

Minutes of a Town Board meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, June 19, 2001, at 2:00 p.m.

Present:

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

Also Present:

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

Supervisor Kozakiewicz called the meeting to order at 2:16 p.m.

Supervisor Kozakiewicz: "Let the record reflect the time of 2:16 has arrived. Dawn, since you're coming up, could you lead us in the Pledge of Allegiance?"

(The Pledge of Allegiance was recited, led by Dawn Thomas, Esq.)

Supervisor Kozakiewicz: "Why don't we- before we get into the meeting, come down in front and I have a proclamation. If the Board would join me, I'd like to ask the Podlas family to step forward and most particularly Katie. How are you today?"

I have a proclamation- come on up Katie, Pod, come on up. Come on up, Richard. It's my honor to present a proclamation to Katie Lynn Podlas and recognize her for her work in connection with school and with respect to recycling and sciences. She had submitted a videotape through the cooperation of some various people within the Town, and was the third place finisher- finisher in the State of New York with regards to this project.

She had a chance, I understand, to get on the Senate floor- the Assembly floor in New York State and meet some of our State representatives which was a great experience and what she did was she created a video news broadcast which took the trail from where paper starts to where it's recycled and was allowed to attend a ceremony up in Albany in May in order to receive her award from the State of New York.

I ask that all of you to recognize Katie Lynn Podlas for her work in this regard and, thank you."

Councilman Densieski: "Basically I'm the Chairman- the liaison for the Solid Waste Committee and basically I just want to shadow what Supervisor Kozakiewicz said and state that that was third in the State of New York. So Riverhead- one of Riverhead's own we can be very proud of and congratulations for placing third and getting to see the State Capitol up in Albany and I understand that you were a big hit with Senator LaValle. So congratulations on behalf of the Solid Waste Committee. Thank you."

Supervisor Kozakiewicz: "Katie, do you wish to say anything?"

Katie Podlas: "When I was up in Albany they gave us tee shirts and I took an extra one and I'd like to present this to you for all the hard work that your Town employees have helped me with the video."

Supervisor Kozakiewicz: "Well, thank you. Okay, is there a motion to approve the minutes of the Town Board meeting of June 5, 2001? Moved by Councilman Lull."

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Seconded by Councilman Densieski. Moved and seconded."

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

Supervisor Kozakiewicz: "Reports, please."

REPORTS:

Tax Receiver	Total collections to date, \$66,090,244.73
Building Department	Monthly report for May, total collections \$88,729.00
Police Department	Monthly report for April
Juvenile Aid Bureau	Monthly report for May
Recreation Department	Amended monthly report for

April. Total collected \$27,251.50
Monthly report for May from the Recreation Department, total collected \$16,111.85

Open Bid Reports

Extension 58 Foxwood Village II opened on June 11, six bids were received

Open Bid Reports

Vacuum Tank Truck opened on June 14th, three bids were received

Barbara Grattan: "That concludes Reports."

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

APPLICATIONS:

Parade Permit

Riverhead Foundation for Marine Research & Preservation November 3rd at 10 a.m.

Fireworks Permit

Silver Dollars Shows on June 30th, July 4th and July 6th

Shows & Exhibition Permit

Samsonite Company on June 29 to August 27 for a tent sale

Barbara Grattan: "That concludes Applications."

Supervisor Kozakiewicz: "Thank you, Barbara. Correspondence, please."

CORRESPONDENCE:

Kevin Shea

Regarding Chapter 96

North Fork Environmental Council

Regarding Calverton Motor Sports proposal

Art & Marilyn Binder and Alisha Myrden

Regarding Palm Beach Polo Co. - in favor of

Barbara Grattan: "That concludes Correspondence. Not much on the agenda."

Supervisor Kozakiewicz: "Good. Committee reports, please."

Councilman Densieski: "Yes, from the exciting world of solid waste management. We've having a- the STOP day is going to be June 30th and this is 50% funded by the State of New York luckily. And what this is, you can bring your pesticides, poisons, paints, thinners, household merchandise that you would like to dispose of properly to the landfill on Youngs Avenue from 8 to 3. That's the STOP program which is June 30th. Thank you."

Councilman Kent: "Ah, yes, from the Rec Committee. I know Ed was present also but I actually took down notes from that Committee so I could make a report today. We have some resolutions on before us for consideration. They were approved unanimously at Committee. One is the Grangibel Park bulkhead restoration project. The bid came in at \$207,000. The original grant from New York State was \$100,000. The rec fees- prior rec fee approval was for \$100,000 to match the New York State grant. The Rec Committee approved an additional \$30,000 to be allocated to this project for a total budget of \$230,000 just to meet the bid and any contingencies that may arise.

Also, for the canoe ramp over Peconic River at Forge Road, the bids came in at \$68,855. The original rec fee approval- excuse me, New York State grant is \$35,000 and the Rec Committee approved \$40,000 for a total of \$75,000. We're also- that got unanimous approval.

Also, the Horton Avenue Park, we unanimously approved setting a budget of \$63,000 to establish a Town park at the corner- the intersection of Horton Avenue and Middle Road.

Also considered at Committee was restoration of the fencing at Bayberry Park. That was tabled at Committee.

We also discussed and approved- a sense of that Committee was that the Town should go forward and make an application for grant money under the Clean Water Clean Air Bond Act for 50% reimbursement for park plans at Calverton- former Grumman site at Calverton, so that we can plan for the Town park on the 65 acres that we set aside at Calverton. And that's the Rec Committee report."

Supervisor Kozakiewicz: "Okay. Any other Committee reports? Not seeing any, why don't we go to- Barbara, would you please- the

time being 12- I mean 2:25, please read the affidavit of publishing and posting for the first public hearing?"

Public Hearing opened: 2:25 p.m.

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on June 19, 2001 at 2:10 p.m. regarding the consideration of the various amendments to the zoning ordinance to encourage the location of destination book and entertainment stores within the Riverhead Business District."

Supervisor Kozakiewicz: "Ah, yes, this is a public hearing where two things are being suggested. The first is to add a new definition to Section 108-3 of the Town Code to provide for a book media and entertainment store which is described as an establishment which is engaged in the retail sale of books, recordings, videotapes, and the like, occupying an undivided space with a minimum square footage of 10,000 square feet and whose customary uses include food and beverage sale."

This resolution was brought forth by the Town Board to consider attracting a Borders or a similar type of book store to the downtown zoning. The other change in the proposed code would be add to Section 108-52- 42-- as a permitted use that very same use which is book media and entertainment store.

I'm not sure if that was clear but that's the purpose of this first hearing which was noticed for 2:10 p.m.

Anybody who wishes to address the Board to indicate whether you are in favor or against this proposed change or changes to the zoning ordinance Chapter 108? Mr. Yousik."

Tim Yousik: "Tim Yousik, President of the Riverhead Business Improvement District. Normally I would probably not be in favor of something like this because I- it concerns me that we limit uses to certain- only to certain areas of the Town. But watching what has happened in the past with other administrations, Tanger wasn't supposed to have any restaurants up there; we weren't supposed to see an Applebee's on Route 58, special use permits have been permitted- have been given so that these restaurants and eateries were allowed which definitely has hurt downtown. Because I thought that was one of the things that was an attraction to downtown. I know that played a part in me purchasing now two restaurants on Main Street because at

the time when Tanger came, this wasn't going to be allowed so there would be a reason for people to actually come downtown.

The fact that these restaurants have been allowed, if we can do something to now create a situation where there would be another reason for people to leave Tanger and actually come downtown by virtue of a book store that can't be anywhere else. I suppose now I am, in fact, in favor of it because we do need something- we have thousands of people every day that come to Tanger. We need something that draws them downtown. If it's not the restaurants, maybe it will be the bookstore. But we do need something that actually brings people downtown.

So looking at it from that point of view, I'm in favor of it. I think it's a great idea. Thanks."

Supervisor Kozakiewicz: "Anybody else who would like to address the Board indicating whether you're in favor or opposed to this proposed change to Chapter 108- changes, I'm sorry. Okay, not seeing any hands, I declare the public hearing closed at the time of 2:28."

Public Hearing closed: 2:28 p.m.

Public Hearing opened: 2:28 p.m.

Supervisor Kozakiewicz: "The time still being 2:28, Barbara, would you please read the affidavits of publishing and posting for the second public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on June 19, 2001, at 2:15 p.m. regarding the consideration of a proposed local law to amend Chapter 108 of the Town code entitled Zoning, Section 108-60 Off Street Parking."

Supervisor Kozakiewicz: "This is a repeat of a prior notice, I think we held it a couple months back. There were some changes that were incorporated. What we're looking to do here is change Section 108-60, once again, the Zoning ordinance, to provide additional language concerning off street parking and in this case access for emergency vehicles."

One of the things that's been added to this proposed draft is to provide a relief clause or an escape clause from the minimum standards set forth by a written application to the Town Board, which application would describe the type of relief that's being sought, the hardship that the applicant is experiencing, and would incorporate a report and recommendation of the Town Fire Marshal.

The proposal is to have a minimum outside turning radius of 50 feet, a minimum inside turning radius of 34 feet, and a minimum fire lane with 18 feet with a vertical clearance of 15 feet.

This would apply to a business or industrial parking lot and for proposed buildings that were provided within that type of use or uses. Anybody who would like to address the Board with regards to this addition to Chapter 108, more specifically 108-60? Mr. Johnson, and then I'll- Mr. Danowski, I can allow you to come up after."

Bruce Johnson: "Thank you, members of the Town Board and ladies and gentlemen. My name is Bruce Johnson, Fire Marshal for the Town of Riverhead. I'd just like to give a brief overview, additional comments from what the Supervisor just mentioned regarding this code.

One of the things that we wanted to do was provide some language in the code that deals with this emergency vehicle access to commercial site plans. We feel it's important for this to be up front so that any developer, any architect or land surveyor that's going to be submitting a site plan, actually has a place to go to see what our requirements are so that they're part of the code. We feel that's very important.

And one of the things that we wanted to do is we wanted to make sure that we have adequate access given the emergency vehicles that we now have in the Town of Riverhead. And I think everybody that's been to a parade in the last couple years has seen the great increase in the size of fire apparatus which is one of the reasons why we need to update this code.

Because of safety requirements in closed cabs and things of that nature, fire apparatus is much larger than it was even ten years ago and places where fire trucks built ten years ago could reach buildings and get through on commercial sites, they can't today. So we need to address that.

One thing that we want to make sure is clear- it's in the initial paragraph, is that this is asking for only one access way from the

main public road to one side of the building. I think there was some confusion. This is not intended for the fire apparatus to be able to drive through all the lanes in a parking lot. It's really for one lane from the main road to the building. That's what's practical and that's what the code is looking for.

And there are some side benefits. We had a meeting this morning and this is not only applicable to fire apparatus but it's certainly applicable to buses, delivery vehicles and other large vehicles that may need to negotiate a particular site and get to a loading dock or to the building.

One of the changes that we want to make and this will probably necessitate a second public hearing on this particular issue, but we wanted to build a little bit more flexibility in besides the relief from the Town Board. There's some specific standards that the Supervisor has read off and one of the things that is really important here is to recognize that those are being drawn from an nationally recognized standard which is the American Association of State Highway and Transportation Offices. And they actually have a book and they have a recognized standard, this would be available up here, which really deals with this turning radius which is one of the points of contention, I think, or concern with this.

And, really what we want to be able to do is have the flexibility referencing back to this standard so that depending on the amount that the fire apparatus has to make a turn, whether it's a 30 degree, 60 degree, you know, 90 or all the way up to a 180 degree turn, to get from the public road to the building that this standard will apply and it will kind of change and if it's a smaller turn, actually reduce the amount of turning radius that's required for that site. So we want to have the flexibility so that it really makes sense and the way to do that is to reference back to this nationally recognized standard.

The other thing that we want to make very clear. There's been some concern that this will be retroactive and how it would affect site plans that are already under review. This in no way would be retroactive and site plans that are already in progress, this would not be applied to retroactively. But, again, the reason to put it in the code is a lot of times this stuff comes up on the second or third revision when it's getting to the fire service or my office to look at and we're writing some comments about the fire department access. If we incorporated this with some of the other standards that are necessary, you know, such as the setbacks and the parking restrictions and the other uses of the site, if we have it right up front, I think

it's going to save time and a lot of extra effort on the part of the landowner and the developer to have to go back and change the site plan once we start talking about fire department access. We get it right up front.

We don't believe that it's going to be a hard- hardship or an extra expense. I have an example, again, I'll make this available."

Supervisor Kozakiewicz: "Excuse me for a moment. Zabby, you can't be speaking and disrupting while the public hearing is going on. Please. Okay."

Bruce Johnson: "Thank you, Supervisor. I have a recent site plan for a commercial building that was just approved up in Wading River and I think this is a good example. We have some illustrations here that this site without the code probably is about 98% to meeting the access requirements that we are proposing. We've kind of sketched in the areas that indicate, again, public road getting close to the building which is what we want for the fire department access. And in a couple places you can see that applying the standard would really adjust just a little bit of a curb cut, possibly correcting that meeting the access by doing something as simple as making it a mountable curb instead of a standard curb and, you know, just widening a little bit some of the access. Again, very easy to do is this is part of the initial site plan when everything else is being laid out and these standards can be incorporated. We really feel that that's the time to do it and it should be a pretty simple and inexpensive process.

The- as the Supervisor mentioned, there is relief built in which is very simple. It's just a matter of the Town Board expressly approving the site plan, noting that it doesn't meet the fire department access as provided in the code with a comment letter from the Fire Marshal and that comment letter could be in favor of that change if it makes sense or it could be recommending some alternative, with the ultimate decision being the Town Board.

And I think the final comment I want to make is just that in terms of firefighter safety and tactics, one of the things that this standard is based on is the fact that any commercial building would require the fire department's ladder truck to be the vehicle that needs to get to the building, or one of the vehicles. And that is the largest truck so that's what we're basing this access on. And I think the members of the fire service can speak to that. That is an important safety consideration, an important fire fighting necessity

that this standard be built so that the fire- the largest apparatus which is the ladder truck, is the one that can reach the buildings.

So that's my summary. I thank you everybody for their time and I'll be here to answer any questions."

Supervisor Kozakiewicz: "Mr. Danowski."

Peter Danowski: "Pete Danowski. I have reviewed this ordinance before and I've spoken to Bruce once or twice, and my comments really aren't in opposition to his general announcement here today. It's more with the language as written and what may be proposed in the future if there's a second public hearing after some amendments.

For instance, when I first read this with my good friend, Howie Young, one of his first comments was addressing the word building elevations. As you know, a building elevation is just showing the sides of a building and yet we're suggesting we're having access paths on the building elevations. Well, that means the fire trucks will be going vertical, right up the side of the building. So when we write these ordinances a lot of the comments addressed to them are not naturally in opposition. They're just- they don't seem to make sense as written. So I think someone has to address that.

Secondly, we talk about showing accessible side or sides of the proposed buildings. We then talk about emergency vehicle access ways in the plural suggesting to me that you're going to have more than one access way and yet further on down in the ordinance you talk in the singular in subparagraph B about access way. So is it one, is it two, is it three? How many?

When I first read this, I thought we were providing almost a separate access path and as you know, both the town, the county and state try to limit our access paths onto public highways. So I'm presuming that we're getting into the parking lot and then showing the access way. It's not an independent access means to the property.

I don't know why you put this under paragraph E, size of parking spaces in aisles for various angles of parking. I don't think that's the subject matter. I think you should make it a separate paragraph; make it paragraph F, G or whatever, but it's not talking about the size of parking spaces.

You then say if you need relief, we've got to go to Bruce and get a letter or something before we can apply. What if Bruce doesn't want

to answer, what if he's on vacation, what if he's no longer on the job? Why not make it the applicant files the application with the Town Board and let the Town Board refer this matter over to the Fire Marshal and let the Town Board get a report from the Fire Marshal? Let's not make it part of the application that the applicant goes to the Fire Marshal. Because I think, quite frankly, that you'll naturally refer it to him and he'll naturally respond. But I think that should not be part of the application.

Other than that, these are good comments to the extent that we try to codify something that many times tries to get set by policy and certainly annoys everyone. When you're the person preparing the site plan, whether you're an architect, an engineer, a land surveyor, if you have something in black and white and it's in the code and it's clear and you know what it says, then it's fine.

I also think when you write any of these ordinances, you should define the terms and a lot of times we don't have definitions. Bruce may know what he means, but I'm not sure everyone does. So where applicable, let's have definitions.

And, lastly, Bruce and I have talked about the retroactive application. He's made the comment tonight or today but when you adopt the resolution, will you put a recital in? Right now, this ordinance has nothing about retroactivity in the face of the ordinance and if I have an application that's pending, and I don't care if it's a special permit or a site plan and I go through a year's worth of study and we're in the process, this should only apply to new applications and Bruce has said that. But the ordinance doesn't say it and I hope the resolution at a minimum will say it. Thank you."

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

Steve Haizlip: "Steve Haizlip of Calverton. Mr. Danowski said and when Bruce was speaking, I am very much concerned that this won't go back and (inaudible) people and businesses and developments that's already been completed and in place and operating and most of all I agree with Mr. Danowski stuff today has got to be in plain, understandable language and quit using all these funny twisted words. Thank you very much."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to speak in favor or against this proposed change? Yes, Mr. Hinsch."

Randi Hinsch: "Good afternoon, Mr. Supervisor, Members of the Town Board. My name is Randi Hinsch, Chairman of the Board of Fire Commissioners of the Wading River Fire District. First of all and foremost, I'd like to thank the Board for consideration of this amendment.

I'd like to give you a little history on how this came to pass. The fire service, collectively the Riverhead town fire chiefs and Riverhead town fire districts have been wanting this codified in some way, shape or form for approximately the past 19 years. There has been much discussion and speculation as to what our concerns were and what our motives might have been and to that end it was tried that we were able to submit a recommendation to the Planning Board, specifically on site access, site planning and other safety- fire safety concerns that we may have had, life safety or fire safety concerns that we might have had.

It was codified for plan review which was another amendment during the planning process and could only make recommendations not only on access but the other areas that I've mentioned. These only served as recommendations though and they may or may not be incorporated into the final site approval.

This adoption will address the issues of specifically concerning access and there have been projects approved I know within my fire district where there's- access recommendations have not been incorporated into the final plan. The access requirements as Mr. Johnson- Fire Marshal Johnson stated are not arbitrary. They're established by analyzing the length and turning radius of the equipment. It was the consensus of the Riverhead town fire districts and Riverhead town chiefs that these would meet the requirements of the apparatus access.

Significant to note that out of the eight projects reviewed by our fire district, four resulted in meetings with owners and architects that were facilitated by the fire marshals to address not only the access concerns but also life safety and fire safety concerns. There was no requirement for them to meet with us. In all instances after explaining the various concerns that we had and presented at various meetings we did have with the owners and architects of these projects, the changes were incorporated into the plans. And I think this serves as proof of the validity of our concerns.

And the other four, the applicants declined to meet with us and

in two of those instances no recommendations made by the fire districts and/or the chief's office were incorporated into the final plan.

It's also noted that there is a- part of the code amendment, grants relief with respect to hardship and an appeal process is in place and with that being said, Wading River fire district supports the adoption of this amendment."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to speak for or against- yes, Mr. Gadzinski."

Joe Gadzinski: "My name is Joe Gadzinski, Chairman of the Board Riverhead Fire District. Mr. Supervisor, Board, Riverhead Fire District is in favor of the adoption of this ordinance.

Just to reiterate what Andy said- Randi said. We've been looking for this for a long time and hopefully it will get done now. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board in favor- to express, Mr. Danowski, I don't know if you're allowed to come up again. Come on up."

Peter Danowski: "Again, just another thought. The gentlemen who have spoken are well aware of this. I've been at least one of those meetings with the fire commissioners. One of the other thoughts is to try to coordinate this with the town's Architectural Review Board and also to review it as far as the site plan requirements, specifically with regard to landscaping. I know most Board members and I think the fire commissioners would not be in opposition to this comment, would appreciate well landscaped buildings throughout the town. And we've got certain requirements and we go to various Boards to get final site plan approval, and many of these ordinances conflict. And whether it's a policy now or an ordinance later, you have to make sure these things read well together.

If it's the intention not to have landscaping against the building where the fire lane is, then just understand that and make sure that your ordinance says that. I personally wouldn't be in favor of that. I happen to like landscaping. I think we can accommodate landscaping in the fire lanes and satisfy the fire commissioners and the fire departments. But I think you have to take a look at those ordinances so we don't go into one Board where they say pack landscaping next to the building and then find out that's contrary to

the desires of the fire marshal. We should be working together and I really think ARB and the Town Board and the Fire Marshal may have to get together. Because we do want to create as much green area around buildings and parking lots as we can and still comply with parking requirements and access ways.

And so with that, I think you should when you modify or change this ordinance in some way, take a look at your other ordinances at the same time and, again, remind you- questions of definitions again. We know, I presume what minimum vertical clearance is but where is that applied in this ordinance? We just talk about minimum vertical clearance 15 feet. I presume that means the fire trucks have got to get close to a building and can't have something low but I don't know how it applies to this ordinance. Thanks."

Supervisor Kozakiewicz: "Thank you. Anybody else? Not seeing anybody moving, I declare the public hearing closed at the time of 2:48."

Public Hearing closed: 2:48 p.m.

Public Hearing opened: 2:48 p.m.

Supervisor Kozakiewicz: "Barbara, if you would, the time still being 2:48, would you read the affidavits of publishing and posting for the next public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on June 19, 2001, at 2:20 p.m. regarding the consideration of a local law to repeal and replace Chapter 101-10.1 entitled Parking, Standing and Stopping Prohibited."

