

Minutes of a Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York on Tuesday, June 20, 2000 at 2:00 p.m.

**Present:**

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

**Also Present:**

Barbara Grattan,	Town Clerk
Dawn Thomas,	Town Attorney

**Absent:**

James Lull,	Councilman
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Supervisor Kozakiewicz: "I bring this meeting to order. Mr. Schulman, would you like to lead us in the Pledge of Allegiance- or Steve, okay."

The Pledge of Allegiance was recited, led by Steve Haizlip.

Supervisor Kozakiewicz: "Thank you. Is there a motion to approve the minutes of the Town Board meeting of June 6, 2000?"

Councilman Densieski: "Yes, I move the minutes."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Kent: "Seconded."

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

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Supervisor, yes. 4 yes, 1 absent."

Supervisor Kozakiewicz: "Reports, please."

**REPORTS :**

Receiver of Taxes	Total collections to date: \$63,853,331.16
Juvenile Aid Bureau	Monthly report for May, 2000
Open Bid Reports	For sports equipment which was opened on 6/12, 3 bids were received, one from Sport Supply Group; Riddell/All American; and Calree Co. The results may be obtained in the Town Clerk's Office
Open Bid Reports	Sewer Television Inspection System which was opened on June 8, 3 bids were received, one from Cues; one from Foster's Equipment; and one from Optical Robotics
Open Bid Reports	Security, fire and telemetry control systems opened on June 8, 1 bid was received from Scarsdale Security Systems

Barbara Grattan: "That concludes Reports."

Supervisor Kozakiewicz: "Thank you, Barbara. If you could please read the Applications?"

**APPLICATIONS :**

Shows & Exhibition Permit	Riverhead Country Fair/ Townscape, Inc. which is on October 8, 2000
Shows & Exhibition Permit	Larry Williams- Hinda Blvd. a neighborhood barbeque on July 2, 2000

Barbara Grattan: "That concludes Applications."

Supervisor Kozakiewicz: "Thank you. Correspondence?"

**CORRESPONDENCE:**

East End Arts Council

Thanking the Town Board for all the support given to the Riverhead Community Mosaic and Street Painting Festival

Helga Guthy

Regarding Calverton Airport

Virginia Kempel

Thanking the staff at the senior center for the fine treatment shown to her mother recently

Barbara Grattan: "That concludes Correspondence."

Supervisor Kozakiewicz: "Thank you, Barbara. Any Committee reports?"

Councilman Kent: "Riverhead Rec Advisory Committee met last Monday and unanimously recommended that we approve the road improvement project for Hulse Landing Road so that we can have access to the Sound. So that was (inaudible) and I would like to move that tabled resolution at the end of the agenda today."

Supervisor Kozakiewicz: "Other Committee reports?"

Councilman Densieski: "Nope."

Supervisor Kozakiewicz: "All right. I guess we can move to today's first public hearing. Barbara, if you would please do the pleasure, the time of 2:10 having arrived."

Public Hearing opened: 2:10 p.m.

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on June 20, 2000 at 2:05 p.m. regarding the special permit petition of Maggie Evans to allow the construction of a 7,000 square foot day care center (Grace's Place-Agri-Business Child Development)."

Supervisor Kozakiewicz: "Before you start, I think, it's been brought to my attention by Councilman Kent that there's been some inquiry and commentary from people that- with respect to the time of

this meeting which is a 2:00 meeting, that they've been unable to attend. As a result, it's going to be the Town Board's desire to hold the public hearing open for additional commentary from speakers until the next Town Board meeting which would be July 5<sup>th</sup> in the evening, 7:00 meeting. So before we get started, I just wanted to make mention of that because there are a number of people who indicated their displeasure perhaps with the Board of having set the 2:00 time when they couldn't be here from work. Saying that, I'll- anybody wishes to address the Board with respect to this public hearing?"

James Matthews: "Good afternoon, Mr. Supervisor, Members of the Town Board. My name is James Matthews. I represent the applicant, Agri-Business Child Development with respect to this application. As the Board is aware, the this is the subject of a referral to the Planning Board at which time they reviewed the matter and made certain findings dated May 9<sup>th</sup> and recommended the approval of the special use permit which is- and they concluded in their findings which is the application itself, that it is in the Residential C District which is where a day care center can be located and- subject to the special permit of this Board. It's located on seven acres and it's wooded and relatively flat. The proposal is to have a 7,000 square foot facility built, set back 150 feet from Doctor's Path.

