: "The consultant for Crown?"

Supervisor Kozakiewicz: "He's looking at the DEIS as we speak."

Joan Griffin: "And it's almost ready?"

Supervisor Kozakiewicz: "I can't tell you. I'm not going to put a timetable, Joan."

Joan Griffin: "Okay, no problem. And also-

Supervisor Kozakiewicz: "Because every time I do and it goes past it, then I'm guilty of- "

Joan Griffin: "Then everybody jumps down your throat. Yeah. Okay, also I have 1,000- almost 1,100 signatures on a petition about

Crown to stop the rezoning from agricultural to industrial and to stop the special permit. I'd like to submit those. Thank you very much."

Supervisor Kozakiewicz: "Thank you. Marilyn Binder."

Marilyn Binder: "Marilyn Binder, Baiting Hollow. I'd like to ask the Board how much money has been collected for graffiti on the buildings?"

Supervisor Kozakiewicz: "Don't know."

Marilyn Binder: "Okay. There's one particular building on Manor and 25."

Councilman Densieski: "Yeah."

Supervisor Kozakiewicz: "That one I understand is going to be addressed- "

Councilman Densieski: "It's in the process. They've been notified. They have a certain amount of days to respond and then it's a Chapter 96."

Marilyn Binder: "Thank you."

Councilman Densieski: "Joan had brought that up at the last meeting."

Supervisor Kozakiewicz: "Anybody else who would like to address the Board? George, you had a chance. We'll talk afterwards. Come on up, because I liked you today."

Councilman Densieski: "What day are you going to like me and let me speak?"

Robert Kozakiewicz: "Never."

George Schmelzer: "When you meet in Albany with these characters from Southampton, why don't you invite them to make their own school district across the river."

Councilman Densieski: "Here, here."

George Schmelzer: "Really. They've got a school already, let them have it, we don't have to build a new school then and save

ourselves money. Really."

Supervisor Kozakiewicz: "Thank you for the suggestion."

George Schmelzer: "Yeah. Push on it, too. Don't give them any chance. Tell them we've been subsidizing them long enough."

Supervisor Kozakiewicz: "Thank you, George."

George Schmelzer: "Yeah. Okay, and- "

Supervisor Kozakiewicz: "Have a good day."

George Schmelzer: "It would be very good if you do that."

Supervisor Kozakiewicz: "Thank you."

George Schmelzer: "Okay."

Councilman Densieski: "Yeah, I'd like to make a motion we adjourn."

Supervisor Kozakiewicz: "George hasn't sat down. At least- "

Councilman Densieski: "I'm sorry, George. Sorry about that."

Supervisor Kozakiewicz: "He just wants to push you aside."

George Schmelzer: "Make your motion."

Councilman Densieski: "He's in my office three times a week. I don't push him aside."

Supervisor Kozakiewicz: "Okay."

George Schmelzer: "You're not there most of the time- "

Supervisor Kozakiewicz: "Ooh- "

Councilman Densieski: "Yeah, but you are."

George Schmelzer: "You get a recording- "

Supervisor Kozakiewicz: "Are you taking his calls for him?"

George Schmelzer: "No. I just- you should change your recording a little bit, see different hours of the day so you would fool people a bit better that way. Okay."

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

George Schmelzer: "All right."

Supervisor Kozakiewicz: "Have a good day. Is there a motion to adjourn?"

Meeting adjourned: 4:38 p.m.

Barbara Sutton
Town Clerk