Supervisor Kozakiewicz: "So this- what we're looking to do, again, is a repeal of an existing section and the replacement of Section 101-10 which is Parking, Standing and Stopping Prohibited. The section has been on file with the Town Clerk and it's fairly short so I'm going to read it just to clarify what it is that's being proposed to be added or the new language to be 101-10.1.

The parking, standing or stopping of vehicles is hereby prohibited in areas designed below which are posted No Parking Fire Lane, No Parking Fire Zone, and No Parking, Standing or Stopping.

Emergency and police vehicles shall be exempt from Section 101-10.1 Parking Standing Stopping Prohibited of the code of the Town of Riverhead. And that's it in a nutshell. It's just a wording change and some additional changes in the language.

Anybody who would like to speak in favor or against this proposed change to 101- yes, Joan."

Joan Marshall: "Is this changing the code?"

Supervisor Kozakiewicz: "It's changing it to I think expand the wording for the signage and I also- "

Joan Marshall: "Hi. Joan Marshall, owner of Roanoke Liquors on Route 58. I just was curious on how this would affect parking in a shopping center. I know I have the fire lane in front of the store where everybody pulls up to carry out packages and stuff which they're going to be standing."

Supervisor Kozakiewicz: "Right."

Joan Marshall: "Rather than carry it down."

Supervisor Kozakiewicz: "Right, right."

Joan Marshall: "And you're talking about it exempts- "

Supervisor Kozakiewicz: "It would exempt emergency and police vehicles solely."

Joan Marshall: "What about the one that goes in for lunch? The police or the sheriff or those vehicles that they just park the car and they go in and get their lunch? I don't think that is fair if the person coming up there, coming to my store, picking up a case or three cases which we wheel out to them, put in their car. We ask them to pull up rather than go clear across the thing, and I have the police vehicles into the Chinese or into the pizza place. So how do you define who should stop and who shouldn't?"

Supervisor Kozakiewicz: "Well, it's- the only definition, the way it is present, is by the type of vehicle, not the type of purpose or the purpose for which they're there."

Joan Marshall: "Well, I think that's unfair."

Supervisor Kozakiewicz: "Okay."

Joan Marshall: "What's the matter, Ed?"

Councilman Densieski: "No, I'm just thinking about the police vehicles stopping in front of a liquor store at lunch time. I don't know if that's such a great idea or not."

Joan Marshall: "He's not stopping by the liquor store. He's going to the Chinese store."

Supervisor Kozakiewicz: "Right."

Joan Marshall: "But in other words what you're also saying on this is if one of my customers comes up- "

Supervisor Kozakiewicz: "I think what you're suggesting- "

Joan Marshall: "-- to- I load stuff into the car and a police officer comes along, they get a ticket. Is it a minimum of two minutes, or one minute or three minutes?"

Supervisor Kozakiewicz: "Well, if- the way it is presently proposed, as you know, parking, standing and stopping are different standards and this is trying to eliminate any one of the above, so under your scenario a person moving there, leaving their car even momentarily, would be guilty."

Joan Marshall: "So what about my trucks that deliver?"

Supervisor Kozakiewicz: "Guilty."

Joan Marshall: "Are they guilty, too? Oh, that's terrific."

Supervisor Kozakiewicz: "Technically the way it's written-proposed so, and that's what we're here for today, to hear comments."

Joan Marshall: "You just got one."

Supervisor Kozakiewicz: "Okay, thank you. Anybody else who would like to speak for or against this proposed change? I guess we'll take those comments into consideration. The time being 2:53, I declare the public hearing closed."

Public Hearing closed: 2:53 p.m.

Public Hearing opened: 2:53 p.m.

Supervisor Kozakiewicz: "And, Barbara, if you would, the time still being 2:53, read the affidavits of publishing and posting for the last public hearing scheduled for today."

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on June 19, 2001, at 2:25 p.m. regarding the consideration of a local law to repeal and replace Chapter 64 entitled "Fire Prevention" of the Town Code."

Supervisor Kozakiewicz: "Mr. Johnson, do you wish to address the Board with respect to this proposed change to Chapter 64 of the Town Code?"

Bruce Johnson: "Yes, I do. Again, Bruce Johnson, Fire Marshal of the Town of Riverhead. Supervisor, Members of the Town Board, ladies and gentlemen, just a very brief overview.

Chapter 64 is our local fire prevention code and the intent or the purpose of this code is really the enforcement mechanism for the State Fire Prevention and Building code. And that's really what we enforce and that sets all the standards both for building and for fire prevention in existing commercial buildings.

The change in this chapter- some people may be confused as to why we're doing this so let me give a brief history. Any fire prevention code that is adopted by a local municipality requires the express approval of the State Codes Council which is part of the Department of State and I guess about two years ago we had sent our fire prevention code up for the approval. It had never been previously sent for that approval. And we got back some comments that there was a lot of old language, there was a lot of duplications and inconsistencies with the State code. And based on that input, I've been working with the new administration and the Town Attorney for probably the better part of the last year trying to address those concerns, making sure that we're consistent with the State code, and kind of cleaning up the code and reorganizing it so that it makes sense.

So that's the reason why we have such significant changes and we're looking to repeal the entire existing chapter and basically submit a rewrite.

The primary changes here, there was some talk about this being too much of an administrative burden. Even though in its improper form, if you will, not being approved by the State, this has been working well for the last two years in terms of our ability to administer the fire prevention permits that are included in here, to do commercial building inspections, and get out and enforce the State code. So I don't believe that this is going to change that at all. In fact, it's probably going to make it a little bit easier because we kind of streamlined the process.

One of the big issues though that we've looked at, there are instances where we've had violations of the State code and where we found the need to have to write court appearance tickets in order to get compliance. One of the things that's really out of date with this code is the amount of the fine. Right now, we're limited to a maximum of \$100 and I kind of equate that as a business expense or the cost of buying a business lunch. And in many cases, the cost to comply may be more than that and unfortunately what we get is instead of compliance with the life safety code which is really our intent, we want to make sure the buildings are safe for employees, for our citizens, and our families, that we need to have a little bit more in the way of fines. So that's a significant change that's going into effect here but we feel that that's necessary and, of course, like any other summons that's written or any other speeding ticket, that final decision still lies with the judge. There still needs to be a trial, if necessary, and just because those maximum fines are put in the code, that's just giving some more discretion to the Town Justice, but everybody has their day in court and by no means are any of those things automatic. They have to go to court.

I have had some meetings since the last public hearing with some of our commercial property owners and there are some very valid comments that were submitted over the last couple weeks in between the public hearings and we're certainly interested to hear additional public comment today. I think there are still a few things in this code- we probably have it about 90% with my efforts with the Town Attorney's office. We still have a few things to go so we'd certainly like to hear public comment today and, you know, for better or for worse, we're probably going to have to do this one more time so that we really have it so that all the important issues are addressed.

For example, last time we had the fire prevention fees not part of the code. There was some real strong comments about that so this revision has it back in. And those are the things that we want to get from public comment and we want to hear what people have to say today so that we can, you know, really make sure that we have a good effective code.

And, again, I'll be here if there's any questions."

Supervisor Kozakiewicz: "Thank you. I know there was a card of this one, Becky Wiseman, from the Farm Bureau."

Becky Wiseman: "Good afternoon, Supervisor and the Board. I'm Becky Wiseman, Long Island Farm Bureau Associate Director. The Long Island Farm Bureau really appreciates this opportunity to comment on the proposed fire prevention code and we appreciate the Town's request for input.

The proposed local law duplicates particularly for farmers the federal, state and county regulations concerning storage of hazardous and other materials. In particular, Suffolk County Article 12 regulates storage of petroleum, chemicals and other materials. Farms are regularly inspected by the county for compliance with Article 12. The New York State DEC vigorously regulates the storage of pesticides and makes regular inspections. To add an additional layer of regulation would be burdensome for the farmer and the agricultural industry.

However, since many of our farmer members also serve as Riverhead Town firefighters, we are acutely aware of the need for notification of the presence of potentially explosive and incinerary materials. The farmers support a program for plaquards on the outside of farm buildings notifying firefighters of the presence of potentially explosive materials. We also welcome the opportunity to participate with the town in formulating a plan for voluntary inspections of farms and education programs.

The Agriculture Advisory Committee will be meeting with Bruce Johnson, the Fire Marshal, in early July. We thank him for agreeing to participate in that and look forward to that opportunity to discuss with him and to review the proposed local law with the Fire Marshal in more specific detail. We thank you for your consideration and our comment."

Supervisor Kozakiewicz: "Thank you. Anybody else who would

like to address the Board? George Schmelzer."

George Schmelzer: "Our fire department goes in three towns. How's that going to work in Southampton and Brookhaven?"

Supervisor Kozakiewicz: "This doesn't apply to Southampton and Brookhaven. This applies to the Town of Riverhead."

George Schmelzer: "Same fire department. That's why I was wondering how- there would be a lot of confusion."

Supervisor Kozakiewicz: "We can't enact legislation that would be binding on either Southampton or Brookhaven. This would be for the Town of Riverhead."

George Schmelzer: "Just like New York City, the trade center, the Port of New York Authority, says we don't have to abide by the New York City fire rules and they didn't so nothing was done. So we'll have a little confusion here between the three towns when a fire truck goes into Southampton or Brookhaven, they've got different rules. That's what I was wondering about. That's all."

Supervisor Kozakiewicz: "Okay. Thank you. Anybody else who would like- yes, Mr. Hinsch, Randi."

Randi Hinsch: "Mr. Supervisor, Members of the Town Board. My name is Randi Hinsch, Chairman of the Board of Fire Commissioners Wading River Fire District. To answer George's question, I'm very familiar with Southampton Town and they have a similar process and I'm also aware that Brookhaven has a similar permitting and enforcement process. That answers the question that was laid before the Board before this.

The last time in April we had the last public hearing concerning Chapter 64, I spoke in support of changes and the adoption of the new codified Chapter 64 and I alluded to K-Mart fire in Middle Island. Today, I bring to the table a more tragic event, the three deaths of firefighters and numerous injuries as a result of fire and explosion in Astoria, Queens, today's front headline on page one of the New York Times.

I don't profess to know all the details or even know in fact the tragedy could have been prevented nor will I stand here and speculate about the events leading up to this tragedy. However, I do know that proactive inspections concerning life safety and fire safety can and

do mitigate such tragedies.

Life safety and fire safety is everyone's business but unless a business is large enough to have a corporate safety and fire prevention organization in place, it is difficult for business owners to recognize and enforce the needs for such preventive measures. This is not meant to disparage business owners, but their focus and rightfully so is on their business operation. Even with corporate safety and fire prevention plans in place, employees are hired by these large corporations that specialize and do nothing more than inspection and prevention activities.

I firmly believe in the first instance of compliance is through education. From the inspection reports from the Fire Marshal's office I have reviewed, and I get to see every inspection that is completed in Wading River Fire District, I believe that this is also his belief. However, where education fails, there must be great weight to bear in enforcement action.

Permitting systems are also an excellent administrative tool. They provide focus on a specific activity or process and allow the permittee to know what the rules are.

In closing, I again thank the Board and respectfully request the adoption of this revised code and Wading River Fire District is in support of the adoption."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to- Mr. Yousik."

Tim Yousik: "I only have one comment in reference to fire inspections. I have two restaurants on Main Street. One of them is Digger O'Dells and the other one used to be Maggie McGuire's, it's now The Flatted Fifth (phonetic). Digger O'Dells is considered a place of public assembly because its seating capacity exceeds 100. I am subject to a county fire inspection. Suffolk County Department of Health and Safety comes in and does a fire inspection at the tune of \$100 fee. With it- it's usually within a week, I have Mr. Johnson walking in behind me with the same code book in hand and charging me \$50 to do the exact same inspection. At some point, this is incorrect. I mean when Bruce walks into the Flatted Fifth which seats less than 100 and it is not a place of public assembly, I have no objection to the permit process or the inspection.

But I'm being inspected twice every single year and paying for

both of them and it's the same code book. I think that needs to stop. It should be one or the other. I should not have to be paying for the same inspection twice. It's the same code book. It seems a little unfair. It's not so much the \$50, it's the principle behind it. First off, I don't believe we should be paying for the inspection anyway. We certainly pay enough in taxes. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address- yes, gentleman on the right."

Joe O'Rourke: "Good evening, Mr. Supervisor- good afternoon, Mr. Supervisor and Councilmen. My name is Joe O'Rourke and I am a Commissioner of the Wading River Fire District. I don't have much to say only to bring out that these codes should be enforced. They should be brought into the town code so that some day we don't have to get up and we don't have to look at a newspaper like this and Newsday, three people killed, three firemen killed. And I think that the code should be accepted. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to speak for or against- yes, Doug Corwin. Come on up. You've got to come up to the mike, Doug. No, we've got to get you on- make sure we have you on tape."

Doug Corwin: "Doug Corwin. My family owns Crescent Duck Farm in Aquebogue. We employ 70, 75 people in the town. As I read the code, I really can't disagree with a lot of it. It's permitting- it's a certain amount of fines there. What Commissioner Hinsch said was pretty appropriate. Education is very important.

Being a small businessman, you know, we're running around doing this and that, doing this and that all day long. When it comes down to fire safety, yeah, it's a key concern. We have insurance inspections all the time, we have county inspections all the time. But when I read the level of the fines in here, when I read the potential of incarceration, I think this is going a little bit excessive for what a town should be. I mean I don't know Mr. Johnson, I don't know his intention, I don't know- but I certainly don't want to have somebody that I've never met before come in and potentially cause great harm to my business because of that.

I applaud the firefighters. They've done a world of good for the whole community for years and years and years. Yeah, we had a huge tragedy in the City last week. It's hard to talk about this at the time that that happened. By the same token, we can't make this a very

business unfriendly town and I'm just worried that this might cause that down the road.

It's hard enough being a farmer in this town and making a go of it over the years but you know, I deal with USDA being in my place constantly minute by minute and I deal with OSHA coming in constantly. I deal with so many different layers. Having the potential of this, seems like it's a little bit heavy handed and that's the only point I want to make. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else? Steve Haizlip."

Steve Haizlip: "Steve Haizlip of Calverton. What Mr. Yousik brought up, I agree with because we're not supposed to be doing duplicating duties of inspection from the state, county and then the town. And they're all the same, they're all the same code book and what it boils down to is the state, I'm the big Daddy; the county, I'm the big Daddy; and then the town comes up and says I'm your final authority so you've got to listen to me. So if it's being run by the town and this here code is being set up by the town and it's going to be a town law, then let it be Riverhead town and not everybody and his brother in the act."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board. The only comment- and I don't know the answer to this is when the county does an inspection, I'm not sure whether that report is shared with the local fire departments or not. I know part of the thought here is to avoid what tragically occurred this week with the three firefighters who lost their lives in that tragic fire, and the idea is to make those reports available and to alert the various firefighters what type of chemicals, what type of materials are in a given place or business so that when they do come on the scene of a fire, they have a game plan ahead of time as to whether they are going to enter and if they do under what circumstances.

Anybody else who would like to address the Board? I know there was some initial comments that were made by the Fire Marshal that there's some additional language that may need to be added or addressed in this particular draft and we may need to deal with this once more but saying that, is there anybody else who would like to take a shot at this before I close? Not seeing- Bobby Goodale."

Bobby Goodale: "Yes, Bobby Goodale, one of the principals of

the Riverhead Building Supply. To kind of echo what was said by Mr. Corwin, it's always hard to some degree to separate the rule from the people who enforce the rule. And quite often we can have rules that laws be enforced, and we adopt them because we know at that time who is enforcing them. Or we may not have a rule because we know who's going to be enforcing that rule.

If the intention here is to have a document, to have a resolution, to have a rule about fire prevention and fire protection in the town of Riverhead, it seems to me that the present document as it's written in a number of places is on the one hand vague and somewhat arbitrary and the penalties are potentially severe.

For instance, just to pick one at random, it's unlawful in this new proposed document for us, Riverhead Building Supply, to do any repair of any fire prevention equipment that is installed in our buildings, any repair, for example, replacing a sensor, without informing ahead of time before those repairs can be done, the Fire Marshal and the Fire Chief. If we did that, if we had someone- like today, there was a- our- the people who have installed and maintain our system had to replace a sensor. Now I read this- the way I read this, is that that would be a violation of the law and we would have been subject to a \$2,500 fine and 15 days in jail for replacing a sensor because it was defective, without notifying ahead of time the Fire Marshal of the Fire Chief. Now I can't believe that's the intention of this rule. But you go through here and you see any number of cases where the exact intention probably can be divined but not necessarily from the wording of the text. And when you combine that with the size of the potential fine, that it would seem to me that it is something that is somewhat worrisome.

And I would suggest that in the final thing, see if you can't on the one hand be more exact about what is meant in these areas particularly in the context of the size of the potential fines. Thank you."

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

Peter Danowski: "Again, more of a constructive comment, not necessarily in opposition to the announced intention of the ordinance.

We've got references in here to application forms and reasonable requirements to be set by the Fire Marshal. I think it's far better to prepare your application forms now, get the Fire Marshal to

standardize the form and the requirements so that a person knows when this ordinance is adopted what he is being asked to submit. We have a very fair Fire Marshal or a very unfair Fire Marshal (inaudible) architect's plans, engineer's plans, who designs the system, how do we know what the application form is going to be asked to submit? So we've got this vague language throughout the ordinance that empowers the Fire Marshal to in the future prepare forms that we'll be given representing various developers. We don't have any idea what it's going to say. I think you should prepare the form now, make it part of the ordinance.

The same is true with whatever requirements. Are we going to be verbally told? Is it going to be in writing? We really can't address the comments. So if you're going to go back and have a public hearing and make some amendments, my suggestion is to make the forms and the requirements for submission part of the ordinance, and you can do that, you know, before the next public hearing.

I happen to agree with Mr. Yousik to some degree and that is that if you're going to make people want to comply, then why charge these fees? It's sort of a user tax or user fee here. If you are taxing people throughout the town, then just have the application forms. Why require fees? And yet I understand there's renewal applications, annual permits which seems to suggest renewals of fees. So it would be better no fees or a one time permit fee. I also understand the logic to reinspect the building, to take a look at what's there and see if it's well maintained.

But really the question is, if you go through a process every year, you're going to be doing a lot of paperwork in the town and is it really going to be cost effective. By the time you get through the paperwork and the processing, that fee is not going to justify it. Forget the fees, do the inspections and I half kiddingly said to Bruce when this was first brought up, this ordinance, that I keep hearing this comment about empire building and he assured me he had nothing to do with any kind of comment like that yet I read with some bit of levity, 64-3 Subdivision B which says the Town Board may appoint one or more Fire Marshals and Deputy Fire Marshals. I'm sure you have that right to do that anyway."

Supervisor Kozakiewicz: "We do."

Peter Danowski: "But it seems to suggest you're going to hire more people. Thank you. If anybody should be hired here, I think more help for the Planning Board and the Planning Department and the

Building Department. Thank you."

Supervisor Kozakiewicz: "Thank you. Just a couple of comments. First to reply to Mr. Goodale. Regarding the question of I think something which would be a normal every day maintenance item. Section 64-13 Subsection A says that any equipment which has been installed in accordance with this Chapter shall be maintained in an operative condition at all times. I think that, although again it may be somewhat vague, would allude to the fact that it's presumed or the intent of the Chapter that these systems will always be up and running and, therefore, I think the example, again, we'll look at the language and I'm sure we'll have more discussions and some interesting discussion about this would be the argument against.

As far as the fire prevention permits, there is a permit form that's already in existence. We can certainly attach that and make that part of the code. The form at times gets upgraded just like the Building Department permits and building permits and use permit fees-forms get upgraded so I just add that.

Is there anybody else who would like to be speak for or against? Not seeing anybody, I declare the public hearing closed, the time being 3:18 p.m."

Public Hearing closed: 3:18 p.m.

Supervisor Kozakiewicz: "I think that concludes all the public hearings. Is that correct? And at this time, would allow anybody who wishes to address the Board on any given matter and subject. I do have some cards. I'm going to go through the cards that have been signed already and go through those speakers and then allow anyone else who wishes to address the Board to come forward. Please be cognizant of the fact that we do have a five minute rule. Steve Kirschenbaum."

Councilman Cardinale: "Mr. Supervisor, before you go forward, I wanted to know if there are any resolutions that will be offered from the floor not on the agenda."

Supervisor Kozakiewicz: "No."

Councilman Cardinale: "Are there any resolutions that the Supervisor may have removed from the proposed agenda that you'd like

to replace?"

Supervisor Kozakiewicz: "I have no intentions of replacing any resolutions."

Councilman Cardinale: "Well, I would like to advise the public that I will offer a resolution, seconded by Councilman Kent, as follows. I have handed it out earlier and I have handed it yesterday to all members of the Board.

It establishes notice to the public, it will be #705, and the Town Board members prior to the introduction of a resolution and before its vote. It will be offered by me at the end of this meeting- at the end of the resolution period and seconded, I believe, by Councilman Kent.

It reads: WHEREAS, repeatedly in the past, Town Board resolutions have been moved and voted upon without all the Town Board members having had such resolution delivered to them prior to the meeting for the members review and comment; and

WHEREAS, repeatedly in the past, Town Board resolutions have been moved and voted upon without first having been made available to the public in attendance for the public's review and comment; and

WHEREAS, such practice is contrary to the principle of open government.