The facility is going to be licensed for 76 children with 35 employees. Further, there would be only school buses (inaudible) attending so that there wouldn't be traffic congestion in the area.

We would like to inform the Board that the conditions that were recommended by the Planning Board, and we're agreeable to all of the conditions that have been recommended. At this time, I'd like to introduce to you Maggie Evans, the Director of the project, to explain something about the background of Agri-Business, her experience and the need identified in this community for the day care center. Maggie."

Maggie Evans: "Good afternoon, gentlemen. I want to introduce myself. I'm Maggie Evans. I'm the Executive Director for Agri-Business Child Development (inaudible), New York. With me are the Directors of Development, Mary (inaudible), Sister Jean Marie Ratgaber (phonetic) and the Center Director, Paula (inaudible) who has relocated from the (inaudible) area.

I have spoken about this program to you probably three or four months ago, spoken to the Town Board about who we are and I just want

to elaborate it for those that are present today that haven't heard us speak or read about us in the paper.

We're a child development agency. We provide services to children from birth to five for agricultural workers who meet certain income requirements. I do want to elaborate a little bit about some of those definitions. Our income guidelines include say for a family of three, the income limit would be \$26,178; for a family of four, \$31,543; and for each additional family member beyond that \$5,300. So it's a fairly liberal income guideline.

Agriculture can include just about anything. Nursery, sod farm, vineyards, fruit and nut trees, any kind of (inaudible) crop including alfalfa, vegetables, including the sorting, freezing and canning of vegetables, production of milk and other dairy products, production of poultry and poultry products, livestock, etc., fishery activities as well as any food processing activity. So it's a very broad category of families who we could enroll in our program.

We-- we-- actually didn't select Riverhead; Riverhead selected us. The community contacted us two years ago. We've been providing services to the community through local day care subsidies for the last two years. The need is great. We've done a community assessment. Every person we've talked to just about has said that there was desperate need for this. Most of our centers are in a residential community because we like to be part of a community. It obviously benefits the children to be in a setting where they are going to be nurtured, loved and receiving Head Start services including physicals, dental checkups, two-thirds of their nutritional requirements. It's an all encompassing program for the children.

Obviously it helps the parents. It's free, subsidized care for the parents that are eligible for the program and obviously it helps the community because it provides a stable work force for the community. We are-- we often become an integral part of that community and we certainly welcome the community into our home. We will be employing 35 to 40 employees full time from the local community. We have an excellent fringe benefit package including free health, free dental, worker's compensation as well as a tax deferred annuity.

So having said that, we would be thrilled to be part of this community. We have had nothing but positive reception from the people we've talked to. Obviously there have been questions raised and we're willing to address anything that's raised at this point."

Councilman Densieski: "I have a question. You said that you were contacted by the community. You mean the Town or somebody in the- "

Maggie Evans: "No. I'm sorry. Sorry, Sister Margaret, I'm throwing you in. Sister Margaret is from Catholic Charities who deals with migrant seasonal and localized workers extensively, had a conversation with Sister Jean (inaudible) concerning a family that was in need and that started the ball rolling."

Councilman Densieski: "So you said there's free dental, free medical- "

Maggie Evans: "Correct."

Councilman Densieski: "Paid for with federal funds now, I'm assuming?"

Maggie Evans: "Federal and state funds."

Councilman Densieski: "Uh-hum. Is it fair to say that these are able bodied working people, or- "

Maggie Evans: "Who are able bodied. I'm sorry, I don't understand your question."

Councilman Densieski: "These are people who are able to go out and work everyday."

Maggie Evans: "Actually- I'm sorry, part of the eligibility is that both parents need to be working. One must be in agriculture and obviously they have to meet certain income guidelines. So, yes, this is the working- people that work."

Supervisor Kozakiewicz: "You show, I think, two acres or thereabouts of the entire parcel being used for your particular facility. Is that right?"

Maggie Evans: "Correct."

Supervisor Kozakiewicz: "Are there intentions to subdivide the balance of the parcel in order- so that they'll be an increase in potential uses on that site?"

Maggie Evans: "No. One of the restrictions or covenants with

the New York State Housing and Finance Agency that is giving us this loan through New York State, is that we have to maintain this property, all seven and a half acres, as a child development center for the 30 years of the loan or, you know, they'll make us pay straight up. So it's not feasible for us to subdivide."