NOW, THEREFORE, BE IT RESOLVED, that no resolution shall be moved for a vote at any Town Board meeting unless such resolution has been delivered to all Town Board members prior to commencement of the meeting and has been made available to the public in attendance for review and comment during the meeting.

The Town Board members received this resolution yesterday. They all reviewed it. You have received it prior to the comment period. I invite comment and I believe is appropriate.

The history of this being presented to you is instructive. This was prepared by me over the weekend, presented to the Town Board at its normal Monday resolution review meeting. It was handed to each of the people there, all of the people there. During the meeting, I handed it to the Clerk and asked her to retype it. During the afternoon, she discussed the retyping with me and produced- and indicated it would be on the agenda. When I walked in here today, I

asked why it was not on the agenda. She said quote, they told me- they struck it from the agenda. I asked who. She said Mr. McClellan, the Executive Assistant to the Supervisor. I challenged Mr. McClellan outside during the early part of this meeting. He said he did not do that, it was Kozakiewicz, the Supervisor who struck it from the agenda.

The- as- the Supervisor, I have not had the opportunity to speak to but I asked him if he wished to place it back on the agenda. He declined. If I cannot offer a resolution as a member of this Town Board which I know will be seconded by my colleague, Mr. Kent, as simple and straightforward as saying that you deserve to see a resolution before we pass it, as simple and straightforward as saying that I deserve to see the resolution before I'm asked to vote on it, I ought to say home. I have plenty of things to do in my office and in my home.

If Supervisor Kozakiewicz believes that his position as Supervisor allows him to act as king Kozakiewicz and do this kind of thing, I think he ought to check the statute. I am not going to sit here any longer as I did at the time when the airport referendum proposed resolution was offered, at the time that the proposed subdivision referendum of the farmland was offered, at the time the proposed theater bond resolution was offered, at the time that the special permit resolution for sand miners TS Haulers was offered, and accept a vote or try to vote on something that nobody has shown me until I walked in here. Accordingly, I would like comment on that. If anyone needs an additional copy, I'll be glad to provide it. They are here in front. Thank you."

Supervisor Kozakiewicz: "Are you done, Phil?"

Councilman Cardinale: "Yeah, I'm done."

Supervisor Kozakiewicz: "Okay. Let me respond to that. Yesterday morning when we convened in work session, you were not here. I distributed because I knew this was going to be a major topic of concern, rules and procedures for the Town Board. And- "

Councilman Cardinale: "You- a draft."

Supervisor Kozakiewicz: "Yes. A draft. Well, it wasn't a draft initially. It was not a draft. It was a proposed resolution. It was dated June 19, 2001, entitled Rules of Procedure for the Town Board of the Town of Riverhead. Sets forth in addition to this issue,

well, why don't I read what it provided?

It provided no motion or resolution or motion may be brought to a vote except by a majority consent of those present unless printed or typewritten copies thereof are represented to each member of the Town Board, and I had proposed not less than 24 hours prior to the opening of the meeting at which such resolution or motion is to be offered. I did not push this forward.

There were- we did not have yourself present at the time. I was unsure whether Chris could be here or not because I had received some notice that he was involved in a court proceeding and he could not be here and rather than engage in just putting this on the agenda, thought it would be fair to have a discussion of it at the next work session and at that point agree with my two colleagues who were present at the time, to take it off the agenda, circulate it by memo to get input on this particular issue, and to allow it to go forward at that particular point in time.

And I think that was the whole point of putting this on. We all agreed- I believe we had agreed that we would discuss this at the next work session than make this an issue of hot- hotly contested issue."

Councilman Cardinale: "I wasn't there so I obviously did not agree."

Supervisor Kozakiewicz: "The issue of the Suffolk Theater was not brought off the floor and off the table as suggested in any event. That was something that was circulated amongst the Board members prior to the vote."

Councilman Cardinale: "The bond vote was never seen by me until I got it thrown in my fact at 10:00 last meeting."

Supervisor Kozakiewicz: "Not the Suffolk Theater. I'm- I stand corrected."

Councilman Kent: "Not the bond vote. You're talking about the referendum vote."

Councilman Cardinale: "That's correct."

Supervisor Kozakiewicz: "I'm not- I stand corrected, on TS Haulers. That was circulated prior to the vote and was not brought off the floor. I just want to clarify that. You make reference to

it."

Councilman Cardinale: "But the other three were. You're acknowledging the other three were then?"

Councilman Densieski: "Let him finish. Phil, he let you speak, let him finish."

Supervisor Kozakiewicz: "It's not different than what you had done when you were a sitting majority, Phil. You admitted to that at the work session yesterday."

Councilman Cardinale: "I was never a Supervisor."

Supervisor Kozakiewicz: "Anyway, I wanted to point out that I wanted to have this thing addressed in a friendly debate at a work session. We had the rules and procedures. I had proposed them but since you were not here yesterday morning at the work session, agreed to pull them off and discuss them at a later work session. If you feel so compelled to push this forward, that's fine. I understand. We can have public comment. Rather than draw this out, why don't we let the speakers discuss, you can have further comment at the end since you put forth your position. Mr. Kirschenbaum."

Steve Kirschenbaum: "I'd like to address Phil Cardinale. Steve Kirschenbaum, Calverton, President of the Grumman Peconic Airfield Alliance and member of the Greater Calverton Civic Association.

Phil, you know, listening to what you just said and what you just passed out in the room, you know what? I as a member of the community was just fed this resolution in this room, not outside, not in advance. This is purely politics, Phil. To give the Supervisor and the Town Board majority a spanking in public because you don't want the Supervisor to be re-elected next year. And you know what? Your resolution for your permissive referendum, Phil, your referendum- "

Supervisor Kozakiewicz: "Folks, folks, this is one of the things that I would like to address in these rules and procedures as a matter of fact, that decorum should be maintained and people, please--"

Steve Kirschenbaum: "We as members of the Grumman Peconic Airfield Alliance, members of the community, members of the business community of Riverhead asked for the airport, a four billion- a billion dollar asset, Town of Riverhead, to be put to a vote, you were the lone person that swayed everybody to go the other way and killed

the vote and here you are pushing for the theater to go to a referendum, a four million dollar project, I think you should speak what you say and you get me upset, Phil."

Councilman Cardinale: "May I respond? May I respond? The referendum for the theater is permitted by law. It is specifically set forth. Let us- I will promise you this, Steve, how's this?"

Steve Kirschenbaum: "What- "

Councilman Cardinale: "Let the majority of this Board put before the people a bond offering saying that they must spend whatever it is, several million dollars, in order to get that airport going, let them pass it, and then we can have that referendum. That's permitted by law. I will challenge the bond, they will then have a referendum. That's the way you do referendums under the law. You don't make up questions like your group was trying to make up which were couched, which were rigged, which were suggestive of the answer you desired and call that a referendum. That was my objection to the referendum. It wasn't permitted by law."

Steve Kirschenbaum: "Well, you know what, Phil? That's not why I'm up here but people of Riverhead whoever is watching this on TV who works for a living, who can't be here today, I'd just like to let you know this is purely politics and that's all it's about, Phil. Can I get back to what I want to say?"

Councilman Cardinale: "That's what this job is about. Policy, which is politics."

Steve Kirschenbaum: "Politics. You should work together as a group."

Councilman Kent: "Could I respond to that one second because--"

Steve Kirschenbaum: "Yes."

Councilman Kent: "-- I'm not being- I'm not- "

Supervisor Kozakiewicz: "And then let him- "

Councilman Kent: "-- either the attacker or the attackee here but let me just set the record straight for one thing. This resolution that Phil is proposing today was given to us yesterday when we were reviewing resolutions. He did ask the Clerk to place it on

the agenda for today and I think as Town Board members we do have the right to propose resolutions, ask the Clerk to make them part of the packet, and they should be included in the packet."

Steve Kirschenbaum: "I'm in favor of the resolution."

Councilman Kent: "We shouldn't let somebody else, nobody should intervene and then remove resolutions that are offered by Councilmen properly to be removed from the packet without their knowledge and without the consideration of the rest of the Board members. So as far as your saying that it was not handed out in advance, it was handed out in advance."

Steve Kirschenbaum: "Not to us. We got it in this- "

Councilman Kent: "Well, he thought it was going to be in the packet. He thought it was going to be part of the packet."

Councilman Cardinale: "It was supposed to be part of the agenda."

Supervisor Kozakiewicz: "Let's, you know, rather than debate this until or we go too far- "

Steve Kirschenbaum: "Can I just say what I came up- "

Supervisor Kozakiewicz: "-- let me make one comment. As I said, I had proposed rules and regulations and procedures and, again, Phil's takes into consideration one of those particular aspects, whether a motion or resolution can be voted upon if it's not seen prior to the meeting by the Board. I heard his comments. I think it's an appropriate time to address them by the Board. I had proposed these rules and procedures. Rather than shove them down somebody's throat, I thought we would address this at the next Town Board work session. I am chastised I don't take action as not being decisive and not being a leader but when I take action I'm also being chastised. Mr. Kirschenbaum."

Steve Kirschenbaum: "All right. All I came up here to talk about, that got thrown at me out of left field so, but, Phil, the Recreation Committee, the canoe ramp thing- "

Councilman Kent: "I'm Chris."

Steve Kirschenbaum: "Chris. I'm sorry."

Councilman Kent: "That's all right."

Steve Kirschenbaum: "The ramp on Forge Road is a great idea. One more thing you might take into consideration when they're pulling the canoes across the road, the west side of the roadway is getting severely eroded when they are dragging across so you might consider some kind of concrete bulkheading."

Councilman Kent: "Oh, it's a large project which includes embankments on both sides of the road."

Steve Kirschenbaum: "Good. Also during the winter that roadway, highway has a tremendous problem with icing because the wind blows off the lake. It's a lot colder temperature that roadway. And right where the canoes go down I've seen cars almost slide down the embankment and go down 30 feet, 20 feet into the river, you might consider when you are doing this ramp to put some concrete pipes in the ground to prohibit cars from accidentally sliding off the roadway."

Only reason I'm here today and usually I'm not here during the week- "

Councilman Kent: "Are you talking about a guardrail?"

Steve Kirschenbaum: "Some kind of a guardrail extend- "

Councilman Kent: "I think it does include a guardrail."

Steve Kirschenbaum: "All right. Good, good. I think it's a great project. The only reason I'm here today on a work day is Eve Kaplan was circulating something when I was at the last Calverton Civic Association meeting about how there was going to be some kind of a stand in here against the Town Board against the race track possible proposal and against aviation use at Grumman. I'd just like to state to the Town Board that I'm very supportive and we're very happy with the positive actions they've taken for serving the aviation infrastructure at Grumman and recognizing its value and we hope the Town Board continues on that track. So thank you for letting me have the opportunity to speak."

Supervisor Kozakiewicz: "I missed a card and I'm sorry. Sandra Mott, I believe you were number one and I apologize to you for overlooking that. Sandra Mott. I don't know how I did that, Sandra. It certainly was unintentional."

Sandra Mott: "A Freudian slip I guess. Okay. Good afternoon, Sandra Mott, Riverhead. I'm going to rehash some questions from the past so I don't know if that's going to cut into my five minutes or not but I'll make it quick and I'm sure you'll have the answers."

I understand the signage for not dumping of domestic animals has been prepared and erected but I was told by Tara in a note that it was on Peconic Bay- is it Peconic River Road or Peconic Bay Road and Sound Avenue?"

Councilman Lull: "Yeah, it would be, whoops, sorry. There will be signs at the entryway to Town on Sound Avenue, Peconic Bay Blvd., and Shultz Road in Manorville. Also on Route 25 and Route 25A but we cannot do that ourselves. Those are State- we have to contact the State. They're doing that right now."

Sandra Mott: "Terrific. Thank you very much for that. I was wondering, do you have a sample? Ed- "

Councilman Lull: "It's in my- "

Supervisor Kozakiewicz: "There's one that's leaning up- "

Councilman Lull: "It's in my office."

Supervisor Kozakiewicz: "-- in Mr. Lull's office. Yup."

Sandra Mott: "It's leaning up- I'll lean in and look. The second question is in regard to the fact that I understand groups have approached the town to build a feline shelter exclusively and they will provide the financing and development if you provide the property."

Supervisor Kozakiewicz: "Councilman Lull did advise me that there is an individual who is interested in doing this. We have a meeting scheduled for this Friday."

Sandra Mott: "Wonderful. Could you keep me posted as to--"

Supervisor Kozakiewicz: "I think I have your address as well as your telephone number- "

Sandra Mott: "Yes, that will be fine."

Supervisor Kozakiewicz: "And the telephone number of your

neighbor."

Sandra Mott: "Yes. Okay, thank you. The other question was photos were supposed to be in Suffolk Life and Mr. Prusinowski indicted that that had been resolved the compatibility in regard to the dogs that are up at the pound, but I understand that by looking at the Suffolk Life and reading it, I haven't seen any photos yet and I was wondering if that could be followed up to speed up their adoption.

And another issue is about these Town Board meetings. I'm sure you don't want to review them, but some of us who can't come to all of your meetings or have attended some and want to review them can't find them in Cablevision on 70. The May 1st meeting in particular. And I only found your last one by accidentally flipping the channel late at night, 11-11:30. It kept me up for a few hours. After watching it but nonetheless, I found it. Is there a reason you're not being broadcast anymore?"

Supervisor Kozakiewicz: "I think there's a problem with access. I understand that we're looking to get a second channel up and running and I've received notice from Cablevision about a second channel but I'm going to respond back because it's not exactly what we were told is going to be the case."

Sandra Mott: "Well, I'd like it at least on 70 where it began--"

Supervisor Kozakiewicz: "The idea is to have it shared with- so that it is on Channel 70. Yes."

Sandra Mott: "Until that time, can we make a copy available to the public library and have the public library work in conjunction with Zabby or whoever coordinates the processing of this?"

Supervisor Kozakiewicz: "It's Cablevision who we need to communicate that with."

Sandra Mott: "Okay, because if you could work on the citizens' behalf and maybe have one evening, one afternoon where they're going to review by, you know, by playing this tape in one of their public meeting rooms so that those of us who are interested will know it will always be available because otherwise it's catch as catch can and I don't think that's particularly fair."

Supervisor Kozakiewicz: "Right. Okay."

Sandra Mott: "So if you could follow up, I really would appreciate that."

I also read about the race track- actually I didn't read about the race track's 4th of July fireworks. Have they asked for- to- for a permit to do that again this year?"

Supervisor Kozakiewicz: "The Riverhead Racway? Yes."

Sandra Mott: "Yes."

Supervisor Kozakiewicz: "Yes."

Sandra Mott: "They did."

Supervisor Kozakiewicz: "They-- if my recollection is correct, they actually asked for two separate dates, one which was the Saturday after 4th of July which would be the 7th I believe and the second one being on August 25th which is their 25th Anniversary."

Sandra Mott: "Could, again, Ed, maybe you could ask them to- the duration, the intensity and the direction to be away from Glenwood."

Councilman Densieski: "Yes. We did- "

Sandra Mott: "Because that worked last year."

Councilman Densieski: "-- mention that last year and I don't think it was any problem last year."

Sandra Mott: "No, it wasn't. I mean it was loud but not as loud as it's been."

Councilman Densieski: "I'll make sure it's mentioned. Sandra, don't you go over and watch the fireworks for free through the fence?"

Sandra Mott: "No. You know why? My pet cats get frightened and I have to leave the air conditioning on. So I look out my window. But thank you."

As to the Riverhead Center and the trash and the old fencing and the debris that's all over their property. At the May 1st meeting I brought that up. That stuff is still there. If someone could investigate. If not for a fire hazard, then a vermin issue plus the

fact that it looks real tacky and Mr. Giannos, you know, might be interested in cleaning it up."

Supervisor Kozakiewicz: "Well, I know that they've applied for a permit so we'll follow up in light of that. I know that they've applied for a permit for the Home Depot building and- "

Sandra Mott: "They could clean what they have now."

Supervisor Kozakiewicz: "-- we'll see, yes, we'll follow up on that complaint."

Sandra Mott: "Okay, thank you. And what ever happened to the \$50,000 that was given to that Science Museum on Main Street? Remember they were supposed to have a Science Tech Museum? Some gentleman came up and it was proposed and \$50,000 was given."

Supervisor Kozakiewicz: "Mr. Oxman had proposed that. Right."

Sandra Mott: "Yes. Can you tell me what happened to the money? That's a lot of money."

Supervisor Kozakiewicz: "I'm not sure of the present status. Can we get back to you on that, Sandra?"

Councilman Cardinale: "I can tell you, Sandra, although I was the only person that voted against that \$50,000. I spoke with Oxman--"

Supervisor Kozakiewicz: "Done by the prior Board."

Councilman Cardinale: "Done by the prior Board, yes. I voted against Vinny a lot, too. Especially on the spending issues. What happened was that they have another group from Wading River, the Science group from the school that has offices there, and they anticipate making the move in the fall. So that it will be open on a daily basis, the museum, starting in the fall. I had urged him how about the summer, you know, when people are here. And you can watch and I can watch but so far it isn't officially open every day during the summer. But in the fall, they will be open."

Sandra Mott: "Okay. As long as that \$50,000 didn't get lost in the shuffle."

Councilman Cardinale: "Good question."

Sandra Mott: "Because that's quite a tidy sum that could be utilized- "

Councilman Lull: "Just quickly, Sandy, the amount was \$50,000 but \$10,000 of it came back to the Town in repayment for a loan, a previous loan. So it was actually a net of 40."

Councilman Kent: "Well, it was 40 new."

Sandra Mott: "Forty, fifty, what's the difference? It's a lot of money that could help a lot of animals."

Councilman Kent: "It's a consolidation, extension and modification."

Sandra Mott: "And as to the cars and trucks, I see an awful lot of them being put on the main roads throughout the township, private cars and trucks signs, you know, for sale signs, and I thought we went through that with Vinny's administration that that was not going to be allowed."

Supervisor Kozakiewicz: "I think we go through it with every administration. As a matter of fact I was on the road one particular day and I'd driven past a number of them. I pulled over to use my cell phone to ask Mr. Barnes and his enforcement officers to immediately step on it. They did it that day."

Sandra Mott: "Okay."

Supervisor Kozakiewicz: "It's a constant problem. We try and stay right on top of it."

Sandra Mott: "Yes, well, these are big trucks at the intersection of Mill and Route 58 on the northwest corner so that's a specific location, Mr. Barnes, if you want to go tell them or do whatever you do with them because they're really- they're not even new, they're extremely old and can the car dealerships use all the various vacant space for storage of their trucks? I don't even know what kind of trucks they are. Again, the intersection of Mill and Route 58 on the southwest corner adjacent to Glenwood. There's quite a few trucks and they could look into that because it keeps popping up."

Supervisor Kozakiewicz: "Thank you, Sandra."

Sandra Mott: "And I think that sums it up in a nutshell except for the fact of what was brought up, this resolution here. You know, when I read this, I said to myself why is this needing to be brought forward. I thought this would be already in the process. That you have to read before you can vote. I mean, I think it's crucial whether you, you know, agree with each other or not on other issues, I mean, this is extremely crucial that you all are prepared, that you all have an opportunity to review, that you can reach out to those people who you know have an interest in particular and whether it's 24 hours or 24 days, you shouldn't be arguing over this. This should be a matter of fact. You all read it, you all review it, we all read it, we get to think about it and ask you questions on it. I mean, you shouldn't even argue over this. I mean, you have other things to do. Simply put. And I thank you very much for your time."

Supervisor Kozakiewicz: "Thank you. Steve Haizlip."

Steve Haizlip: "Steve Haizlip of Calverton. Resolution 700. You mention in there that they're going to for the Charter School make a separate line for taxes. Is this going to be in a sense double taxation, one for the Riverhead Central School District and then one for the Riverhead Charter School?"

Supervisor Kozakiewicz: "No. It wouldn't be. This is just to identify how much is being attributable to the Charter School operation. However, the actual taxation amount would be to the Central School District. There's not going to be two times or twice taxation."

Councilman Kent: "We would actually have to reduce the amount going to the school district for the amount of the Charter School."

Steve Haizlip: "Oh."

Councilman Kent: "Because it's- the way it works is much like with the library- "

Supervisor Kozakiewicz: "I was going to say this is somewhat akin to or you can equate it to what we presently do with the Riverhead Free Library budget."

Councilman Kent: "The library appears in a separate line on the budget but the money is paid over to the school district which then pays the library the money."

Steve Haizlip: "I understand it now. The Riverhead Central School District main collection and then distribution. All right.

You know Sandra brought up about this here TV not being able to see the Town Board meetings anymore. I've been informed and I have talked to Cablevision as to- about this, and I was informed that a Mrs. Joan Killjoy or- Killroy- "

Supervisor Kozakiewicz: "Gilroy."

Steve Haizlip: "-- has decided due to the Public Service Commission ruling that you can't show government operations in homes to their ruling. Now, free government and open government seems to be- is becoming to the point of oppression and you know when I think about it, I go from the state capitol, we've got a Republican. I come down to the county, we've got a Republican, and when we come to the Senatorial district and Assembly, we've got Republican. Now, when it came that Ruth is no longer reporting what's going on, now it seems like they want to quell all the information out to the public and the only one that gets to see it if you happen to be here that day at the Town Board. And I for one sometimes understand it better when it's played back than I did the first time. So it seems like I went overseas 50 years ago for nothing. I mean I don't have all this here rights and free speech and freedom of information. It's slowly being quelled and that's-

Now, my number two item here. I'm not going to criticize or infer to people making comments. You know, I keep hearing on the airways, over the radio, reading in papers about Phil's 19% raise that he took it but he voted against it. Well, let me tell you something. You've got a state legislator that put up a 38%. You've got a county legislator that put in for 67% and there were people on there that voted against it. But they have taken it and it's like auld lang syne. It is forgotten and not brought to mind. But Phil's is brought to mind quite often.

On Edwards Avenue and Riley Avenue I put in a project paper a year- it was a year ago in May about trucks, tankers, semis having trouble making that turn radius and don't hear nothing. The only one I had heard from is Mr. Lull, he asked me one day would the tree be in the way? I says from my observation, it's not in the way. I've had the Highway Super there and I've asked him about it and the Highway Super says he's got to go with the Town Board. The Town Board is not acting. So I would appreciate some action on that. And at the last meeting- "

Supervisor Kozakiewicz: "This is Riley and Edwards?"

Steve Haizlip: "Yeah."

Supervisor Kozakiewicz: "The intersection we just changed to make it a "T" intersection?"

Steve Haizlip: "No. It was changed from a "V" road- "

Supervisor Kozakiewicz: "Right."

Steve Haizlip: "-- to a right angle road but then when they changed it, the radius is short."

Supervisor Kozakiewicz: "Okay."

Steve Haizlip: "So when trucks are coming up, they're coming over like that to make the turn."

Supervisor Kozakiewicz: "Okay."

Steve Haizlip: "And we have it- and Joan Griffin brought up the fact about Edwards Avenue and Route 25. Joan knows that I've already submitted paperwork to Mr. Brodman (phonetic) of the state and- about the pole. The other day I'm going up, I have to go water the park and here comes a truck. It's probably the longest one they made and the guy was having trouble getting around that turn. People are backing up and hitting each other. A guy hit me and I blow the horn telling that he can't go any further, so eventually he got around. But you know they've got facilities out there in roads that were put there for the 18th 19th and 20th century. You know, we're in the 21st century. We've got bigger vehicles, bigger equipment, bigger trucks, and it's all being authorized by the government, the federal, the state and what have you. But somehow we're not getting the roads improvement and turn radius to accommodate these vehicles.

And, you know, sometimes when you get to these department heads here and you come up with a problem and you'd like for them to get back to you, it seems like auld lang syne comes into play again. You are forgotten and never brought to mind. Thank you very much."

Supervisor Kozakiewicz: "Thank you. Felix Falci- it is Falci? Okay."

Felix Falci: "Good afternoon, gentlemen."

Councilman Kent: "Could you just pull down the microphone."

Supervisor Kozakiewicz: "There you go."

Felix Falci: "Good afternoon, gentlemen and lady. Before I- my name is Felix Falci. Before I make my two issues known here I'd like to say I'm honored and it's a pleasure to be here before you.

The two issues I have in mind is the- we all like to have clean communities so a few of the neighbors got together, we said let's talk about this, let's talk about that. We have some vehicles unregistered on the road. So I says all right, we'll start with this neighbor next to me here. So I go and talk to him and he- I says what about it? You know. I says, well, don't you see an eyesore there, don't you see a blight? Everybody is looking at that. You're taking away from the community. So he says what about this guy, that guy, this guy? I says okay, you're the only one of the road that's got the vehicles on the road. The others don't. We'll look at them later on.

So he says, well, one of them is supposed to go. I says which one? This one here. When? I don't know. How about this blue van here from Montana? It's been laying here for about 10, 11 months. Oh, somebody is supposed to come and get that. When? I don't know. You know, I says, I'm almost afraid to ask you about the third one because I think I'm going to get the same answer. So I says you could say two months, you could say six months or more. I says that's possible. I says, listen, I'm getting nowhere here. It seems like you're part of the problem, not the solution.

So I came down here, your enforcement office, and I brought the problem to the lady there and to make it short she gave me an order of remedy. She says- I says do you have a reference to this thing here, some kind of directive? She says yeah, Chapter 100-3 code of the Town of Riverhead. I'm sure a lot of you are familiar with this. And to make it short it says please take notice there exists violation number so and so, etc. and it breaks it down it's unregistered vehicle or parts of a vehicle. Then it says here you will remove this stuff by so and so date. So to me that's an ultimatum. Then it's signed by this Matthew White fellow here.

Okay, I says who is this fellow? I says do I recognize him? Does he go around in plain clothes, plain car? No, he wears a white shirt, he has a badge, and he's got a white car with seals on the side. I said all right. So I says he does all these things? How's he do these things? He says well he goes down there, he makes note of

this and he puts on his pad and he comes out the next day and he gives these people, the offending party, their citation similar to this.

So one of the neighbors called me up one day, hey, that fellow is out there right now giving the neighbor something. So I ran out there and I heard him talking to the neighbor and there was flailing arms all over the place and I says, okay, there he us. I says, excuse me, are you Officer White? He says, yes, I am. And I told him who I was. I told him I'm the one who made the complaint. He says, okay, fine, but look, he says. You know, if a fellow is 95 years old, I've got to still give him one. I says, okay, it's understandable. And I says- and then he says, you know, these things are not done overnight. So if you just put that aside a second. I says, okay, that's understandable, too. I says, I don't expect two or three days later. You know, I expect maybe two weeks.

So we let it go at that and a week and a half or so I see no action, nothing is done next door, nothing is done down the block. There's a few discrepancy- right down the block, right up to the double trailer which I'll bring up in a few minutes. And so I'm going to call him and find out something here. So I all his office, he has a telephone answering service machine there so he gets back to me two days later. He calls me, he says, yeah, Mr. Falci, this is Officer White, I'm returning your call. Oh, I says, thank you. I says, look, I'm concerned, I don't see any action next door. What ultimatum did you give to that fellow next door? So here it comes, folks, get out your digitalis. He says, ah, ah, ah. I says what is it? He says well, ah, the 13th or the 20th. I says which is it, the 13th or the 20th? And he says I don't know, I don't have the folder in front of me.

Well, listen, folks. Listen, I put 21 years in the military. In the military circles they call this fudging. So he could have at least got up and got the paperwork. You know, what does it take? A few seconds? Okay. So I says I'll take the higher number. Thank you. So about two days later, one of the vehicles goes. Oh great, there goes one. One down, two to go.

Now we're getting close to the 20th. The 20th comes, nothing happens. So where is the follow up from Mr. White? I don't see no sign of him. I said I'm going to show patience here. I'm not going to call him back. All right. Two days after the 20th, this big blue van, this monstrosity from Montana, that big, big thing that's been laying there about 10, 11 months mind you, finally disappears. Two down, one to go.

So I wait, show some more patience. About five days later, the- something very amazing happens, folks. This guy, now mind you it's a rusted hulk. It's a- it's got debris in there from the floor to the ceiling, it's a dead vehicle, it's not going anywhere. This guy goes and registers this thing. Yeah, that's what I said. So I'm sure we're familiar with the saying, don't ask, don't tell. So he goes, DMV, he says here's my VIN number, here's my insurance card, so the other guy on the other side of the bench is saying, okay, fine. He's not asking because he thinks it's going to run. Why would he ask him? This guy is not telling because he knows it's not going to run so why should I tell him? Don't ask, don't tell.

So he comes back with his plates and he has a temporary safety sticker, 10 day safety sticker. He puts that on his vehicle and it's dated April 26th. Okay. Ten days is up. What happens on the 11th day? It stays there. That's where it is right now. Where's Matthew White?

Okay. Let's go a little further up the line and as we go up the line towards the double trailer now mind you. Here's the real outrage. Before you get there, you are going to look to your right and you're going to see a car there that's been there, I've been told by the neighbor, 13 years in the same spot on a concrete block. Nice monument for the block.

So you go a little further up and here we come to the outrage. Here's a double trailer and it's pretty well known to Matthew White so he already told me yeah, I know it's up there, it's a double trailer. So the neighbor who is an elderly couple tells me, you know, I've been trying to get a hold of Matthew White and he just don't answer my calls. I says, well, maybe he's busy. Well, I've got a telephone answering machine, he don't call me. I said, tell you what. You and your husband, we'll go down to the enforcement office and we'll see. Okay. All three went down there and we asked the nice lady at the desk, she was very cooperative, informative, a very nice lady. She said- she was very conciliatory, she says, oh, and she kept telling us- this lady kept telling, you know, that could be a fire hazard there. After all, I'm elderly. This thing here was gerry rigged to begin with and, who know, I want some kind of answers. Oh, he says, very much a concern, plus I want to sell my property. How am I going to bring a realtor there, and he sees that, he's going to say, hey, you know what? You're not going to get what you want if the party wants to buy at all if he sees that.

So he said, you've got a good question there. Give me a name and

telephone number. So we gave her the name and telephone number. Well, folks, to this day, five weeks later, he's yet to call this lady, return her call.

This is- I don't understand this. Here's the thing. He's got a telephone answering service. What is he, selective here? I'll answer this guy but I won't answer her. What's the story here? I don't get it. Well, anyway, she says, Phil, I'll tell you what, let's go back (inaudible). There's somebody talking in that back trailer, I heard voices. So I said, all right, to make you feel good I'll go and talk to the guy. So I talked to the guy, I said listen, I says, my neighbor is concerned. Is there anybody living back there? And he said oh, no, no. I'm a carpenter. I keep tools back there. I'll show you. So he showed me the lock, the hasp and all that. So I believed him, I says okay. I told her.

So let's fast forward one year now, today. She says, Phil, I'll tell you what. I hear voices back in there and you know what? The trailer is moving. Oh. Okay, I says I'll talk to this new guy. This last guy already left. I talked to this new guy. I asked this fellow, I says look, my neighbor is concerned. Is there somebody living back in that trailer? He says oh, not now. I said, wait a minute, what do you mean not now? Well, there was somebody in there. I said in other words, he comes at night, he opens the back hasp, each night and comes in there. Oh, no, no, no, he didn't do that. What did he do? Here it comes folks, hang onto your chairs. This guy, he puts a hole through the front trailer, a hole through the back trailer, and he makes a walkway. Yeah. So the lady was right. There was talk in there and there was rocking. So- "

Supervisor Kozakiewicz: "Mr. Falci?"

Felix Falci: "Yes."

Supervisor Kozakiewicz: "We do have a five minute rule. I hate to cut you short because it's been entertaining, but- are you looking for us to- where do you live? Where do you reside?"

Councilman Kent: "Where is this trailer?"

Felix Falci: "Okay. Matthew White, I'm sure he should have passed this around but I guess he didn't. It's on Zdunko Lane, right off Sound Avenue."

Supervisor Kozakiewicz: "Okay."

Councilman Kent: "Oh, okay."

Supervisor Kozakiewicz: "I know where it is. Okay."

Felix Falci: "To make this- I've got one more issue, it's got to be quick. Okay. I'll make it quick. It has to do with the water basin that I talked with with- "

Supervisor Kozakiewicz: "Gary Pendzick?"

Felix Falci: "Mr. Kwasna was it Mr. Kwasna? He came out March 29th and I went through the whole thing with this guy. He says, yeah, it looks like you need one. The water is coming off Sound Avenue and it's coming onto our road. We're not worried about the raindrops coming off the sky, we're talking about collective water coming off Sound Avenue making a right, coming on our road and now we've got an open basin here. So he says okay, we looked, we looked, it should go here, it should go here, it should go here and let's see, I've got a- if I can just show you here, I propose that this thing go here- listen, I'm trying to get out of the line of traffic here. That's all I'm trying. Make it easy on everybody.

On Sound Avenue, catch the water at the source of the trouble not beyond. Now he says oh, you know why? He says we own six feet of this easeway here, he says I think I'll put it here. You are going to put it there? I says okay, let's get one thing straight, you know. How do we get the water from the source of the trouble which is building up on our road to here? I'm going to go head and build it up he says. I'm going to build it up. Oh, you are going to build it up? I hope he realizes that we've got garbage trucks coming through there, we've got the oil trucks coming through there and don't forget the plows now. You know what they can do to blacktop, don't you. We see it all out here. And they can just tear it right up and then we're back to square one all over again.

So anyway he's the engineer. I went along with him and hopefully he'll take care of this. So, you know, I really don't want to come back here again and entertain you, you know. I'm not an entertainer. I'm a road man. It's not a question of where or if, it's when. Okay.

So in closing, I'd like to say this. Matthew White has to do the right thing and Mr. Kwasna, you do your thing. See. And I'd like to say next month at this time solved issue one and issue two. Thank you."

Supervisor Kozakiewicz: "Thank you. Dr. Barbara Kimmel, please."

Councilman Densieski: "Could you tell us how you really feel about Matthew White?"

Supervisor Kozakiewicz: "Don't open that up again."

Dr. Barbara Kimmel: "Mr. Kozakiewicz, Members of the Board. The open meeting law confers a right upon the public to attend and listen to deliberations of public bodies and to observe the performance of public officials who serve on such bodies. That may include the public programming committee which was created pursuant to regulations promulgated by the New York State Commission on Cablevision.

In this regard, I offer the following comments. The public access channel should be operated and administered by a committee or a commission appointed by local government and should include representation of the appropriate individuals for coordination of the services to this area. Channel time should be scheduled on the public access channel. Since we share time with other towns, each local legislative body should work with cable providers to mandate easy access at appropriate times of the day and evening in order to allow the public to disseminate the information. One time slot on a Friday at 1:00 in the afternoon is not acceptable.

As you know, I'm a dual resident of both coasts. Our public access television in California in my community is on live in the evenings when the Board meets. There are two cameras so that they can pan the Board and one camera so that they can get the speaker. They are there at all times. They don't come and go so that we wouldn't have the snafu that you had today.

Also, those programs are shown in the evening, during the day, and on weekends and weekdays and it would behoove us to follow something similar so that we don't have this problem of our voting public not being able to see you gentlemen do the job that you do. And it's great free publicity. Thank you."

Supervisor Kozakiewicz: "Thank you. Linda Margolin."

Linda Margolin: "Good afternoon, Supervisor Kozakiewicz and members of the Town Board. I was last before you at the last regular session to speak to you about the tabled resolution on Headriver and

its project for a Lowe's center. I understand that the Board may still not be ready to untable the resolution and vote on it and I'm here to urge you to do so and to do so immediately.

As I spoke to you last time, far more than the 45 day statutory period has past since the final environmental impact statement was already submitted. Now we have a demand by the town's consultant for what's called a third level review. It's clearly of economic impact and as we pointed out to you in our submission it's clearly legally beyond the town's scope of permitted review under SEQRA.

The applicant feels so strongly about this that I want to inform you that the applicant is not willing to proceed and submit any further studies based on the consultant's letter. If you, the Town Board, are going to adopt the applicant's position- the consultant's position, and I urge you not to, then the Board had better adopt a resolution stating why it's appropriate and directing the applicant to proceed to do the further study. Because we're not doing it without official Board direction.

I think I also ought to point out to you that the consultant's basic assumption appears to me to be founded upon bad science or at least sloppy science. This whole thing came about on the basis of a demand that we project unsatisfied retail demand and the- your consultant has quibbled with our projection of unsatisfied retail demand claiming that it indicates that there will ultimately not be enough unsatisfied retail demand and an adverse impact on other vendors of similar products.

I think it's worth pointing out that your consultant's assumption as expressed most recently that Home Depot should be figured as needing to do at least \$45 million dollars a year in business is diametrically at odds with Home Depot's projection in its own supplemental EIS submitted and approved by the Town Board only last year that projected \$24 million dollars a year in annual sales.

So you have a consultant who apparently can't be bothered to read the submissions by the party that he claims isn't going to need to do so much business there won't be any unsatisfied retail demand.

Finally, I want to point out the applicant does not want to be in an adversarial position with the Town Board but if you continue down this road, we see little choice. The treatment that Headriver has gotten here in terms of delay and the demand for a third level review and economic study is again diametrically at odds with the treatment

that was accorded to the Home Depot project. And you leave yourselves individually, the Town open to claims that you are denying this applicant equal protection of the laws as well as failing to follow the procedures that are mandated. I urge you not to do so.

We'd like to move forward, complete this phase and go to our special permit hearing where the Town Board can consider and the public can be heard on any aspect of this project that people find troubling. We obviously think it's a good project for the town and will have only positive impacts. Thank you very much."

Supervisor Kozakiewicz: "Thank you. I- "

Councilman Kent: "Can I ask you a couple questions?"

Supervisor Kozakiewicz: "I do have a question which was addressed in a comment to us. There's mention in your appendix which I think was part of the DEIS which states the following and maybe you can address this and tell us why this has been adequately addressed and, therefore, why we should accept and sign off on this."

Councilman Kent: "First of all, Linda, did you receive a copy of the letter from our consultant?"

Supervisor Kozakiewicz: "Not yet, no."

Linda Margolin: "No."

Supervisor Kozakiewicz: "No. I- but, yeah, okay. In this letter which we will share with you and I wanted to discuss it with the Board before I distribute it, the consultant points out that in the appendix to the August 2000 DEIS, you or the DEIS suggested that there would be an analysis of the market impact of the proposed project on existing retail establishments selling essentially the same product lines in the area end of quote, and then it picks up and says the analysis would enable conclusions regarding the project's socio-economic impact as a result of widespread business closures, vacancies, or other such socio-economic repercussions. This is out of- "

Linda Margolin: "Is that all supposed to be a direct quote from our DEIS?"

Supervisor Kozakiewicz: "It's- "

Linda Margolin: "Or part a quote or a comment?"

Supervisor Kozakiewicz: "It's portions of it so I don't know if they're taken out of context and- "

Linda Margolin: "Well, it's my understanding and I can't claim to have read the August, 2000 DEIS yesterday or even this morning."

Supervisor Kozakiewicz: "Right."

Linda Margolin: "It's my understanding and our projection indicated that- our study indicated that the stores that provide convenience, location and individualized service even though they sell the same product line, would not be adversely affected and it was the larger retailers on which there might be some economic impact which was how we got into the unsatisfied retail demand analysis. And the analysis that we prepared and the study that we provided indicated even though we did it under a reservation of rights because we claimed it wasn't appropriate for study, was that there was more than enough unsatisfied retail demand projecting that Lowe's would do \$36 million dollars a year and that Home Depot would also do \$36 million dollars a year, we are still showing unsatisfied retail demand in the range of \$12 to \$15 million dollars a year. So that indicated although- that there should be plenty of business to go around all the way.

So I'm not- I don't really understand except it seems to me that what we have is a consultant's, the economic consultant basically indicating on the basis of no study at all that they assume- that they're going to ask us to assume that our study is wrong. And that's- I think that's very troubling to me because although one might start at the beginning of DEIS process with a set of assumptions because it's very difficult to undertake any scientific endeavor without a hypothesis at least to start with, when you get to the point where you amass data and come up with conclusions, then it's not okay in the scientific process which I analogize this to, to just say, you know, I don't agree with you and not offer any reasons or any data. And that's essentially what I think the Town's consultant is doing here. And they indicate a disagreement without indicating any data to support it."

Supervisor Kozakiewicz: "Well, I've had a number of conversations with the consultant along this line and they portray a different picture. They indicate as I mentioned that in the DEIS there was a recognition by the applicant that there would be an analysis of the impacts- "

Linda Margolin: "Well, that's what we did do."

Supervisor Kozakiewicz: "-- and the potential- well, and I'm being told other than providing an inventory of businesses, there was no other analysis done in these papers that we received which would enable one to jump to a conclusion that there's a gap, there's a hiatus and that's where the difference of opinion is. You're indicating that there was a full disclosure, full discussion and, therefore, an ultimate conclusion and we're getting information provided to us.

And I had this conversation this morning with the consultant as well as the economist who is also employed as a subcontractor to that consultant stating the same thing that there's a gap. There's a break in the analysis and that the additional economic analysis- the socio-economic analysis does not reach the level where he can either accept or- and he says, listen, your point is exactly on point with what he said. We can't - once the analysis is there and once the conclusion is drawn by the applicant, it's not our place to question whether their underlying findings or underlying analysis is correct or wrong. At that point it's complete. And what I'm being told is that at this point in time, it's still not complete."

Linda Margolin: "Well, I think the interesting thing in that regard and I hesitate to argue in any detail without having the benefit of the paper in front of us because obviously there's a lot of detail there, is that this level of comment was not made by your consultant in response to the DEIS. This level of comment came on what they call their third level review. If the consultant saw a gap when it reviewed the DEIS and then the FEIS response to the comments. That's not what we got.

But may I suggest to you that if- we think it ought to be resolved as a legal issue because we think the area of inquiry as I have expressed before to the Board is asking us to assess impacts which the Town Board has no right to consider in approving this project and which cannot as a matter of law be mitigated. Because you are not allowed to play favorites. The law of competition, the law of free enterprise and capitalism is what governs our economy here and the Board is not allowed to say that a project is appropriate for an area where it's zoned shouldn't go because it might offer people cheaper prices and offer them an inducement to take their trade from another vendor. I mean that's the right that the public has. And the Town can't interfere with that.

Be that as it may, if you think- if you and the members of the Town Board think that there is a better understanding here on the consultant's apparent- I think misreading of the report, that a meeting with members of the Town Board and the consultants at a work session will help clear the air so that the Town Board can move forward on this, I'm sure we'd be willing to do it because while I think our legal position is well founded, I want to move the application forward."

Supervisor Kozakiewicz: "Yeah, I don't think anyone here wants to take an adversarial position. When we received the letter from your- "

Linda Margolin: "Mr. Gerard."

Supervisor Kozakiewicz: "-- attorney, Mr. Gerard of (inaudible) that was promptly transmitted over to the consultant and, in fact, the Town Attorney also was provided a copy. What we have is that letter. We don't have a follow up opinion from our Town counsel at this point in time in order to- we still have these outstanding issues. We still have a question and as I understand it, the Board would not be authorized by SEQRA to gain or go into competitive issues, competition issues.