Supervisor Kozakiewicz: "All right. You cannot subdivide, otherwise you would lose that funding. Is that what you're saying?"

Maggie Evans: "That is correct."

Supervisor Kozakiewicz: "All right."

James Matthews: "In addition, Mr. Supervisor, we have agreed to execute a covenant and restriction that there will be no expansion and further development beyond this what we're proposing in these plans which I'm going to- "

Supervisor Kozakiewicz: "You just answered my next question which was to ask how large could the operation become? How many people would you expect to employ and how many children would you ultimately serve, if approved?"

Maggie Evans: "We're hoping to employ 35 to 40 employees from the local community. We have a license capacity of 76. Generally we'll serve twice that number as children come in and out- as they migrate in and out. So about 150 to 200 children we potentially serve during the year. No, it's not at any one time. I'm sorry. We have a license capacity of 76- "

Supervisor Kozakiewicz: "That's my question. At any given day, today, what would be the maximum number of children who could be serviced?"

Maggie Evans: "Seventy-six children."

Supervisor Kozakiewicz: "Okay. Now, would there be an ability to go back and get that license increased for additional children or are you covenanting that there will never be any more than that?"

Maggie Evans: "We have to follow DSS regulations that mandate that a certain square footage per child is held, I think it's 35 square feet per child, useable space. So, really the limitation is the square footage of the building."

Supervisor Kozakiewicz: "Okay. Next question which I'm sure someone is going to ask if I don't. How do the kids get there?"

Maggie Evans: "We provide bus transportation. The buses go to the camps or the homes where the children live and they're picked up and brought to our center and then obviously at the end of the day, brought from the center back to their homes."

Councilman Densieski: "It- you have school buses picking them up or buses and medical and dental- is there a cost per child so that the federal and state taxpayers understand what kind of impact this has? How many dollars does it take for each one of these kids to go through the program for the year?"

Maggie Evans: "On average, it can run anywhere from \$5,000 to \$7,000 per year but you're talking very comprehensive services. It's not just custodial care."

Supervisor Kozakiewicz: "\$5,000- \$7,000 per child?"

Maggie Evans: "Per child."

Supervisor Kozakiewicz: "Okay. Any other questions? Is there anybody else who would like to address the Board? Mr. Matthews, did you want to- "

James Matthews: "Just one last thing. And if-- we have the site plan which might be of interest to the Board members, I'd like to introduce one copy for the record and I have copies available for each of the Board members if they'd like."

Councilman Kent: "Submit them."

James Matthews: "Our architect could not be here today but I will bring him at the next hearing."

Councilman Densieski: "Thank you."

Supervisor Kozakiewicz: "This one's for you, Barbara."

Barbara Grattan: "I've got one."

Supervisor Kozakiewicz: "You've got one, okay. I saw a hand go up. Yes, gentleman on the left- my left- right hand side. Your name, sir?"

Odell Evans: "Odell Evans. I live in Riverhead, on Doctor's Path. Question number one. (Inaudible) I don't understand why they're doing that. Why don't' they (inaudible) somewhere else?"

Supervisor Kozakiewicz: "All right. Do you have other questions? Maybe what I'd ask you to do is if you can write down the questions and we can- rather- "

Odell Evans: "Only two right now."

Supervisor Kozakiewicz: "Okay. Okay."

Odell Evans: "This one plus another one. I wonder how this site was selected? I mean there's a lot of parcels in Suffolk County. It couldn't be Doctor's Path is so important to this day care center."

Supervisor Kozakiewicz: "Okay. So your two questions are why the seven acres- "

Odell Evans: "Right."

Supervisor Kozakiewicz: "And why this particular site?"

Odell Evans: "Yes."

Supervisor Kozakiewicz: "Okay."

Maggie Evans: "Well, to be honest with you, we looked at probably-- I don't know how many sites, several different sites. Why the seven acres? It was an ideal price, it's a level piece of land. There is- there are tons of shade trees that we would need for the playground and the, you know, obviously the privacy for the surrounding homeowners. The five acres that would be un- not constructed, we would use as nature paths and, you know, what a great place for kids to recreate as well.

Why Doctor's Path? Why not? It's an ideal location for us. It's on the north end where most of the agriculture workers are. And it's also close enough to Riverhead Town where we will be able to, you know, run in for supplies and equipment."