However, at the same time, if it's a question of potential blighting, economic blighting, blighting that may affect the character of a neighborhood, this may, in fact, be part and parcel of a socio-economic analysis that would be proper under a certain line of case law. And that's what we're wrestling with now, whether we're in the latter, the blighting issue and we're being told that that's the case, or are we in the competition question as suggested by yourself today and as suggested by Mr. Gerard in his letter of June 12th."

Linda Margolin: "I think- "

Supervisor Kozakiewicz: "And I think your offer which is to come to the Board at the next work session to go through all of this and I hope at that point in time to have our own independent, not to say that we don't trust your legal opinion, but also do our legal analysis which we need to rely upon as a Town Board, I accept that offer, I believe the Town Board will accept that offer and we would welcome you to come at the next work session so that we- "

Linda Margolin: "When is that?"

Supervisor Kozakiewicz: "That would be the 28th, I believe. So, that, and hopefully we can get this done and resolved and move forward."

Linda Margolin: "All right."

Supervisor Kozakiewicz: "All right?"

Linda Margolin: "I believe my client will, you know, will await that additional time but, you know, at that point we really- I mean I have to say I don't wish not to be conciliatory but you're a lawyer and you understand when I say that my client has important rights at stake here and we just can't continue to see the delay even to the actual viability of the project."

Supervisor Kozakiewicz: "Okay."

Linda Margolin: "We can't do that."

Supervisor Kozakiewicz: "Thank you."

Linda Margolin: "Thank you very much."

Supervisor Kozakiewicz: "Is there anybody else who would like to address the Board? Rolph Kestling."

Rolph Kestling: "Rolph Kestling, Wading River. I'll try to make it fast but maybe you can give me a little help. Monday morning about 8:30 I called up the road department about road kill in my neighborhood, just a little ways from me. They took the message, they were very polite and they said we'll turn it over to the dog control. All right. Up to 2:00, that racoon was still laying there. Now normally if it's a cat or a squirrel, I'll bury it myself. I'm not touching racoons. Can you do something about that?"

Supervisor Kozakiewicz: "Where is it specifically?"

Rolph Kestling: "I gave him directions. On North Wading River Road, it's between pole 90 and 91 and on the south side."

Supervisor Kozakiewicz: "Thank you."

Rolph Kestling: "In this kind of weather, it's going to smell."

Supervisor Kozakiewicz: "They'll notice it when they come up."

Rolph Kestling: "They'll notice it."

Supervisor Kozakiewicz: "Okay."

Rolph Kestling: "Okay. The second one. Have you ever heard Mr. White's recorded message when you call him up? Has anybody ever listened to it? You should listen to it. I'm still waiting for his- well, it says leave your name, telephone number, address, nature of the complaint, and I shall return your call at my convenience. I'm waiting over a year already for his convenience. So that gentleman, he at least got some action.

Okay. You know that I attend about 99% of meetings."

Supervisor Kozakiewicz: "I'd say 99.9."

Rolph Kestling: "99.9. And you know generally I stay to the bitter end. Last meeting, I wasn't feeling too well, I looked at the resolutions, all right, normal things. I left. And then I hear there were the fireworks what you pulled the last minute. I look upon this, my own personal view, as you are denying my rights to speak on the subject. I went around with the petition, I took care of some of those petitions. Every person that signed my petition were people who were directly known by me, my neighbors and all that. Every comment I heard from other people that they are against the town financing the Suffolk Theater. They're not against the Suffolk Theater but they're against the town money going in. So I will ask one thing of Mr. Cardinale. Even though I'm not feeling well today, I had a little minor surgery, that's why I was late today, are you going to introduce that resolution? I'll stay."

Councilman Cardinale: "Yes, that's going to be 705 that I'm introducing. 703 sets the theater bond vote for July 31st."

Rolph Kestling: "Okay."

Councilman Cardinale: "And that every polling place and I'll go over that when I introduce- "

Rolph Kestling: "Well, that's another thing. I mentioned to some of the people that I said I heard it's going to be in the town theater and they said what? Everybody is all upset about that, too."

Councilman Cardinale: "Yeah, the fact is that it will be at the normal polling places on July 31st, the proposal is in the 703

resolution and the fact is that the town will not pay anything, the county will pay for this vote."

Rolph Kestling: "Could you repeat the date, please?"

Councilman Cardinale: "July- the last Tuesday in July, July 31st."

Rolph Kestling: "July 31st. And it's all day from 6 'til- "

Councilman Cardinale: "From 6 a.m. to 9 p.m., I believe."

Rolph Kestling: "And our regular polling places. Because I know quite a number of people that signed the petition will go and I know quite a number of people where I didn't have any more- I only had the one petition, will definitely go."

Councilman Cardinale: "Now that we have the vote, it's critical we get there."

Rolph Kestling: "Okay. In that case, I'll stay."

Councilman Cardinale: "Well, thank you."

Supervisor Kozakiewicz: "Okay. I have a card from Mr. Kasperovich but I don't know where he went to. And Zabby, I have a card, two cards."

Zabby: "Thank you very much, Supervisor Kozakiewicz and the Town Board. I thank very much the three people already who have spoken on the Cablevision matter and also the audience applause because that shows that the people do want to see open government and I believe that's going to be a huge campaign issue come November because people are tired of government behind closed doors all over, nationally, everywhere.

We want to see what our government people are doing and I love the idea of Mrs. Kimmel- I guess Barbara Kimmel, said we should have two cameras, one panning the Board to check to see the attention paid to the people and the input that, you know, the attention paid to the people's input.

And also I want to speak on two things, the Resolution 705 which is, I believe, just resounding the idea of open government, the idea that I should be able to- my rights are denied to be able to film the

rights of the previous speaker who wanted to be able to comment on all resolutions and so I thought- I was here, I caught the Suffolk Theater fiasco last time and I couldn't believe that any resolutions are- should be- I don't think any resolutions should ever brought out like that. It's just not right. It stops the public from being able to speak on them and that's not right. So it censors the public.

And talking about censorship and back to Cablevision now, we should have a hookup here, a three camera hookup hanging- cameras hanging from the ceiling. Now Cablevision should be notified when there's a change in the- this man- "

Councilman Densieski: "Aren't you the liaison?"

Zabby: "When- "

Councilman Densieski: "Aren't you the liaison for Cablevision?"

Zabby: "Please don't interrupt me-- "

Supervisor Kozakiewicz: "Hold a second, hold it a second."

Zabby: "-- Mr. Densieski."

Supervisor Kozakiewicz: "Barbara, you usually notify the Cablevision, right?"

Barbara Grattan: "No, I don't."

(Unidentified - from the audience): (Inaudible) Supposed to be here today. There was an accident. They called me to come here- "

Supervisor Kozakiewicz: "All right. So there is a reason."

Zabby: "Okay, great. All right, good."

Supervisor Kozakiewicz: "So there is a plausible reason- let's also set forth one other thing. When we do our organizational meeting in the beginning of the year, we set the time and dates of all of these meetings and it was known and that's passed on as well, so."

Zabby: "Good, thank you."

Supervisor Kozakiewicz: "Just to avoid any inference that this is not something- or that this is something that's systematic or

occurring, let's go the other way. It's something that's adopted by the Board at its first organizational meeting of the year and all of these times and dates of the public hearings are spelled out and attached to that particular resolution.

So to end the issue- "

Zabby: "Okay, great."

Supervisor Kozakiewicz: "Okay."

Zabby: "Actually, I was getting to another issue. I happened to get here with one of the cameras and it didn't work so I would have been able to film this and give him the whole complete so he could have had the complete meeting but I had to go to Cablevision and pick up another camera. And, but there should be cameras hung here from the ceiling as they have in other town halls so that we can not only get the Town Board meeting but the work sessions as well and all the committee meetings, the zoning, the Planning Board committee meeting, all of those committee meetings. Because the people want to see that.

And not only that. I taped a few of them and they have some- Barbara Blass had done some wonderful work and the different departments here, the representatives like Mr. Hanley, he was here, too. They're doing fabulous work and I think the public should see that. Because there's such cynicism in government, about government now and I think here on the east end there may be hope. I'm hoping that there is. And the people want to see the government.

And I'm so glad I heard you say, Bob, that- Supervisor Kozakiewicz, that you will- are not happy with the terms that Cablevision is offering and here's what has happened with out Town Board meetings. And I am the Town Board advisor in public access and governmental and educational access matters and we had a schedule in public access television that was jammed packed and I who had done Barbara Blass' committee meeting here for two hours and taped it and I did the master plan committee meeting as well which was a beautiful meeting of people.

I wish I had been here when Mr. Densieski had the meeting in regard to farmland. I could have done that. But the problem is not being able to get any of them scheduled until after midnight. I was told, oh, there's no room on the channel until after midnight. So finally I had to, you know, Cablevision really had the Town Board Supervisors in Southampton, Southold and Riverhead over the barrel

here and so I did intervene and started preempting Bob Kozakiewicz- his show was preempted, Vince Cannuscio's show was preempted and Jean Cochoran's was preempted so I could get some time to show even Mr. Grucci's town hall meeting that he did here. I couldn't get an hour.

And so they- and I- we started preempting the town board meetings, too, so now Cablevision has come and offered. They realized, you know, Zabby would fill up all the government program, they better do something because they're going to have some complaints. And so they offered Mr. Kozakiewicz, Ms. Cochoran- Supervisor Cochoran and Supervisor Cannuscio a government channel. But here's the kick. There's always something with Cablevision. They don't want to share it with educational programming. In fact, educational programming is still left here and this schedule, even after we removed all the government channel- programming, is jammed packed now and I still can't get Barbara Blass' meeting on. I still can't get Mr. Grucci on. They've left the educational programming here.

And what do they want our governmental programs to be shared by? Their Cablevision local programming. They want to now promote their programming by having you switch to the government. Maybe you'll see one of theirs and it's really bad. And not only that, that doesn't take care of the problem that we originally had and a breach of contract by Cablevision for a second channel for the public so that I can get Barbara Blass on; I can get Mr. Grucci on; I can get your work sessions on here. And why not? And why not?

And so, yes, we need- they're going- they've offered us a government channel. That we have coming by law by Section 595.4 Section B paragraph 1, Subsection II. We have a government and educational channel coming and as they had asked, we want it done by the August 9th letter that Phil Cardinale wrote to them. We want our governmental program repeated. We want it 24 hours a day. And why not?

And, so- "

Supervisor Kozakiewicz: "Zabby, may I ask you to sum up?"

Zabby: "Yes. Oh, okay."

Supervisor Kozakiewicz: "If you would, please."

Zabby: "Yes. And so then that doesn't- so the thing is we will

then- we want you then to ask finally- work with Mr. Cardinale, if that's possible where I've been- I think it's possible. I think you do have the maturity and leadership, Bob, to have this happen and make- Mr. Cardinale- you know, Mr. Cardinale, he's written 21 letters to Cablevision. He's done a due diligence here. He has all the knowledge and you should work as a team here and finally get a channel that we had coming for nine months.

I put it on the five members of the Town Board to get the public channel, the second one so that we have three channels in all. And also get educational program off of this channel 70 and so we should have 70 and 71, two public channels."

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

Zabby: "Thank you very much. By the way, they're trying to censor me. You mentioned-- Mr. Haizlip, just one second, Mr. Haizlip, he mentioned about the censorship. Yes. Cablevision has-- talking about rules and regulations, they want to- "

Supervisor Kozakiewicz: "Zabby, Zabby."

Zabby: "-- make it impossible for me to do my shows in their studio with their equipment. That's wrong."

Supervisor Kozakiewicz: "Thank you."

Zabby: "And I think you are going to fight against that, because that's censorship."

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

William Kasperovich: "William Kasperovich from Wading River. You almost had the privilege or the comfort of not hearing Kasperovich this afternoon. I was running late and I couldn't think of a constructive criticism or something nice to say about anyone of you. So I figured what's the point of going. With that feeling, what's the point of going? Then something else came up and I figured let me take this time to start- I don't know what you would call it in law-- the early preliminary show cause why not to sue.

I have a problem that where I live on 15th Street, I cannot feel that I'm a bona fide 100% American citizen. Why? Because the town doesn't give me the rights to use the state DOT laws. Without using those laws, go to the police, in so many polite words they say don't

bother us. Last week I had the situation with Judge Allen Smith. I can't quote him but in essence he was saying don't bother us. Well, as a citizen I can do things by the rules of the court. And the rules that are in Albany.

And if the town chooses not to act on a legitimate situation, a situation beneficial to the street, to the block and to the community. Now, I'm met with you, Mr. Kozakiewicz, two years ago. I gave you four points of concern on my street, nothing has improved on those four points. On three of those points, nothing is done. Now if things are going to look like, hey, this is a nice neighborhood, please who live here take care of each other. Look how nice it is. But if we don't stand on top of it and we're not backed up by the police, it will deteriorate. It will deteriorate. And that makes me feel like less of a- (inaudible) make me feel like an American citizen.

Here I can't use the law, one, two, the police don't want to use the law, and three, the Town and the Board don't want to take a position such that the law is applicable, hey, this is the situation on my street where I live and I thought I'd do nothing else but throw this out to you for- some for memory and some for possibly you have forgotten my talking about this before but this is nothing new. But I do know that if destruction is not stopped or interfered with, it will deteriorate the neighborhood. Consequently, this is what is here and I want the Town Board- I'm not asking the Town Board- I want the Town Board, these are my elected officials, I am their constituent, to put this before the Town Board, ponder on it and act on it. And have the courage and decency that if you decide the Town Board does not want to act, tell it to me formally, then I can present it in court. Thank you very much."

Supervisor Kozakiewicz: "Thank you. You are the next one up. You are the last card. George L. Schmelzer."

George Schmelzer: "I get the door prize, the last guy?"

Supervisor Kozakiewicz: "There might be some people that may want to address us who didn't submit cards but you are the last who submitted a card to speak."

George Schmelzer: "You mentioned before about some stores being closed, some not. It's just like politically- "

Supervisor Kozakiewicz: "I don't think any of us mentioned

that, but--"

George Schmelzer: "Well, whatever. Well, like you have a public election, some win, some don't. The ones that don't, they lose, they can say well, we came in second anyway.

Now, it was mentioned about blight downtown. We've got this permanent blight on the Peconic River because of the estuary nonsense. Last meeting or so I was told maybe five years ago they asked the state to abolish it. Have you- are you doing anything or nothing?"

Supervisor Kozakiewicz: "As far as the Wild Scenic Rivers, I have not had a chance to follow up. You are suggesting that we abolish the whole legislation and see if we can get the state to change its mind and take this out of the river system, right?"

George Schmelzer: "Well, they've got it anyhow. The south, there's all woods there, what's the difference?"

Supervisor Kozakiewicz: "You're talking about the Wild Scenic Rivers or the Peconic Estuary issue?"

George Schmelzer: "Yeah. Well, the Peconic Estuary, how far does that go?"

Supervisor Kozakiewicz: "Because this is- that includes the Peconic and its tributaries in the bay. I mean that's a federal program where the Peconic Bay is- "

George Schmelzer: "Oh, boy, these bureaucrats are doing great, aren't they? Yeah. Should abolish the Scenic River, the state, so we can get rid of the blight on West Main Street. Really. Why don't we do something?"

Now it was mentioned before about putting the tax that would apply to charter schools separately on the tax bill."

Supervisor Kozakiewicz: "We're holding a public hearing to consider individuals' comments. That public hearing will be held if the resolution is approved, I think it's July 3rd or July 17th."

George Schmelzer: "Not July 4th, huh?"

Supervisor Kozakiewicz: "No, no. I don't think it will be July 4th."

George Schmelzer: "Everything could blow up then for you."

Supervisor Kozakiewicz: "It's- for some reason my copy is not attached but I think it was July 17th."

George Schmelzer: "Maybe you should put on there also that the money we don't get from the state land within the town that could be applied for school taxes. And it would wake the people up. Anything coming to get the state to pay taxes on the state land here in Riverhead town?"

Supervisor Kozakiewicz: "I haven't heard anything further as far as that proposal from the state, no."

George Schmelzer: "Well, I see they handed you the last meeting that the state pays over 100 million a year now upstate which our representatives never talk about. You remember that sheet I gave you?"

Supervisor Kozakiewicz: "Yes, I remember. I remember. I don't have an answer for you today, George."

George Schmelzer: "Yeah. Yeah. Nuts. About this bond issue, I understand that the reason for the- that's legal, got the referendum on the theater because of public money to be expended. I don't know why the same thing shouldn't apply to the airport because we're throwing money at that thing all year long for several years. How about that? Yeah. So, what else can we do here? I hear a lot about this earth warming business. What's the town's position on that? Anything?"

Supervisor Kozakiewicz: "No comment, George. Anything else?"

George Schmelzer: "Okay. Yeah, I'll comment on it. I heard too much, damn much of it, earth warming. Frauds, hypocrites, let's apply the law of physics. I haven't had physics since 1935. But say how can you burn stuff without having carbon dioxide? It's silly. And so they say it warms the earth by burning too much. I say no. Let's go do one molecule of carbon dioxide from burning oil or coal. It gives off heat to the earth. Same as when we breath. We have sunlight, comes down from the sun. If it's unmolested it would be great, creates heat on the earth, you can make electricity out of two panels. Leaf-- green leaves take the sun energy, light energy, and creates it into chemical energy so less heat is upon the earth. Where you have a lot of leaves, and trees and grass, there's less heat than

a desert. So this sun energy that's created to chemical energy takes the carbon dioxide molecule and breaks it apart (inaudible) oxygen. Just an example what goes on. So one offsets the other. There's no increase in heat on the earth. Just back and forth, back and forth. That's the law of physics. It's so simple. Any question?"

Supervisor Kozakiewicz: "No question."

Councilman Kent: "Is there going to be a test?"

Supervisor Kozakiewicz: "Thank you, George."

George Schmelzer: "Okay. That's it."

Supervisor Kozakiewicz: "Thank you."

Councilman Lull: "You said save the (inaudible), right, George?"

George Schmelzer: "What did he say?"

Councilman Lull: "Never mind."

George Schmelzer: "Say it."

Supervisor Kozakiewicz: "He said you're- "

Councilman Lull: "I said you say save the rain forest then."

George Schmelzer: "I didn't say anything about rain forest."

Supervisor Kozakiewicz: "He just talked about leaves in general."

George Schmelzer: "You talk about rain, you've got the water sprinklers running out here when we had rain two days ago. If you want to save water, why do you do that for?"

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

George Schmelzer: "Yeah, you want to live in a rain forest? You want to live in a rain forest? With all the cobras and snakes and weasels. We've got human weasels running around anyway so- "

Councilman Lull: "We found a boa constrictor in town

yesterday."

Barbara Grattan: "What?"

George Schmelzer: "Where?"

Councilman Lull: "Not in your yard?"

George Schmelzer: "Huh?"

Councilman Lull: "Not in your yard, George."

George Schmelzer: "I know it wasn't. Because I had to get a couple mongooses to keep the yard safe. Yeah, mongoose will grab the thing by the neck and go- you know snake. So rain forest are in the jungle areas and if you don't want- if you want more forest around here, have less people. You don't use contraceptive zoning, you change immigration laws to keep them out, that's all."

Supervisor Kozakiewicz: "All right, George. Thank you. Anybody else who would like to address the Board before we proceed to resolutions? Yes, come on up, Mr. Spindler. Thank you, George."

George Schmelzer: "You're very welcome- you really thanking me?"

Supervisor Kozakiewicz: "Yes, I am."

George Schmelzer: "Gee, I'm surprised. So long."

Supervisor Kozakiewicz: "So long."

George Schmelzer: "I can't stand any more of this."

Supervisor Kozakiewicz: "So long, George. Let Mr. Spindler- if you could relinquish the podium, please."

George Schmelzer: "He's sneaking right in back of me; I didn't know he was here."

Mike Spindler: "Mike Spindler, Calverton. I just have a couple questions that I'm not really clear about. This is to Mr. Kozakiewicz, Supervisor Kozakiewicz and I'm not here to put you on the spot or anything like that. I'm just not clear on how you see certain things."

Are you currently or do you plan to amend the zoning to facilitate precision instrument approaches at Calverton?"

Supervisor Kozakiewicz: "I- precision- we have not discussed precision instruments at Grumman. What we have proposed or there's a proposal in front of us as you probably know from Petrocelli to establish an aviation club which is a permitted use within the sub district-- under the sports park subdistrict use. That's pending; that's going to be analyzed and it will be looked at. There was additional information that's being asked for from the applicant to justify that use. I don't think any of us have talked about a precision instrument landing there- "

Councilman Cardinale: "I think what he's talking about, Bob, is the airport zoning statute that Mr. Chastain (phonetic) our expert proposed for us. I think that's what he's referring to."

Supervisor Kozakiewicz: "I'm still looking at it so I haven't--"

Councilman Cardinale: "The question was are we considering it? And I think the honest answer is yes, we are- "

Supervisor Kozakiewicz: "We are reviewing it, yes."

Councilman Cardinale: "We received it from our expert and we're reviewing it and if you'd like a copy, I can provide it."

Supervisor Kozakiewicz: "It's available. Okay."

Mike Spindler: "Are you familiar with non-precision GPS approaches?"

Supervisor Kozakiewicz: "I don't understand aviation stuff at all so I rely upon an aviation expert such as Mr. Chastain."

Mike Spindler: "Okay, I'll just shed some information that I received from the FAA. You can put in a non-precision GPS approach at Calverton with absolutely no ground facility infrastructure chain. It's all done through positions, latitude, longitude, positions."

Supervisor Kozakiewicz: "Meaning we don't have to have someone on the property."

Mike Spindler: "Correct."

Supervisor Kozakiewicz: "Yeah, that we've been told."

Mike Spindler: "Okay."

Supervisor Kozakiewicz: "And that's been explained to us by our consultant."

Mike Spindler: "Mr. Kozakiewicz, are you in favor of an open to the public general aviation facility at Calverton? I mean, I'm not putting you on the spot if you don't want- "

Supervisor Kozakiewicz: "Well, you- I mean this is, quite frankly just the opposite. You're asking me to set forth my platform here today, is what you're asking. And I think the appropriate time and place would be in a meeting with the Town Board, but I am- I have always said that I'm opposed to a consumer- I mean an- let me backtrack.

I don't see American Airlines. I don't see Southwest Airlines having passenger service at that facility. I have never proposed that. I have never been in favor of that. General aviation, presently we have the zoning in place, Mr. Spindler, as well- as you well know, which seems to be contradictory and which no one has really been able to provide a clear explanation for which provides within the Industrial zoning certain uses and then says except general aviation. We're not really clear what that means.

The study that was done to take the property over discussed aviation. I think the study also talked about an aviation district as well as an industrial district as well as a recreational district. We, the Town Board, imposed two zoning uses on the property which are industrial and recreational.

I'm not proposing any change to the code as they exist."

Mike Spindler: "Okay."

Supervisor Kozakiewicz: "I have no proposed any; I have not offered any."

Mike Spindler: "Okay. Well, as far as American Airlines and bringing cargo in there and whatnot, I think there's only a few people that think that's possible. The FAA doesn't think it's possible, the people I've spoken to."

Supervisor Kozakiewicz: "Okay."

Mike Spindler: "The people that I've spoken to- I've spoken to numerous friends of mine, are all airline pilots. They've explained to me in detail how their system works. As a matter of fact, an FAA official informed me this week that Southwest Airlines does not even want to be at McArthur. They want to be at Republic. And they can't be at Republic because there's no terminal space there. It's too congested of a field and Islip offers them a little bit of room for terminal. This all has to do with population density. These airlines want to operate where the densest population is. So that's why that whole thing about the airline thing is kind of, you know, that's kind of a pie in the sky. That probably is not going to happen."

But this is where the Catch-22 arises. You really are not going to have airlines in there. We all, you know, anyone in the know kind of realizes that. My question has always been, all right, so you're going to put general aviation there or open it to the public or save all the runways, and save, you know, all the lights and all whatnot. Where are the jobs and money generation in general aviation aircraft?

I just got back from Arizona. I was out there flying for a week. And I'm operating out of Gabreski right now and that place is basically dead except on the weekends. You can sit over there and you can walk over there and go look for all these general aviation jobs. They are not there. When the FAA tells me- I spoke to a woman in the FAA, a high ranking official, I don't have her name, it's in my briefcase. She says well, there's a lot of jobs in the aviation industry in New York state, blah, blah, blah. Well, those jobs are more or basically located at bigger airports, LaGuardia, Westchester, some at McArthur, which quite a bit of the mechanic jobs at McArthur and I happen to work with a man who's a part time mechanic, he's also a pilot and he's a part time mechanic at McArthur, they don't even hire full time guys there. And those are airlines coming in there. And they do that to reduce cost with the hub and spoke system which is what the airlines use.

So, okay. The other question I had, so I don't know, you're not changing the zoning and you're not for a general aviation open to the public FAA funded, town subsidized, New York state subsidized airport."

Councilman Densieski: "That's a lot in one question."

Mike Spindler: "No, it's all the same thing."

Supervisor Kozakiewicz: "Let me turn it around. Are you suggesting that the town should render one or both of those runways inoperative? Is that what you're suggesting?"

Mike Spindler: "Okay, I'm glad you asked- "

Supervisor Kozakiewicz: "Because I think for us to do that would be a bad idea. I think we have to look down the road. I think four of these Board members have said we believe that this asset which is paid for by taxpayer money to be a valuable asset. It was built at the highest of standards by the federal government who does not spare expense. They did it taking into consideration prevailing winds that are out on the east end of Long Island. Right now I don't think we have any proposal before us which would provide the economic benefit that you're talking about with general aviation. However, nonetheless, we can't predict what will happen five years or ten years down the road. And we wanted to keep those two runways as a viable option is what four of us agreed to do."

Mike Spindler: "Okay. Well, just to let you know where I'm coming from- who's writing all these crazy letters and whatnot. I envision Calverton myself using that 10,000 foot runway, you could bring under-- what I would like to see there, you could bring in a 747. You could bring in 10 747's. They would come in. They'd land, they'd get engine modifications, wing root modifications, things of that nature at no expense to the town.

Boeing wants to come in there or Northrup Grumman which is trying to get a contract for the B-2, whoever wants to come in there and do re-work, fine, let them us that 10,000 foot runway. There's no cost to the taxpayer. There's no degradation in quality of life and there are jobs and economic stimulus there. I'd like to see like a high-tech new economy type of center there with, you know, office buildings and things like that and Burman is trying and knows people let's say for example, I'm Computer Associations, I want to relocate to Calverton. You want to bring your G-4 in there, you want to bring five G-4, you know, corporate aircraft in there, helicopters in there, fine. You're providing a benefit to the town.

What I'm against, put the airline thing away because we know that's probably light years down the road, if ever, probably never with the population with the possibility on the east end, it's just not there. What I'm against is the town, state and the FAA subsidizing a playground for single engine Cessnas and twin engine Comanches going in there and playing touch and go day in and day out.

That's what I'm against. There's no benefit to the town to do that.

I have no problem with bringing airplanes in there, bigger airplanes and a lot of people against the airport don't even want. I have no problem with bringing a 747 in there. Bring it in, land it, taxi it off, fix it for two or three months, fly it out of here. But to come in here and abuse our whole western end of the town I don't think is a good idea. It's a losing proposition especially in light of I was pretty much in favor of Wilpons (phonetic) deal. I didn't like the houses but he said he wasn't going to have a casino. But 200 houses, a drop in the bucket compared to what else is going on out here. And those kind of houses, three to \$400,000 dollars houses would have- and I don't know if you were misquoted on this, Mr. Kozakiewicz, but I believe you even stated in the paper that it would have done a lot to the image of this town, that kind of population base moving into this town."

Supervisor Kozakiewicz: "I can't recall what I stated exactly. It was months ago, so- "

Mike Spindler: "I know. But you know-- you know what I'm saying."

Supervisor Kozakiewicz: "I know that there were benefits to the proposal, sure. Okay."

Councilman Cardinale: "And, Mike, in the interests of completeness, what's your view on the 7,000 foot runway?"

Mike Spindler: "Well, I would keep it there if there weren't other better- you're putting all you eggs in the aviation basket is what you're doing and it's just- you have a 7,000 foot runway there. LaGuardia's longest runway is 7,500 feet. You're putting a 7,000 foot runway- you're saving a 7,000 foot runway for Cessnas and twin engine- these airplanes only need 3,000, 4,000 feet at the most."

Councilman Cardinale: "So you would not take any value in the idea that you need the two runways for the prevailing wind conditions to be addressed?"

Mike Spindler: "Absolutely not. Yes, you know, 6-2-4 is definitely the predominant wind here but the higher velocity wind here which is the critical wind is the one 5-3-3, the northwest winds in the fall. The prevailing wind is southwest but the higher velocity winds come out of the northwest. And the only people that are going to

have problems with this, and the reason why you have so much of a bickering with this, is light aircraft are very susceptible to crosswinds. Where a larger aircraft, like a C-130, 30 knots of crosswind doesn't bother us too much. But these light airplanes, they can't handle that and that's- I don't know why people are taking these crazy sides- "

Councilman Densieski: "Even like a Gulfstream corporate jet like you said- "

Mike Spindler: "Okay, I have a friend of mine that flies for Hess, okay, Ed, out of Teterboro, he flies a G-5. He goes all around the world. He lands at runways that make that thing look like I don't know what. He goes to Africa, South America, they can do it. There's not a problem."

Councilman Densieski: "So there's no safety factor with a corporate jet?"

Mike Spindler: "There's a safety factor landing into the wind. There's a little bit less of a safety factor landing off the wind but these airplanes can handle it and these pilots can handle it. The pilots and the airplanes that normally can't handle it are the lighter ones, the Flying Clubs, they want to be nosed right into the wind."

Councilman Densieski: "Just a question then. Why did Grumman waste the money in putting in prevailing wind runways? Why did they do that if there's no safety factor?"

Mike Spindler: "Well, when you're going to build an airport and a test- let me reiterate this. This is not really an airport. This is a test facility for F-14s. These pilots- they're not worried about crosswinds. But when they're testing, they are. They're testing sophisticated equipment, you know, \$50,000,000 airplanes, you know, you're not going to want to test them in that, you know- "

Councilman Densieski: "Unsafe condition."

Mike Spindler: "You know- it's not unsafe. It's degraded safety. I won't argue with that. It's degraded. You'd rather be into the wind. But the way that airport would be used under my- you go into Kennedy in the wintertime, you're going to be landing on one runway. Usually the other runways are closed in a big snowstorm. Do they stop landing? No. No way do they stop landing. So, anyway, that's you know, I just wanted to see your position on that."

Also, there's a bookstore change of zone or something?"

Supervisor Kozakiewicz: "That was on earlier."

Mike Spindler: "Oh, yeah. That was a great idea. I know we always harp on the airports, great idea, Ed. You've got a lot of great ideas; it's the airport I'm only battling with you. And the race track, too, debatable, but drag racing, you know- "

Councilman Densieski: "Thank you, Mike."

Supervisor Kozakiewicz: "Thank you."

Mike Spindler: "Thank you."

Supervisor Kozakiewicz: "Okay, anybody else? Before we take up resolutions- seeing nobody, why don't we adjourn the Town Board portion and convene the CDA?"

Meeting adjourned: 4:57 p.m.

Meeting reconvened: 4:58 p.m.

Supervisor Kozakiewicz: "Reconvene the Town Board meeting, the time being 4:58. Barbara?"

Resolution #628

Councilman Lull: "Sorry about this."

Supervisor Kozakiewicz: "It's Meadowcrest."

Councilman Lull: "Yes. I have a request that we consider an amendment to 628. I realize the sign may already be up but I believe everybody has a copy of the sign. You'll notice the part- the part in black, which is white on black?"

Councilman Cardinale: "Yes."

Councilman Lull: "That looks to me like an off premises sign. Is that the way it indicates to you? If you want to find this home site, that's where you go."

Supervisor Kozakiewicz: "I think they're trying to describe the area that's involved. I did pull the tax map. The tax map is the

area that's off of Wading River-Manorville Road."

Councilman Lull: "Yeah."

Supervisor Kozakiewicz: "And is, in fact, the site where the proposal is to be built out."

Councilman Lull: "Yeah, I couldn't understand this, a sign that looks like an off premises sign being on premises. Nobody has any problems with it?"

Councilman Cardinale: "This is on premises?"

Councilman Lull: "Yes."

Supervisor Kozakiewicz: "It is."

Councilman Cardinale: "Okay."

Councilman Kent: "I think they're directing you where- maybe where the trailer is or something."

Councilman Densieski: "Are you talking about- "

Councilman Kent: "There might be a sales trailer or something."

Councilman Densieski: "I think they're letting you know that it's not Riverhead School District."

Councilman Kent: "No, no. It says Wading River Manor Road to Long Pond."

Councilman Cardinale: "White on black."

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

Councilman Lull: "The white on black portion."

Councilman Kent: "Do we know? Is there going to be a sales office or something located on- "

Supervisor Kozakiewicz: "I don't think so. No. Well, I mean when the houses- "

Councilman Lull: "All right."

Supervisor Kozakiewicz: "The reason is, I think the property fronts Wading River-Manorville Road, in fact, goes down to Long Pond Road so it's more of a description of what the area is."

Councilman Lull: "Yes. Okay, well the sign was put up prematurely and the sign- the penalty for putting it up has been paid as noted in the resolution- "

Supervisor Kozakiewicz: "It's a condition."

Councilman Lull: "Yes, so I will move the resolution."

Councilman Densieski: "Yeah, I'll second it."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes."

Councilman Densieski: "I'd also like to point out that the town's going to receive a \$500 civil penalty for putting the sign up without a permit. So in that case, I'll vote yes."

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

Councilman Cardinale: "In fact, if we get \$500 for every sign that goes up without it, I suggest that (inaudible) so we collect more. But I vote yes as well."

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

Councilman Lull: "Councilman Kent."

Barbara Grattan: "I'm sorry. I already put you as a yes."

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

Resolution #629

Councilman Lull: "Approves the temporary sign permit for Samsonite Country Stores- no, it's not. Temporary sign permit for a tent sale. So moved."

Councilman Kent: "There's going to be a 500 civil penalty on this one, too?"

Supervisor Kozakiewicz: "Yes."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "There really is a \$500 civil penalty?"

Councilman Kent: "Yes. It's in the condition down in the Resolve clause."

Councilman Cardinale: "This is good. Let's keep them rolling. Yes."

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

Resolution #630

Councilman Densieski: "Approves the application of Samsonite Company at the Tanger Mall for a tent sale. So moved."

Councilman Cardinale: "Seconded."

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

The Vote: "Densieski, yes."

Supervisor Kozakiewicz: "I'm making sure the time period wasn't more than the applicable time."

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

Councilman Kent: "Do I have to vote or have you got me down already?"

Barbara Grattan: "I already marked you."

Councilman Kent: "Okay. Yes."

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

Resolution #631

Councilman Cardinale: "Approves the application of Silver Dollar Shows, Inc."

Councilman Kent: "No. We're at 631. This is a second application."

Councilman Cardinale: "We've got to move this along here."

Supervisor Kozakiewicz: "This is a companion application for Samsonite."

Councilman Cardinale: "Well, that's because I don't have it."

Councilman Kent: "This is a second tent sale."

Councilman Cardinale: "Okay. Approves the application of Samsonite Company- I threw this out. I thought it was a duplicate."

Supervisor Kozakiewicz: "No. It's different dates."

Councilman Cardinale: "Approves the application of Samsonite, again, Company, Tanger. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #632

Councilman Lull: "Approves the application of Silver Dollar Shows, Inc. for the purposes of conducting a county fair on the Calverton Enterprise Park picnic grounds from June 28th to July 8th. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes."

Councilman Densieski: "I'm sorry, Jim. Did you know the price the price the town is receiving? I didn't hear you."

Councilman Lull: "It's \$45,000."

Councilman Densieski: "\$45,000. Yes."

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

Resolution #633, 634, 635

Councilman Densieski: "633, 634 and 635 are fireworks permits applications for the Silver Dollar Shows. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Okay. Moved and seconded as a block."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. Resolutions are adopted."

Resolution #636

Councilman Densieski: "Approves the application for fireworks permit of the Jamesport Fire Department. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #637

Councilman Kent: "This ratifies the approval of the application of Radio Shack for conducting a tent- to conduct a tent sale which has already ended. So if you missed it, you're out of luck. So moved."

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "Do we get a fine for this, too?"

Supervisor Kozakiewicz: "It's not a sign."

Councilman Cardinale: "Ah, too bad. Work on that. Yes I vote to ratify."

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

Councilman Lull: "I believe the new chapter 90 will make provision for that. Yes."

Councilman Cardinale: "Good."

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

Resolution #638

Councilman Kent: "This authorizes the attendance at an Economic Redevelopment Conference of Joseph Mariorana. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes."

Councilman Densieski: "This is about taking military- former military sites and converting them over to civilian use and I think we definitely need to send somebody. Yes."

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

Councilman Cardinale: "Yeah, I understand this is budgeted and I hope he has a good time. Yes."

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

Resolution #639

Councilman Kent: "This authorizes the attendance of a police officer to attend a training seminar, the annual Col. Henry F. Williams Homicide Seminar from September 22nd through September 27th. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "I'm sorry. I lost my place."

Councilman Cardinale: "Attendance at training seminar."

Supervisor Kozakiewicz: "You've got it right here."

Councilman Kent: "Police Lieutenant."

Councilman Densieski: "Okay, yeah. And I'd like to point out also, too, that we have Lt. Smith in the back who was- just graduated the FBI Academy so we're very proud of him. Congratulations."

Councilman Kent: "I thought he looked- "

Supervisor Kozakiewicz: "Congratulations."

Councilman Densieski: "He looks better, doesn't he?"

Councilman Kent: "Yeah, I thought he looked different."

Councilman Densieski: "Yes on 639."

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

Resolution #640

Councilman Kent: "This accepts the resignation of a police officer who didn't have a long stay with the town. But we accept her resignation. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #641

Councilman Cardinale: "This accepts the resignation of Charlene Kagel previously of the Accounting Department now with Southampton. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Yeah, another person left the Accounting Department. I wonder why. Yes."

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

Resolution #642

Councilman Densieski: "Authorizes the Town Clerk to publish and post a notice of auction of abandoned vehicles and all other unclaimed property being held by the police department and the date on that is July 20, 2001 from 9:00 a.m. to 2:00 p.m. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "There seems to be a discrepancy. It says July 21st at the top and it talks about inspection prior to the auction on July 20th. It should be 21st, I believe."

Councilman Kent: "No, the inspection is on the 20th."

Barbara Grattan: "No, prior to the auction."

Supervisor Kozakiewicz: "Oh, okay."

Councilman Kent: "The inspection is the day before and the auction is the next day."

Supervisor Kozakiewicz: "Oh, I see, okay, I misread it. Okay."

Councilman Densieski: "The auction is the 21st."

Supervisor Kozakiewicz: "Moved and seconded."

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

Supervisor Kozakiewicz: "And the auction is the 21st. Inspection is the 20th. Okay, very good."

Barbara Grattan: "The resolution is adopted."

Resolution #643

Councilman Densieski: "Authorizes match for the New York State State Parks Grant funds for the- and authorize the Supervisor to execute the agreement. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Kent: "This is for the canoe access ramp to be built down on the Peconic River. Yes."

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

Resolution #644

Councilman Lull: "Is a resolution and consent approving the dedication of highway known as Promenade Drive. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Kent: "Where's Joe? Isn't that his street?"

Councilman Densieski: "Yeah."

Resolution #645

Councilman Kent: "645 is that Dam Road canoe access ramp"

capital project budget adoption. So moved."

Supervisor Kozakiewicz: "Watch your tongue."

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #646

Councilman Cardinale: "Resolution 646 is a general fund budget adjustment. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #647

Councilman Kent: "647 is a recreation program fund budget adjustment for field equipment. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #648

Councilman Densieski: "648 is a Horton Avenue playground capital project budget adoption. I'd just like to speak about that briefly. If you've ever gone down to Horton Avenue, you know there's a lot of time with children actually playing ball in the street. We going to try to eliminate that. So moved."

Councilman Lull: "I'll second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Supervisor Kozakiewicz: "This comes out of rec fees so this is from developer fees and this is something that went through the Rec Committee as reported earlier by Councilman Kent. Thanks guys."

Councilman Kent: "This just sets the budget. It doesn't actually expend the money."

Supervisor Kozakiewicz: "Right."

Barbara Grattan: "The resolution is adopted."

Resolution #649

Councilman Lull: "32 Oakland Avenue Chapter 96 capital project budget adoption. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #650

Councilman Lull: "Budget adjustment for the Highway Department. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #651

Councilman Cardinale: "651 is a Water District budget adjustment. So moved."

Councilman Kent: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #652

Councilman Kent: "This is a budget adjustment for repair and maintenance reserve fund. So moved."

Councilman Cardinale: "Seconded."

Councilman Kent: "This is the gas conversion that we're taking from developer's fees."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #653

Councilman Lull: "Risk retention fund budget adjustment. So moved."

Councilman Densieski: "I'm sorry, second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #654

Councilman Densieski: "Sewer debt service budget adjustment. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #655

Councilman Densieski: "For the millionth time, Peconic Bay Blvd. culvert replacement capital project budget adjustment. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded, for the last time I understand."

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

Resolution #656

Councilman Lull: "Shade Tree Acres at Wading River water extension budget adjustment. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #657

Councilman Kent: "This is for the youth court, the scholarship fund budget adjustment. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #658

Councilman Densieski: "Equestrian Estates water project capital project budget adjustment. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #659

Councilman Densieski: "Water plant #12 capital project budget adoption. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #660

Councilman Kent: "This is the Grangebelle Park bulkheading and footbridge capital project budget adjustment. We needed an additional \$30,000 to cover the bids. So moved."

Councilman Lull: "Second and as mentioned before that's out of Recreation, Parks and Rec funds."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #661

Councilman Lull: "661 ratifies Resolutions #604, 605 and 606 of 2001. These if I remember correctly are three resolutions calling for public hearings that had the wrong time on the public hearings and so we're just changing the public hearing times. It is an afternoon meeting."

Councilman Kent: "No, it's an evening meeting and it said the afternoon."

Councilman Lull: "No, I don't think so."

Councilman Kent: "We're going to do these- oh, we're having an

after--"

Councilman Kent: "An afternoon meeting in July, yes."

Supervisor Kozakiewicz: "It indicated as evening and it should have been an afternoon."

Councilman Densieski: "As an evening and it should have been-- "

Councilman Kent: "So our next meeting is in the afternoon also?"

Supervisor Kozakiewicz: "Yes, it is. July 3rd."

Barbara Grattan: "July 3rd."

Supervisor Kozakiewicz: "Figured we'd get an early break-- "

Councilman Kent: "Said it was going to be at night and I said we should change it to the afternoon."