James Matthews: "One additional consideration was the zoning, of course, and we had looked at another parcel earlier which wasn't appropriate; it required a use variance. So this one required a special use permit and (inaudible)."

Odell Evans: "Can I respond to that?"

Supervisor Kozakiewicz: "If no one else to come forward, sure, come on. Just once again state your name."

Odell Evans: "Odell Evans. So, what these people thought there were only two parcels they could find in Suffolk County for a day care center? Doctor's Path and one other site. I find that hard to believe. (Inaudible) this day care center."

Supervisor Kozakiewicz: "More sites besides those two?"

Odell Evans: "Yes."

Maggie Evans: "I unfortunately am not versed in the geography of the Town. I know the one we were pursuing was on Osborn. It was a three acre site but as Mr. Matthews explained, we had to apply for a variance as opposed to a special use. Sister Jean or Paula, can you think of the other names of the roads we went on?"

Councilman Kent: "Wait, she's got to- "

Barbara Grattan: "Yeah, she's got to- "

Councilman Kent: "She has to speak from the microphone."

Supervisor Kozakiewicz: "Right, you can come up to the microphone- "

Councilman Kent: "She can speak. She can speak."

Supervisor Kozakiewicz: "-- and, you know, put what you have to say on record. But you have to speak at the microphone, otherwise we won't catch it."

Maggie Evans: "Really, the answer is that we looked at so many, they almost blended in together. A lot of them were open fields which are not conducive to what we're attempting to do because obviously we need shade and vegetation around us."

Sister Jean Marie Ratgaber: "My name is Sister Jean Marie Ratgaber and we- the property on Osborn was agricultural according to- according to the people that we met who were Town Board members, I believe, or Planning Board members, said we would have to get a variance which is very difficult and makes for problems later on. And

if we had to get the variance, we would have a lot of trouble. And reluctantly we gave that land up. And then we looked at others, among which we saw no problems; (inaudible) anticipate this problem with the area we chose on Doctor's Path. I mean it seems like a- we have children in mind, let's face facts. These are little children; it would be an ideal place for them. Plenty of trees, quite neighborhood, a nice family kind of neighborhood. We thought that was some place where children would be welcome. I still think they ought to be."

Councilman Densieski: "Thank you."

Sister Jean Marie Ratgaber: "You're welcome."

Supervisor Kozakiewicz: "Rolph Kestling and then Bill Kasperovich."

Councilman Densieski: "Mr. Brown had his hand up, too."

Supervisor Kozakiewicz: "Oh, I'm sorry, Mr. Brown, did you also have your hand up? Okay."

Rolph Kestling: "Rolph Kestling, Wading River. The age old question. Is this property taxable, real estate tax? Do they pay real estate tax, water tax, etc., etc., etc.?"

Supervisor Kozakiewicz: "They are a not for profit agency so the same response would be that they would not pay school tax; they would not pay Town property tax; they would pay special district taxes."

Councilman Kent: "But at the same time, (inaudible) for the analysis, just for your information. This is a Resident C zone. Quite frankly, if you develop it with residences, often you have more demand for services than you produce from property taxes, so if you have one child in a house that was developed on a half acre lot in a Residential C zone, you probably would be losing money because there would be more in services provided than raised in taxes from the residential development."

Rolph Kestling: "Well, first of all, you use the word if and then the word if- "

Councilman Kent: "Well, it's a Residence C zone."

Rolph Kestling: "But now you have all these children there. As far as school taxes, will they impact on the school system? If they're going to have 73 children there- "

Supervisor Kozakiewicz: "Seventy-six. Up to 76."

Rolph Kestling: "Will that- "

Councilman Kent: "That's a question I had actually. When you said these children would be bused, would they be coming from outside of the Town into the Town? And are these children already- or are they already residents of the Town? I think that's also Rolph's question."

Maggie Evans: "And I also think in the Planning Board stipulation is that we would first solicit or enroll children from the Town of Riverhead or from families who work in the Town of Riverhead and I see no problem filling our center with people from the Town of Riverhead."

Councilman Kent: "So these children would already be within our school district so they wouldn't be children we're bringing into the school district? Is that- "

Maggie Evans: "No."