Supervisor Kozakiewicz: "We had it right in the first place."

Councilman Kent: "Okay, good."

Councilman Lull: "Okay, so moved anyway."

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #662

Councilman Cardinale: "This authorizes the Town Clerk to publish and post notice of public hearing special permit of Demir Petroleum in- on Route 25 in Jamesport. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

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

Resolution #663

Councilman Lull: "Appoints Jennifer Lewin as a provisional accountant. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Hope she lasts longer than the last one. Yes."

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

Councilman Cardinale: "As I did with the last appointment which didn't last long as an assistant to Jack, I believe we hired two people to replace Charlene, one was a grant obtainer and I thought that was going to be it and I supported that. Now we're hiring an accountant. I believe that that busts the budget. Accordingly, as I did in the first time, I am now voting against it."

Barbara Grattan: "So you are voting- "

Councilman Cardinale: "No."

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

Councilman Kent: "I expressed the last time that I think there's a need to have an accountant on staff in the Accounting Department and so I'll vote yes."

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

Supervisor Kozakiewicz: "I believe this person will last longer. She came recommended, daughter-in-law of a local resident. They want to establish themselves in the town of Riverhead, so I also agree with Chris and I believe there is a need for this person downstairs in the Accounting Department. Therefore, I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #664 and 668

Councilman Kent: "Resolution 664 appoints a 90 day seasonal laborer in the Buildings and Grounds Department. I think we're doing another one. I'll do them both at the same time."

Councilman Lull: "Yes, we are."

Supervisor Kozakiewicz: "Yeah, there is later on."

Councilman Kent: "I'd move this resolution and 668, both appointing 90 day seasonal laborers in the Building and Grounds Department. They basically mow the lawn so that our carpenters can do work that's necessary rather than mowing lawns. So I'll move both those resolutions."

Councilman Lull: "Second both."

Supervisor Kozakiewicz: "Okay, 664 and 668 moved and seconded."

Barbara Grattan: "And who seconded it? Lull?"

Supervisor Kozakiewicz: "Councilman Lull."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolutions are adopted."

Resolution #665

Councilman Lull: "Appoints three assistant recreation leaders for the Go Girls Title V Programs. They are Michelle Baumann, Colleen O'Leary, and Suzanne Kearney. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #666

Councilman Lull: "Appoints administrative assistant in the Highway Department which is really a change. Rather than appoint anybody new, it is simply a change in title. So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "It is also my understanding that the increase in pay is nominal and that this would allow the person to have CSEA protection. I vote yes."

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

Councilman Kent: "What it's- what we're doing here is we're actually abolishing a non Civil Service position and creating a Civil Service position, so I vote yes."

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

Resolution #667

Councilman Densieski: "Ratifies the appointment of a police officer, Charles F. Mauceri. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Barbara Grattan: "668 we did; 669, Councilman Lull."

Resolution #669

Councilman Lull: "669, okay, appoints a lifeguard training instructor to the Riverhead Recreation Department. So moved. Jill Kruger. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #670

Councilman Densieski: "Appoints a fill in lifeguard III to the Riverhead Recreation Department, Hand Schandel. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #671

Councilman Cardinale: "Appoints a water safety instructor to the Riverhead Recreation Department. Who is it?"

Supervisor Kozakiewicz: "Stacy."

Councilman Kent: "Stacy Bugdin."

Councilman Cardinale: "Oh, Stacy Bugdin. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #672

Councilman Densieski: "Appoints a water safety instructor to the Riverhead Recreation Department, Greg Sanders. So moved."

Councilman Kent: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #673

Councilman Cardinale: "This appoints a water safety instructor to the Riverhead Rec Department, Robert Fox. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #674

Councilman Densieski: "Appoints a scorekeeper to the Riverhead Recreation Department, Derrick Carbone. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #675

Councilman Cardinale: "675 appoints scorekeeper to the Riverhead Recreation Department, Rob O'Connell. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #676

Councilman Lull: "Appoints Jackie Warner as a summer recreation aide in the Recreation Department. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #677

Councilman Cardinale: "This appoints a fill in summer rec aide to the Riverhead Recreation Department. So moved. It is Leslie Miller."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #678

Councilman Kent: "Appoints Corrine Schlichter as a summer recreation aide to the Riverhead Recreation Department. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "And seconded. Moved and seconded."

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

Resolution #679

Councilman Lull: "Appoints Ashley Galla as a beach attendant in the Riverhead Recreation Department. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #680

Councilman Densieski: "Appoints a fill in lifeguard II to the Riverhead Recreation Department, Steven Bekiesz. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #681

Councilman Cardinale: "This authorization is to ratify the posting and published for 69KV pole replacement and related work. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Yes to the posting and publishing."

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

Resolution #682

Councilman Kent: "This authorizes the Town Supervisor to execute a change order for highway maintenance facility roof replacement in the amount of \$23,975. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Yeah, (inaudible) investigation to the highway superintendent, the building is in real bad shape and every step they move forward, they go two steps back, so it is going to take more money to do. But I will support it. Yes."

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

Councilman Cardinale: "The original bond was \$1.-- "

Councilman Densieski: "104, I believe."

Councilman Cardinale: "1.04 million."

Councilman Densieski: "No, no, no. \$104,000."

Councilman Kent: "No, no."

Supervisor Kozakiewicz: "\$104,000."

Councilman Cardinale: "So this will make it \$104,000--
\$128,000."

Councilman Kent: "\$128,000, yes."

Councilman Cardinale: "And I vote yes."

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

Councilman Kent: "Well, I don't like the fact that More Contracting and Consulting got it. Hopefully they're not going to keep asking for more money. But I'll vote yes on this one."

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

Resolution #683

Councilman Kent: "This awards that bid for the Dam Road- for that Dam Road canoe access project. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #684

Councilman Kent: "This awards the bid for Grangebhel Park bulkhead replacement project. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #685

Councilman Cardinale: "Awards the bid for beach snack vendors in Wading River. So moved."

Councilman Lull: "I'll second it."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Kent: "Why didn't you say who it was awarded to?"

Barbara Grattan: "I was going to ask that, too."

Councilman Cardinale: "Who does it award it to?"

Councilman Kent: "Orhan Kugukguzel."

Councilman Cardinale: "Thank you."

Supervisor Kozakiewicz: "That was pretty close."

Councilman Kent: "Yes."

Barbara Grattan: "I was going to ask that."

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

Resolution #686

Councilman Lull: "Awards bid for well and pump emergency service. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

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

Resolution #687

Councilman Kent: "687- I don't have 687."

Barbara Grattan: "It awards bid for Quick Lube maintenance."

Councilman Densieski: "I don't have it either. I did see it at the work session, we had it yesterday."

Councilman Kent: "Okay, this awards the bid for Quick Lube maintenance. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

Councilman Densieski: "Well, we don't have this right in front of us but we did review it and- "

Councilman Kent: "We did, I saw this yesterday."

Councilman Densieski: "Yes, so I'm going to vote yes."

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

Supervisor Kozakiewicz: "The copy machine must have not fed it through, huh?"

Barbara Grattan: "It probably didn't."

Supervisor Kozakiewicz: "Yes."

Barbara Grattan: "Resolution is adopted."

Councilman Kent: "Or it went through two at the same time."

Resolution #688

Councilman Lull: "Authorizes the Town Clerk to post and publish a notice to bidders for town-wide annual construction contract. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #689

Councilman Densieski: "Authorizes the Town Clerk to publish and post a help wanted ad for the Maintenance Mechanic II in the Street Lighting Department. So moved."

Councilman Kent: "Seconded. Discussion on this."

Supervisor Kozakiewicz: "Yes."

Councilman Kent: "I'm sorry. I don't- but this says we're going to be publishing this for an entire week in Newsday."

Councilman Densieski: "Yes."

Supervisor Kozakiewicz: "Right. Three hundred some what dollars."

Councilman Kent: "Oh, I thought you had- "

Supervisor Kozakiewicz: "No, we had- "

Councilman Densieski: "We did this locally and got a response."

Councilman Kent: "Oh, I know we did that, but Barbara had given us much higher numbers."

Supervisor Kozakiewicz: "No. There was a- almost \$300, right it was \$300 somewhat dollars."

Councilman Kent: "Okay, great, okay."

Supervisor Kozakiewicz: "368 I think was the number."

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

Resolution #690

Councilman Densieski: "Amends resolution #615 of 2001, accepts the performance bond of East End Cardiology. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #691

Councilman Lull: "Accepts the performance bond of Wading Woods Associates, LLC. So moved."

Councilman Kent: "This is a site plan bond. Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #692

Councilman Kent: "This authorizes the town of Riverhead to remove rubbish, debris and the cutting of grass and weeds from property pursuant to Chapter 98 entitled Trash, Rubbish and Refuse Disposal of the Riverhead Town Code. So moved. The property is located at 1109 Old Country Road, Riverhead, New York. So moved."

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #693

Councilman Lull: "Changes the employment status of the Deputy Town Attorney. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Yeah, this is a part time person. I believe this second job is actually a full time position but this is what's being offered, so I'll vote yes."

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

Councilman Cardinale: "This does I understand match- "

Councilman Kent: "Excuse me, I'm sorry."

Supervisor Kozakiewicz: "Discussion?"

Councilman Kent: "No. On the prior resolution 692."

Supervisor Kozakiewicz: "I'm sorry, 692."

Councilman Cardinale: "Yeah."

Councilman Kent: "I apologize to go backwards. This property, is the owner Eric Brown?"

Supervisor Kozakiewicz: "No. It's Rifow. R-I-F-O-W, 190 Willis Avenue, Mineola, New York."

Councilman Kent: "Why are we forwarding a copy of the resolution to Eric Brown at 5- "

Supervisor Kozakiewicz: "It shouldn't. I'm glad you- I looked at the first Resolve."

Councilman Kent: "Any idea? Because I know for a fact Eric Brown does not reside at 5 Andrea Court."

Supervisor Kozakiewicz: "No. It's- I think that's- someone had failed to copy- make that correction. It should be Rifow which is set forth in the first Resolve paragraph."

Councilman Densieski: "190 Willis Avenue."

Supervisor Kozakiewicz: "190 Willis Avenue. In fact it authorizes the Town Clerk to serve upon that address so the final Resolve should reflect the same."

Barbara Grattan: "Change it."

Supervisor Kozakiewicz: "So that final Resolve should be changed."

Councilman Kent: "Rifow. It should be Rifow, 190 Willis Avenue."

Supervisor Kozakiewicz: "Rifow, 190 Willis Avenue, Mineola, New York 11501. That would replace the Eric Brown, 5 Andrea Place, Riverhead, New York 11901. Just to make sure, okay, that's done. Thank you."

Councilman Kent: "I'm sorry. Now we can go on."

Barbara Grattan: "Okay, 693. Which Densieski has voted on already."

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

Resolution #694

Councilman Lull: "Approves change of zone petition of James Esposito Hidden Meadows Industrial A to Residence A. So moved."

Councilman Kent: "Seconded. This is that property that's in Timber Park in Calverton. It was zoned Industrial and we're changing it to Residence B."

Supervisor Kozakiewicz: "No."

Councilman Kent: "Oh, Residence A."

Councilman Densieski: "Residence A."

Supervisor Kozakiewicz: "No, actually, after- based upon the comments made by- "

Councilman Kent: "We changed it to Residence A, right?"

Supervisor Kozakiewicz: "Right."

Councilman Densieski: "Residence A."

Supervisor Kozakiewicz: "Right. I think the application that was received- "

Councilman Kent: "Right, that's what they asked."

Supervisor Kozakiewicz: "That's why it's stating Residence B. We went back after the last meeting, I had a chance to pull the file on this in the Town Attorney's office and also go into Barbara's office and confirm that in 1996, in May, there was a public hearing held to change the Residence B to Residence A for that front portion and that in October, I believe of '96, there had, in fact, been a zoning change approved. So this should- "

Councilman Kent: "So the whole parcel will be Residence A."

Supervisor Kozakiewicz: "The whole parcel will be Residence A."

Councilman Kent: "And that was actually the wishes of the local civic association."

Supervisor Kozakiewicz: "That's correct. And they also pointed out that that prior application had occurred. And we've been able to confirm that."

Councilman Kent: "I second that."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #695

Councilman Densieski: "Approves special permit petition of John and Sandra Reeve for a bed and breakfast. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "This is our John Reeve. I vote yes."

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

Resolution #696

Councilman Cardinale: "696 approves the amended site plan of North Fork Ventures d/b/a Fauna Restaurant. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Supervisor Kozakiewicz: "Yes. This is to allow them to put a decorative awning over their entrance. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #697

Councilman Densieski: "Approves change of zone petition for Sunken Ponds Estates Residence C to Retirement Community District. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Question. This is- I know because it's behind my father's house there. There's going to be additional units in that project, is that what this is?"

Councilman Kent: "No."

Councilman Densieski: "No?"

Supervisor Kozakiewicz: "What had happened was there was originally a proposal for and off the top of my head I don't remember the number of units on lesser land. The Board- "

Councilman Kent: "Originally it was 38 acres."

Supervisor Kozakiewicz: "Right."

Councilman Kent: "And it was over 200 units and they were going to sterilize a noncontiguous piece. And we requested that they sterilize, that they acquire a contiguous and then to spread out 192 units over 61 acres."

Councilman Densieski: "Okay. So this isn't like a Phase 2 or anything as far as units?"

Councilman Kent: "It's 192 units. They did break it into two phases."

Supervisor Kozakiewicz: "Right."

Councilman Densieski: "Okay, but it's the same 192."

Supervisor Kozakiewicz: "It's the same amount of units."

Councilman Kent: "The initial, right."

Councilman Densieski: "Okay, that was my point. Because I want to bring out I believe it was in 1997 the Planning Board advised the Town Board to do something with Middle Road before more units go up and although I do support retirement communities, I think we better take a look at Middle Road before we do too many more. But, yes."

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

Councilman Cardinale: "I believe amazingly I'm again agreeing with Ed which does give me pause but yeah, Middle Road is a problem we should look at more carefully. And I would also add that the overlay districts for the last three years- three and a half years disturb me. Chris, what's the density here? And this is one of our better projects. What's the-

Councilman Kent: "Yeah, actually this was one that we negotiated, we made improvements on it."

Councilman Cardinale: "We made improvements in density. What's the finished density- is-

Councilman Kent: "Is about three per acre."

Councilman Cardinale: "And the underlying zoning is one per acre."

Councilman Kent: "Actually it's Residence C. It's two per- "

Councilman Cardinale: "Well Agriculture A and Residence C."

Councilman Kent: "Agriculture A is one and Residence C is two."

Councilman Cardinale: "Is two per acre and we're giving three per acre on the whole thing. And somebody pointed this out to me and I throw it out- I'm going to vote yes on this, Barbara Blass to be precise said you really can't figure out because I was asking her about the build out of the town. Can't figure out the build out for this town because you never know when the overlay districts are going to be thrown on which increase the density as we just demonstrated. I vote yes on this particular project."

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

Councilman Kent: "Well for some reason senior retirement communities are given- are lower- they are projected as using a lower amount of water, wastewater."

Councilman Cardinale: "Isn't that interesting? They don't flush the toilet as often."

Councilman Densieski: "They don't shower."

Councilman Kent: "So that's why you can double the density- you can have increased density if you have a retirement community."

Councilman Densieski: "Maybe they shower together. I don't know."

Councilman Kent: "In addition, of course, they don't put children in the schools so you're actually collecting money but you have a lot less expense as a result so I vote yes."

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

Supervisor Kozakiewicz: "Yes. And as mentioned, this was Residence C and Residence C does allow for by a special permit condominium developments- "

Councilman Kent: "Right."

Supervisor Kozakiewicz: "-- so that should also be noted. I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #698

Councilman Lull: "Approves the site plan of Mildred Ehrenfeld. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded"

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

Resolution #699

Councilman Densieski: "Approves the amended site plan of Traditional Links LLC Friar's Head Farm. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Cardinale: "This is a very minor change, an area I think to wash carts or something. So I vote yes."

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

Barbara Grattan: "I know I called you before."

Councilman Kent: "I'll vote yes again because I like it so much. It's better than voting no because then I'd be kind of putting myself- "

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

Councilman Lull: "I vote for clean carts, yes."

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

Resolution #700

Councilman Kent: "700 authorizes the Town Clerk to post and publish public notice to consider a proposed local law to amend Riverhead tax bills by creating a separate line on the tax bill for the Riverhead Charter School. Do we know when the public hearing will be? It's not attached or does it say here?"

Supervisor Kozakiewicz: "It doesn't say- it should have been a separate notice but it was July- "

Councilman Kent: "Are we doing this July 17th or July 3rd?"

Supervisor Kozakiewicz: "Do you want to put it aside until we can get a copy- "

Councilman Kent: "It says, wait a second now. You said- it says in here that we attach- we printed a public notice in the June 14th issue of the News Review."

Supervisor Kozakiewicz: "No."

Barbara Grattan: "It says hereby is authorized to publish and post the attached public notice to consider a proposed local law but there's no attachment."

Supervisor Kozakiewicz: "Right. And it should be June- "

Councilman Kent: "Yeah, it says it was- "

Supervisor Kozakiewicz: "--it shouldn't be June 14th- ratifying it- right."

Councilman Kent: "It said it was published once."

Councilman Densieski: "I think it's an omen."

Supervisor Kozakiewicz: "This was because it was copied from the least time we had had this on and then we pulled it to speak to the school board. So it should be June- "

Councilman Kent: "21st? No, too late for that."

Supervisor Kozakiewicz: "Yeah, it would be. June- "

Councilman Kent: "June 28th?"

Supervisor Kozakiewicz: "-- 28th."

Councilman Kent: "So when will the public hearing be? It's a local law so it has to be either- there's a required minimum notice of 10 days."

Supervisor Kozakiewicz: "Five days."

Councilman Kent: "Is it five days?"

Councilman Cardinale: "7/17 then."

Barbara Grattan: "I think it's five days for a local law."

Supervisor Kozakiewicz: "It's a local law, it's five days."

Councilman Kent: "But even five days, oh, wait. Thursday to Tuesday would be sufficient?"

Supervisor Kozakiewicz: "It would be but- "

Councilman Kent: "So why don't we set the public hearing for July 17th? Though we don't have the notice attached, so who know when we originally had it set for."

Barbara Grattan: "Okay, July 17th for public hearing- is at Wading River."

Councilman Kent: "That's great."

Councilman Densieski: "So what?"

Supervisor Kozakiewicz: "Yeah, but this one shouldn't be one."

Councilman Densieski: "Oh, really?"

Barbara Grattan: "Go ahead. Go with it."

Councilman Kent: "So the public hearing will be July 17th and that meeting is going to be in Wading River."

Barbara Grattan: "We can't set the time- "

Councilman Kent: "So it will be close for you, Bill."

Barbara Grattan: "We have several public hearings that night so I can't tell you what time it is."

Supervisor Kozakiewicz: "I'll tell you what. Why don't we see if we can get the time and date before we act on this?"

Dawn Thomas: "Do you want to do it at the work session?"

Supervisor Kozakiewicz: "Right."

Barbara Grattan: "Table."

Councilman Densieski: "Motion to table 700."

Supervisor Kozakiewicz: "Since this doesn't have a copy."

Barbara Grattan: "Okay."

Supervisor Kozakiewicz: "Is there a second to table?"

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

Barbara Grattan: "Okay, Densieski, and Kent to table. Is that who it was?"

Councilman Kent: "No. That was Lull."

Barbara Grattan: "Was it Lull?"

Councilman Lull: "Yes."

Barbara Grattan: "Okay. Lull and Kent to table."

Supervisor Kozakiewicz: "Sorry about this, guys."

Barbara Grattan: "Okay, Densieski, what's your vote to table?"

Councilman Densieski: "I don't think the Town Board should get in the middle of the school district and the Charter School but I'm more than willing to have a public hearing on it. But we're going to table it so I'll vote yes to table."

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

Councilman Cardinale: "Yes; to table for the purpose of clarifying dates."

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

Resolution #701

Councilman Kent: "This resolution authorizes the Town Clerk to post and publish public notice for an amendment of Chapter 101 entitled Vehicles and Traffic of the Riverhead Town code. This one is correct. It will appear in the June 28th issue and the public hearing will be July 3rd. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #702

Councilman Densieski: "Authorizes the Town Clerk to publish and post public notice to consider a local law to amend Chapter 48 entitled Beaches and Recreation Centers of the Riverhead Town code. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #703

Councilman Lull: "703 establishes the question for permissive referendum to be held pursuant to Town Law Sections 90 and 91 requesting the County Board of Elections to establish a referendum, the referendum wording says shall Resolution 496 passed by the Town Board on May 1, 2001, which authorized the issuance of a \$4,000,000 in serial bonds of the Town of Riverhead, Suffolk County, New York to pay

the cost of reconstruction of the interior of the premises known as 118 East Main Street, also known as the Suffolk Theater be approved. And that special referendum, special election, to be held on July 31st. I would imagine it's supposed to be 2001, not 3001. So moved."

Supervisor Kozakiewicz: "With that change- "

Councilman Densieski: "That's the completion date."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Kent: "I'll second it. That would go well beyond the 75 days."

Supervisor Kozakiewicz: "That certainly would."

Councilman Cardinale: "Discussion, please. I was- I received this as I sat down which is within the confines of my motion soon to be- or my resolution offered tonight, and I spoke with the Town Attorney just before the meeting.

I just- I think it is well stated. I think it establishes the date as the last Tuesday in July which is a fair date. I have one question on #2 paragraph and I have one suggestion for amendment. This is an abstract, it's called an abstract and it explains to the voters what they're going to vote on as if- although it's quite clear what the proposition is.