Councilman Kent: "But there's a second part to that question. If they lived outside the Town, the parents would then have their children go to schools in the town where they lived. They wouldn't be bused in, go to the center, and then go to Riverhead schools after that. They would go back to their local school district."

Supervisor Kozakiewicz: "Okay."

Rolph Kestling: "Another thing. A lot of these organizations, they set up stricter rules and they tell you we're going to do this and we're going to do this and you only allow that. Who does the monitoring? Who monitors- I mean it's easy to say you have to make a certain income to come in. But all of a sudden, well, you know. Now, how is it monitored? Independently monitored? Does the Town monitor it?"

Supervisor Kozakiewicz: "We would not monitor, you know, the income issues nor who is being admitted. That would be done, I assume, by the source of funding which would be the State and Federal

funds."

Maggie Evans: "Correct. We are audited twice a year by the Federal government and once by external auditors who are private. But the State funding relies on their audit report. Also, the Department of Social Services, you know, has a whole set of rules that we have to comply with. So they also monitor who we, you know, enroll; how many children we enroll; how many staff per child- children we have. So we're more than monitored."

Rolph Kestling: "Okay, that's all. Thank you."

Supervisor Kozakiewicz: "Thank you. Do you mind if I let Mr. Brown- okay, Bill, go ahead. Mr. Brown?"

Ralph Brown: "Good afternoon. My name is Ralph Brown. I live at 313 Doctor's Path. In fact, I've been residing there for the past 60 years. That's been our home and that's where my brothers went away to fight the Second World War; that's where myself and my brother went away to fight the Korean War. I'm saying this to let you know that we're not transient people. We've been in Riverhead all of our lives. That's our home. In fact, Doctor's Path is my retirement area. I don't have the resources to pick up and move away if things go sour.

Like we can see very clearly how things went in the downtown area here, around Second Street, First Street, all those streets. When I was a kid, I used to ride my bicycle to those areas and I was awed at the beautiful buildings. And now they're run down and nothing but shanties. Now, we don't want our area to change one iota. We are a residential area and we want to remain that way. We have made large contributions to this community. We're making a request today to this Town Board not to bring this into our area.

There are many widows up there, many people that have given their lives, worked on the farms in that area. We know what farming is all about. We know what the need is for farming. Our day care center was under the old oak tree. When Mom and Dad was in the field, they say you stay under the oak tree and we'll pick you up later on. I'm a little emotional about this because we don't have the resources to pick up and move like the people did on Second Street and First Street and move up on the Sound somewhere. We have to stay in our community.

I went to school from that community. I used to cut across the Koziak (phonetic) farm, going up to Sound Avenue. I remember when the Densieskis lived on East Avenue, your grandfather, Ed. And you see it

now. We don't want change in our area. I'm not arguing that you don't bring it in Town; I'm going to argue that a little later on. But my point now is that we the people of that area are not transients. My father and my brothers and myself have been paying taxes up in that area since 1940 and our voice should be heard. We want our area to remain a residential area.

I can sit in my living room and I can look out and I can see six houses with nothing but widows in it. Husbands are dead now. We're an old community. We want to continue to be that way.

And this thought about the land being flat. There's nothing true about that. I played in those woods when I was a kid. There's a gully that runs through those woods that comes up from (inaudible) farm right across, down through there, and all of the water ran down to (inaudible) Pond, down behind First Baptist Church. I picked huckleberries back there. So that's not true that that's flat land, choice land.

Talk about busing people in. Whose buses are they going to use? Central School District #2?"

Maggie Evans: "We have our own."

Rolph Brown: "That's my personal plea. My personal plea is that we have been there long enough now for someone to hear our voice. I'm not talking race. I'm talking about people who have made contribution to this community. My niece, Harriet Gilliam, has served on that Board; another niece worked in the District Attorney's Office; my son has served on the Fire Department; my wife had worked in the school system here; my daughter is in charge of the bank on the corner. We have made contributions to this.

As for the public-- my public interest is this. This is not a local project. These people are coming from somewhere else. With all due respect, they can move anywhere they want to in this country. Not at the expense of the people that are already there. It's not a local project. And it has no local need. You live where I live, you can see that the farms are going out. If you don't believe the farms are going out, you take a ride up in Calverton and go on that back road that comes around in front of Splish Splash and look out in the field and see those monstrous homes out there. That all used to be farmland. You go down into Jamesport and Aquebogue and look at all that farmland. They're not farming anymore. Farming is being phased out. They're building aquariums now. So there's no need for it as

far as we can see.