And it says this proposition if approved by the voters would allow the issuance of Town of Riverhead serial bonds in the maximum amount of \$4,000,000 for the purpose of renovating and reconstructing the interior of the Suffolk Theater. I would like to ask that the word maximum be removed. I believe that both the proposition and the resolution and the referendum all authorize the issuance of \$4,000,000, not a maximum of \$4,000,000. So unless you're not going to spend \$4,000,000 or unless you're not going to issue \$4,000,000, I think it is not clear or it is unclear to the person reading the abstract when you say you're going to spend in the maximum amount. It is in the amount of \$4,000,000. So I would ask that the word maximum be struck on the proposition."

Councilman Kent: "Well, what if we spend less than \$4,000,000?"

Supervisor Kozakiewicz: "There's always the possibility that there could be other sources of funding as suggested and, therefore,

the entire \$4,000,000 would not be used."

Councilman Cardinale: "Well, but that isn't the issue. The issue is the proposition is described as the issuance of \$4,000,000 of serial bonds shall that be approved and then when you explain it to the voters, you say this proposition if approved would allow the issuance of a maximum of \$4,000,000. It will not allow the issuance of a maximum of \$4,000,000. The resolution you guys passed allows the issuance of \$4,000,000 unless you want to change the resolution. It's not a maximum. \$4,000,000 is what you passed. So I would ask that we conform by reducing- removing the word maximum and conform the proposition- the abstract to the proposal to the referendum to the resolution so they all read the same words. It's not- "

Councilman Kent: "Actually I have a question I'd like- Mr. Hansen, could you come up to the microphone for a minute? I'm sorry to put you on the spot here. But I just have a question. When we authorize the issuance of \$4,000,000, do-- we actually only issue that amount which we expend. Is that correct?"

Jack Hansen: "That is correct."

Councilman Kent: "So how would you- we might need to change the wording of the proposition then also."

Councilman Cardinale: "No. What we need to do is to utilize the same wording that we have on the referendum and on the resolution because you're bound by the resolution and the referendum not by what you might do and what the resolution and the referendum say is an amount of \$4,000,000. It's just that simple."

Jack Hansen: "All bond resolutions are in a maximum number."

Councilman Kent: "All right, so we don't- "

Supervisor Kozakiewicz: "So in other words, if- "

Jack Hansen: "If you have- "

Councilman Kent: "To be consistent, we don't need to say maximum. It's just we're authorizing the issuance of \$4,000,000, we could spend less but we can't spend more."

Jack Hansen: "That I don't know. That's legal."

Councilman Kent: "Maybe I'll go slow."

Jack Hansen: "You- "

Councilman Kent: "If we authorize the issuance of \$4,000,000- "

Jack Hansen: "What you're saying then, \$4,000,000 will be issued? I don't necessarily agree with that."

Supervisor Kozakiewicz: "Right. We authorize more but sometimes not that much is issued."

Councilman Kent: "You can actually issue less than \$4,000,000."

Jack Hansen: "Right. Every bond authorization the Town Board has ever passed, there's always been a maximum number."

Councilman Kent: "We don't say the word maximum."

Jack Hansen: "We just can't exceed that number. We can always sell less."

Councilman Kent: "We don't say the word maximum, do we in our bond?"

Jack Hansen: "I always thought it was a total authorization."

Councilman Cardinale: "Well, yeah, it is a total authorization but his point is that the resolution says that you're going to issue \$4,000,000 and if you need more you have to come back and do another bond."

Jack Hansen: "Right."

Supervisor Kozakiewicz: "That's right."

Jack Hansen: "But if you want less- "

Councilman Kent: "You could do less, just don't spend- "

Jack Hansen: "What I'm saying is it's an authorization to sell \$4,000,000."

Councilman Cardinale: "Right."

Jack Hansen: "So that means by definition I would think that would mean a maximum number."

Councilman Kent: "So we really don't need the word maximum?"

Councilman Cardinale: "So that's my point. Does anyone have any big objection?"

Councilman Kent: "No."

Councilman Lull: "I would prefer to see the words not to exceed. Because remember, this is an explanation, this abstract is an explanation of the proposition. This is not what people vote on."

Supervisor Kozakiewicz: "So in other words, what you're proposing is to take the words out in the maximum amount of and instead place not to exceed."

Councilman Lull: "Not to exceed, which- "

Councilman Cardinale: "Well, I understand that but I understood also that this abstract has to be consistent with the referendum."

Councilman Kent: "It is consistent. I think- I think the abstract is there to explain to the voters what they're approving."

Councilman Lull: "Yeah, my problem is, Phil, I think you're right, it should be as consistent as possible. But the fact is not everybody knows the way we know up here and probably the majority of the people out here do, but not everybody who is walking into the voting booth understands that that is a maximum. That that authority is-- that authorization is a maximum authorization. And so why not--"

Supervisor Kozakiewicz: "So if the bids should be less or there's other source of funds, we don't have to spend \$4,000,000."

Councilman Lull: "So why not help people understand it through the abstract? That's what you can do with an abstract is help people understand better."

Councilman Cardinale: "Well, okay. If, in fact, you're- if, in fact, it is not to exceed \$4,000,000 I suppose that's- or what you're really saying is you believe that it is a maximum and that you're not bound by the referendum and by the resolution language. So that's really the difference we have. I am not sure of the legal issue,

whether the resolution and the referendum bound us- as you say, it is an explanation so if you want to leave maximum- "

Councilman Kent: "Actually, I like the language better. It should say Riverhead serial bonds in an amount not to exceed \$4,000,000. Because that's what we do when we bond things. We put an amount up there and we can't spend more than that."

Councilman Cardinale: "Okay. Why don't we change it to that and vote on it so the people are aware that the election's taking place and the date, etc., and, again, I- my only point in making the motion was simply to point out that the language in the abstract is not consistent with the language in the resolution, the referendum and the proposition."

Councilman Lull: "I would suggest we ask- "

Councilman Cardinale: "And what Jim is saying may be right that it doesn't have to."

Councilman Lull: "Why don't we ask the Town Attorney to make sure that we have- "

Supervisor Kozakiewicz: "In the approximate amount of-- that's what happens by operation oftentimes-- bond resolutions. We approve a certain amount but we don't issue that entire sum."

Councilman Lull: "Yeah, I understand that, but I think Phil's big problem is the actual exact duplication of language (inaudible)."

Councilman Cardinale: "Right. If that's required. If it's- "

Councilman Lull: "Why don't we have Dawn get a- just find out on that- "

Supervisor Kozakiewicz: "In the meantime, we're going to make the amendment. There's been a motion to amend to strike the words in the maximum amount of \$4,000,000 to instead say in an amount not to exceed \$4,000,000. Right? And we'll also change the date- "

Barbara Grattan: "Okay, and that's Cardinale to amend?"

Supervisor Kozakiewicz: "-- to July 31, 2001. I think it was a motion made by Chris- Councilman Kent."

Councilman Cardinale: "Yeah, it was Chris. Chris amended my amendment which is fine."

Supervisor Kozakiewicz: "Is there a second to the amendment?"

Barbara Grattan: "Who seconded it?"

Councilman Cardinale: "I'll second it."

Supervisor Kozakiewicz: "Okay. Take a vote on the amendment."

Councilman Kent: "Can't we just move the resolution as amended? Do we need to go through- "

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

Councilman Kent: "Yeah, I would rather move the resolution- I move the resolution as amended."

Supervisor Kozakiewicz: "Okay. Is there a second to move it as amended?"

Councilman Cardinale: "Second."

Supervisor Kozakiewicz: "Fine."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "I would like to vote yes and I would like to point out that subsequent to the drama at the last meeting which proved unnecessary, I spoke and Bob spoke to the Board of Elections and they asked us to do exactly what we're doing here which was to suggest language as was done in Babylon in 1999 in their referendum, to suggest a date. We discussed it. We are suggesting the language, we're suggesting the date."

We also clarified for the public that the cost of this referendum is borne by the county. We also clarified that- today I clarified with both of the- with the Board of Elections that the election area will be the usual place of balloting throughout the town and that the vote will be conducted, supervised in the normal manner by the Board of Elections. In other words, they will take care of the district- of the people who- the inspectors, they will take the count at the end, they will report the count back to the town.

And they said that they will be in touch with Barbara and others in regard to the formal notices necessary that the election is going to take place. But I'm pleased that it's going to take place on Tuesday, January- July 31st, the last Tuesday in July. I feel the language is fair and she'll clarify that one point whether we're messing it up in any fashion by making the amendment. And I'm pleased that it worked out this way and I would like the public to please get out there and vote, for or against, but get out there and vote because it took a lot of effort by a lot of people to get the vote. I vote yes."

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

Supervisor Kozakiewicz: "Not wishing to rehash the past, but as pointed out, this was a topic that had involved a lot of calls not only to the local county Board of Elections but also state. In fact, initially they had rendered an opinion saying that town law, not election law controlled, but then they reversed themselves meaning that the way we're doing it now is the way the state Elections Commission has set forth the rules and that's based upon that Babylon vote referenced earlier. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #704

Barbara Grattan: "Resolution to pay bills?"

Councilman Kent: "So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The Bills are paid."

Resolution #705

Councilman Cardinale: "We have a resolution, Barbara, 705, I've added which establishes the notice to public and Town Board members prior to the introduction of a resolution and before a vote be required.

I read it earlier, I will not repeat it again. However, I would

summarize it for the Board and tell them I seriously wish them to consider voting yes on this but first I need a second."

Councilman Kent: "I'll second."

Supervisor Kozakiewicz: "Moved and seconded."

Councilman Cardinale: "All right. The- this is a simple concept. Simply states that every member of this Board before they sit down to a meeting has to have had the resolution handed to them. This is- it also says that before the public comment period of any meeting, every member of the public has to have had the opportunity to review the resolution so they can comment on it.

It is simple but I think it speaks loudly to our sentiment, our true sentiment on open government. I cannot- I understand Bob's point that this Board probably needs some additional rules of procedure governing the conduct of its Board meetings, but it's needed that for many years.

I cannot afford to wait to take the chance that in the interval while we're discussing these rules of procedure I walk in and have thrust in my hand as has happened several times on important issues, a motion- a resolution I have never seen and then am asked to vote on it when you have never seen it and shared your comments with me, shared your insights with me. So I think it's important. I think it is straightforward. I think I cannot take that chance to wait until we review all of the other procedural matters and I think that we will take some time to review those procedural matters that Bob wants to place the Board under.

I received and reviewed at the Board meeting on Monday that resolution- that proposal and there are in the Kozakiewicz rules or a tendency, how shall I put this diplomatically- a tendency to make the Supervisor somewhat akin to a king and I read from those proposed rules.

The Supervisor may offer or second a resolution or motion and need not relinquish the Chair for such proposal. No member shall speak until recognized by the Supervisor or shall speak more than once until the Supervisor chooses to allow- "

Supervisor Kozakiewicz: "Councilman Cardinale- "

Councilman Cardinale: "Yes? My point- "

Supervisor Kozakiewicz: "I know we agreed- I've agreed, I've indicated earlier that these rules are something that I had proposed. I think we only take them up at next work session- "

Councilman Cardinale: "Right."

Supervisor Kozakiewicz: "Why don't we do that rather than belabor the point and vote on the resolution that you are offering off the floor- "

Councilman Cardinale: "I understand."

Supervisor Kozakiewicz: "We can bring up these points at that work session. I'm prepared to discuss it fully. If there's items that you wish to have removed from them for reasons that you feel are not proper or they're overreaching or, again, I am attempting to exert the leadership and control that I'm being accused of not exerting, and when I do it, I'm being accused of being a king, so I don't know at what point I'm safe to tread water and at what point I should just let myself sink down into the depths of the unknown. Maybe I should just stop trying to tread if I were to go along with this.

But rather than belabor the point, rather than to get into a long dilatory discussion about my proposed rules and regulations, why don't we address the simple straightforward proposal as you have suggested it is which provides that there shall be no motion, no resolution that will be coming off the floor unless it's presented to all the Town Board members and address this in the work session. We can have that videotaped and reviewed and open for public comment if it need be as suggested today and that we should make ourselves accessible to the public rather than belabor the point now at the point of 6- 5:53."

Councilman Cardinale: "I think- I understand the point and that was my last example was that no member shall speak until the Supervisor allows it, I expect I will not speak much if that rule is passed. But I- "

Supervisor Kozakiewicz: "Again, there's got to be a decision by the Board and three Board members to override me which I think is parliamentary and probably Robert's rules- anyway, which if I, again, wanted to get into this long discussion and this point, I mean we can but rather than belabor it now, why don't we just have the vote on your resolution?"

Councilman Cardinale: "Okay, I don't want to do that either.

Very good. Well, let me reiterate the three points. One, it is simple and straightforward and I sincerely want you guys to consider it. Number two, I can't afford to take the chance it happens again while we are considering these rather recondite rules of yours, and third, the rules need work that you have proposed because they appear to me to make the minority members of the Board essentially magically transform themselves into potted plants at the behest of the Supervisor.

Accordingly, I ask that you pass this now to give me the degree of assurance I need in order to function in this position, that I will see everything before I'm asked to vote on it. I vote yes. I don't have to vote yes, I'm offering it, so I guess you've got to call the vote."

Supervisor Kozakiewicz: "We- yeah, we've had a motion- "

Councilman Kent: "I already seconded it."

Supervisor Kozakiewicz: "-- and second and that was the discussion. Now the vote."

The Vote: "Densieski."

Councilman Densieski: "Okay. First I want to say I don't really know if it was right of Phil to discuss the draft form of that before it was talked about at work session."

Councilman Cardinale: "I'm sorry, I didn't know it was not public."

Supervisor Kozakiewicz: "It's all right. It's gone and gone and it's done. Let's vote on Phil's resolution, please."

Councilman Densieski: "I thought I had the floor. Okay, I thought I had the floor."

Supervisor Kozakiewicz: "You do."

Councilman Densieski: "Sorry for the interruptions. I just want to bring up the AES contract which is for a power plant. Now the power plant was not on the agenda. The folks out there did not have a chance to talk at the microphone on a power plant that was brought up by a couple of the Board members here. I saw it for the first time at 10:30 in the evening. I abstained on voting as Bob did because there

were some things that weren't clear like sewer and water, things that have million dollar question marks on who's going to pay.

Remember the Burman contract that we struggled with for all these months because of all these quick decisions and they did that right off the floor but that's fine. When we do it, it's wrong.

This does not even provide for a waiver for an emergency. Suppose there was an emergency and we had to have a resolution passed, this doesn't provide for it. A 30 hour waiting period.

Second of all, I'd like to bring up the moratorium."

Supervisor Kozakiewicz: "That was mine. I proposed the 30 hour. I don't think this one does."

Councilman Densieski: "Well, okay, whatever. I'm not voting for yours either, Bob. The moratorium- "

Supervisor Kozakiewicz: "Surprise, surprise."

Councilman Densieski: "-- I brought the moratorium off the floor and I'm glad I did it because I think if it went to work session, it would have went down and I'm glad the moratorium is going to come and I'm glad I brought it off the floor.

And second of all, I would like to bring things off the floor. As an example, tonight I would probably like to bring off the floor the thing that I brought to work session at least twice and that's the five minute rule like the Senate does. They have a light system that lights up for four minutes green, one minute yellow, and then it turns red. And then your time is up. Not some people speaking for 15, not speaking for eight, everybody would have a fair chance to speak. Everybody. Not some people grandstanding for 15 minutes. I was going to bring that off the floor tonight. I still might.

Second of all, I think I have the right if I think something is in the best interests of the community, to bring it off the floor. And if somebody believes that it's a good policy decision, they'll second it and then the majority will either vote for it or not vote for it. I don't see what the problem is with that. I'm going to vote no."

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

Councilman Cardinale: "To answer my colleague, I see the problem in what you just demonstrated is that there's nobody in the public had anything to say about the idea. You are going to do it if two of us clowns up here agree, it gets passed and the public has no say in it. You know, they're the guys that elected us, excuse me."

Councilman Densieski: "They have their say in November."

Councilman Cardinale: "Well, I think they should have their say on every resolution we propose."

Supervisor Kozakiewicz: "All right. All right."

Councilman Cardinale: "Accordingly, I vote not surprisingly, yes."

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

Councilman Kent: "I don't believe this resolution is inconsistent with the rules of procedure that Bob is proposing, one, and in fact all it asks for is something that I believe the colleagues up here deserve which is the right to look at a resolution before the meeting starts and I believe that we should respect one another enough up here that you're going to show what you're proposing to the fellow Board members prior to the meeting.

I don't think we should be pulling out resolutions then having to sit up here, read them, think out loud while we're before the public, quibble over language while we're sitting before the public, before the cameras. I think we should have some decorum which would at least that we would respect one another enough that if you've got a proposal that you wanted voted on that night, you'd at least let your other Board members know five minutes before the meeting, 10 minutes before the meeting. It just says prior to the meeting.

And at the same time, if you have a resolution prepared, make 30 copies, put it out on the table outside in the lobby, let the public pick it up as they come in. They sit here for hours just like we do. They could read it, they can come up to the microphone and make comments. I don't believe that this is inconsistent with any rules of procedure that are being proposed by the Supervisor for the future- for future discussion as something that's sound, something that we should do simply out of respect for one another as colleagues who are all trying to do basically the same job which we believe is best for the public and I really think we should get beyond political quibbling

over this type of- these type of issues which are basically in the public good. And I vote yes."

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

Councilman Lull: "Well, I hate to continually say that I've been here the longest but it so happens that I have and I've been here through three administrations and I've seen all three administrations do the same thing and I don't- and that when I was in the majority, when I was in the minority and, again when I was in the majority again. So it really doesn't make too much difference as far as that's concerned who is up here. But an awful lot of you out there and certainly all of us have been members of Boards of different organizations, been members of school boards, been members of boards Rotary, Lions, in your church, whatever.

And you know I find it very difficult to think about any board making a rule saying that one of their membership cannot bring a motion off the floor."

Councilman Kent: "That's not what it says."

Councilman Lull: "I think that's very difficult. A motion off the floor is a resolution and I find it very difficult to think about that. That's the same disagreement I have with that section of Bob's although I do believe and Chris said it right, we do need to face more than just one. But I agree with Chris also we have to have more respect for each other. But this boils down to something I said yesterday when we talked about- we had two resolutions before us about the conduct about town business and we started talking about it and at that particular point unfortunately there were only three of us there so we said at that point we shouldn't be doing this unless we have the whole Board here. So we'll put this into the work session next Thursday. That will be the time when we will begin our discussion and, hopefully, finish our discussion but certainly begin our discussion of rules of conduct.

And we'll take that seriously. And as an addendum to that, we'll have a moratorium of a sort. We will agree among ourselves not to bring anything off the floor during our discussion of the rules of conduct. That was all set. Now Phil came in with his resolution, I was of the- I assumed and Phil said this afternoon, this evening I did assume that, and I'm not arguing with you about that. I made the assumption that we could take that resolution, put it with the other two and talk about it all at the same time. It makes much more sense.

It deals with only one issue. The others deal with lots of different issues and I think it would be a wise idea for us to discuss the whole thing as a single issue, the conduct of our meetings.

It has to do with a lot of what goes on here. And I really believe we should do that. I believe we should have the respect for each other that we will not surprise each other during the time that we're going to be discussing this. We will stay within the bounds of agreed to plans that we have that we agree to on next Thursday as to what we will do for presenting a resolution, and while we talk about the other things and this as well, I believe that we can come up with the very best wording for such a resolution.

I don't have any serious disagreement with Phil's resolution except for the fact that it doesn't take into consideration the need to make a move- a motion in an emergency situation as Eddie has said and, secondly, because I believe it should be not discussed as a narrow single issue but as something much broader, much more encompassing and that is how we do our business. So I'll vote no."

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

Supervisor Kozakiewicz: "This may sound a little crazy. I actually agree with the intent and the idea behind Councilman Cardinale's resolution."

Councilman Kent: "It doesn't sound crazy. It sounds reasonable."

Supervisor Kozakiewicz: "I did- I want to reiterate what was said earlier and what was said by Councilman Lull. There are- I think for a long time the Board has labored under not having identified rules and procedures spelled out so that the public knows. I mean we talked about it just a few moments ago, this five minute rule. Let's embody it in a rule and regulation so that it's clear as day and everybody knows about it."

I can tell you that I'm not going to pull any surprises upon anyone at this point in time. I think that if an emergency situation arises as pointed out, the copies of the resolution can be distributed to the Town Board ahead of time or there is a procedure in the town law whereby Town Board members or the Supervisor can call for a special Town Board meeting should that situation arise so that should those circumstances occur, there- I believe and there shouldn't be a need for a resolution to be pulled off the floor at the last second.

That was not characteristic of me. It was done, it's past, we've been able to work through that.

We agreed upon a resolution tonight which we all agree deals with the referendum question. At this point, I don't want to preclude the public input. We've heard a lot of comment about the fact that we want the public input, have input on the resolutions. Clearly that's what these meetings are about, the open meetings law and what the statutory provisions provide.

However, based upon everything that's gone heretofore, I have to abstain on voting at this time."

Barbara Grattan: "Okay, the resolution is not adopted."

Supervisor Kozakiewicz: "Any further business?"

Councilman Densieski: "(inaudible) off the floor?"

Supervisor Kozakiewicz: "Move to adjourn? It's second? You're adjourned. Thank you."

Meeting adjourned: 6:06 p.m.

Barbara Grattan
Town Clerk