And also we feel that this is just another county or state project, a dumping project if you will. Southold Town (inaudible) stays pristine and everything everybody else wants, move it to Riverhead and we'll commute up there. If you want to eat Kentucky Fried Chicken in Southold, you drive to Riverhead to get it. I think Riverhead needs to learn one little word and that word is to say no. If you've been in this Town as long as I have, you can see the way this Town has changed and it's not changing for the better in many instances.

You talk about traffic congestion. I live on that corner there. I'm the old guy you see out there cutting grass. And, you know, when I'm on that corner cutting grass, my life is in jeopardy because of the traffic on Northville Turnpike and Doctor's Path. There are two buses coming in about 3:00 and they stop right on the corner and traffic is backed up right out into Northville Turnpike. The traffic there is tremendous.

What about our property taxes? What are these people going to bring to our Town in the way of support for our tax base? Nothing. Nothing. Absolutely nothing.

I'm here today to ask the Town Board, most of you guys are Riverhead men, if I was sitting in your place and someone was trying to invade your property, and I had the power to issue a special permit that they could do it, I would say no. I'm asking you to say that just for the sake of people of Doctor's Path. There are responsible people there, believe me. Thank you very much."

Supervisor Kozakiewicz: "Thank you."

Councilman Densieski: "Thank you, Mr. Brown."

Supervisor Kozakiewicz: "I have a card from Carol Joynes. Carol, it was on this topic?"

Councilman Densieski: "Mr. Brown, the Kozaks have been looking for that guy who took the strawberries when he was cutting across that field, so watch out."

Ralph Brown: "We got the cherries, too."

Supervisor Kozakiewicz: "You're embarrassing me."

Carol Joynes: "My name is Carol Joynes and I'm from Riverhead. I'm on the opposite corner of Mr. Brown. And I'm also out there cutting grass. I have also seen a bus hit a child. Right directly in front of my house, I saw within the last two years, a car hit a child on a bicycle. I am a retired school nurse teacher so I am very much aware of migrant health- I worked for migrant health for 10 years. So what I have to say does not mean that I'm not aware of these issues. I am- also have my degree in Sociology, my Bachelor's, so I'm aware of sociological impacts. The impact of the environment in the air. It is true that area is very much low lying.

My parents purchased land there in the 1930's. We owned all of Northville Turnpike and all of those houses in that area. So I'm very much aware of the land also and I'd like those people who are coming into the area for maybe a brief moment or for those who are unfamiliar with the area itself, this is not the way. I wish the Board to consider the traffic. We already have enough traffic in that area. The implication of using buses, more buses in the area, that is not what we're looking for. We're not looking for more of these accidents that I have seen, that I have actually gone out to assist.

So, I also want the Board to consider the fact that this area is a low lying area. If you notice from Doctor's Path that it dips down in that area. What about the sewerage? We don't have public sewers out there. We have individual sewer lines. So it's an impact on the water supply. Yes, we have Town water available, but not everybody house in the area has Town water.

So, we want you to also think about the neighborhood, the feelings of the people. Like Mr. Brown says, and I don't mean to be redundant, but I've been there. I- even today, I own at least five residences in that area. I know how my tenants feel. I know about my family who lives in the area. So, I really feel that the Board if they're considering this place, is not really considering upstanding members of your community. I have and am presently still active in the East End Retired Teachers Association, the Riverhead Women's Club. I'm a Chairperson of the Scholarship Committee. What I'm saying is, we're contributing to the Town and we, therefore, would like the Town to consider our request. Thank you."

Supervisor Kozakiewicz: "Thank you. I saw a hand up in the middle."

Councilman Densieski: "Thank you."

Mary Wigfall: "My name is Mary Wigfall. I'm with (inaudible). I'm from New Paltz, New York and had the wonderful experience of being there at a time when they, too, put up a center like the one you're proposing here. They took a different approach. While I respect and admire the feelings of the community from Doctor's Path, and actually that is one of the reasons we'd like to be in that area because the people take such pride in that area. We could see that when we were thinking about the land. But as I was saying, I was in New Paltz at the time they built their center. It was the community that built the center. They came over, volunteered to cut down the trees, raise money to help that program get started, and helped sustain it. Today they're still going strong in supporting that center.

The program- the state-wide program has been around for 54 years so it's well established and highly respected program. In bringing it to Riverhead, we are hoping that finally we could also serve one of the largest agricultural area in the whole State. We are serving others in the State; we certainly would like to do that, too, here. We're hoping it will be a benefit of a community to the community and that, hopefully, we'll have volunteers, we'll have our center open for activities in the evening. We'd like to be able to frame young people in early childhood education; we hope we'll be a benefit to you and certainly we do not want to detract from the peaceful surroundings that you have and we're hoping that we'll convince many of you to join us in establishing this center. Thank you."

Supervisor Kozakiewicz: "Bill Kasperovich?"

William Kasperovich: "William Kasperovich. I live in Wading River. More than a dozen people asked me to speak today and to each one the first reply was to encourage them to come up here and talk themselves. People are timid, people who don't know what to say- how about this? Is this better? But I don't see these people here today. They basically were poor people that are abandoned, that the State is subsidizing benefits for children when they themselves can't get benefits. It's heart wrenching to see the influence on the children of these farm workers. At the same time we are in essence subsidizing the Riverhead farmer and this is wrong.

We have-- in the last 50 years that I have been conscious of the farm laborers, we have had varying types and characters of humanity coming to the Township to do farm labor. From all parts of the world they come here for a short period to do farm labor. Some legally, some not so legal. There is a need for human labor; not all the needs of the farmer can be done with machinery. Human effort is necessary.

But it's hard to see somebody that wants assistance for their children and they can't get it and they see this assistance being offered to outside people. So, (inaudible) I feel with good conscience that I should speak for these people. Thank you."

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

George Schmelzer: "Who is pushing this idea?"

Supervisor Kozakiewicz: "The application has been made by Ms. Evans' group."

George Schmelzer: "Who?"

Supervisor Kozakiewicz: "Agri-Business- the group that's- the applicant, the applicant is the one who is making the push to establish themselves on the Doctor's Path location."

George Schmelzer: "I wonder if the idea is for these summer people who (inaudible) summertime, they need workers to help themselves and are pushing out to Riverhead. Not farmers either. Just city people coming out here for the summer looking for somebody to do their work temporarily. Did you look into that?"

Supervisor Kozakiewicz: "I don't believe that's the case. As- I think the history has been that they received a call from Sister Mary Smyth- Margaret Smyth- indicating there was a need in the migrant worker community and they came down from Schenectady which is their home base office to this location and that's how the group came to the Town of Riverhead."

George Schmelzer: "Yes, but you have been overloaded with these same farm workers now and they want somebody else to take care of their kids (inaudible). Think about it."

Supervisor Kozakiewicz: "Okay."

George Schmelzer: "All right."

Supervisor Kozakiewicz: "Anything else with regard to this application?"

George Schmelzer: "Well, I think, tell them to put it in the Hamptons where most of these aliens work for the summer. They don't

work on farms either. There's not that many farms around. Really."

Supervisor Kozakiewicz: "Okay."

George Schmelzer: "The farms that are year round (inaudible) they hire people to work year round. Temporary employment, I believe, in the Hamptons these city people- they want people to do their dirty work for the summer when they sit on their butts. Think about it; look into it. Thank you."

Supervisor Kozakiewicz: "Thank you. I saw another hand in the back that went up. Yes? Okay. All right. Okay."

Councilman Densieski: "Can you pull that mike down a little bit, please, ma'am? The other one. Yes."

Supervisor Kozakiewicz: "There you go."

Councilman Densieski: "Thank you."

Shelia Fleming: "Good afternoon. I'm Shelia Fleming. I'm as Associate Director for the Child Care Council in Suffolk. I am- I have been a resident of the Riverhead community. My children attended the Riverhead Central School District and I just want to say I have been involved in child care for over 25 years that I will admit to, but I feel that we need to work together to expand child care and the goal of the Child Care Council of Suffolk is to link parents in need of appropriate child care with the right resources and our mission is to raise the quality of child care in Suffolk County and also the east end is really suffering from not having enough child care. Each year our agency gets over 4,000 calls from parents who need child care. Sadly to say, we're not able to help most of them because there is nothing out here as far as the amount of need for child care that parents are requesting.

Also, I have also worked with migrant families before, with rural New York farm workers opportunities and I'm sitting her listening to some of the fears- some of the fears that people have are not the experience that I have had and I've been working with migrant people.

Speaking about Riverhead, I have relatives who are in Riverhead now. I have in-laws who live on Hamilton Avenue, Riverhead, and if you will look at their property, he came over as a migrant person. If you look at his property, he has the best kept lawn, the best house on that street and that street is really culturally diverse.

I have also worked with Head Start programs for the past 17 years throughout Suffolk County. Also- as you know, the Head Start program does take people who are migrant workers into their program as well as other community residents and they have been an asset to the community. They have also worked with the elementary school when the children leave the Head Start program and those children go on because they have a strong foundation in Head Start, to do better in Head Start- I mean to do better in elementary school.

And I'm trying to think of some of the things that I've heard. We- you don't know if some of the people will remain in the Riverhead community and as such they- if they get a foundation now, it's going to be less of a burden financially on the public school. For example, research has shown that children who do have a quality pre-school education have less need for special education programming, they become- they graduate from high school more often, and they are the ones that turn out to be really outstanding, contributing members of society. And because I work in Head Start, I have followed up and you have a lot of people who have a hard time starting in life, that then go on to do very well. They become your lawyers, your doctors, your town people, your teachers and your educators.

So, in my role as an Associate Director for the Child Care Council of Suffolk, as a resident speaking not only for my family and the people in Riverhead- I don't want to say I'm speaking for everyone, but I want to say give them a chance to prove to you that they can have a quality program. Head Start is strictly monitored and you will have some Head Start families there and if the program is not a viable program, they will not last. But I'm confident that with the support-- you will give them your support and the Child Care Council also- their role is the support of programs. That this will be a great program and it can only benefit families. Thank you."

Supervisor Kozakiewicz: "Thank you."

Sister Margaret Smyth: "Good afternoon. My name is Sister Margaret Smyth. I am the person that made the first initial phone call to be able to speak with people about child care. But what I'd really like to say right here this afternoon is to ask us to take a little bit of a different look at agricultural workers. What I have heard here this afternoon is talking about transiency of it, people not being temporary. And I'd like to present to you a different picture that I see.

In the last year and a half, seven agricultural workers that I

know have bought homes in Riverhead. We had a meeting with Bridgehampton Bank about a month ago. We had 40 agricultural workers attend. The purpose of the meeting was to learn how to deal with mortgages, look at building up credit and employment here in Riverhead, and to be able for the future to buy homes. As homeowners, they're very contributing members of the society here. They're also our neighbors; the neighbors that they want to be to the neighbors who are living around them.

There is a very different picture of agricultural workers anymore in most areas and that is that people want to put down roots, people want to become more permanent members of the society in which they are in. People want to contribute more and more to that environment of that society. And I'd like you to take a look at that picture also because that's a reality of what's happening, too. Thank you."

Supervisor Kozakiewicz: "Is there anybody else who would like-yes, Mr. Evans."

Odell Evans: "Odell Evans. I've got four questions. The lady mentioned the (inaudible) Doctor's Path. But Kiddie Academy on Kroemer Avenue have no trees. They're functioning without any problem. Why can't these people buy (inaudible) in the industrial area and do the same thing? How many children have you got signed up so far for this school and what towns are they coming from? You mentioned our beautiful neighborhood. Now, I'm still concerned (inaudible). I'd like to know where are they, you know. (Inaudible) And before the lady mentioned the evening programs. I'd like to know a little more about those."

Maggie Evans: "Industrial area. I just can't even imagine having children in an industrial area. We want our children to be part of a community that gives them hope, has a sense of community. What better place to put a day care center or a child development center than in the midst of people that are working and aspiring to be homeowners? I don't know how to argue about 7 and a half acres. It was a piece of land that was very reasonably priced for a not-for-profit. It was very affordable for us. To me, I'm sorry, Mr. Brown, it looks level to me. Obviously he's walked this far more many times than I have. I don't know how to argue that point."

Councilman Kent: "He asked what evening programs would be offered at the center."

Maggie Evans: "Evening programs- our parents are very involved

with our program. They have shared decision making as far as policy is concerned. It's part of a Head Start regulation that the Board of Directors as well as this policy committee that is made up of parents as well as our staff share in the decision making and programming of this agency. We in turn offer parenting classes, (inaudible) classes, we would open it up to the community for their use in the evening. One of our centers is used as a polling place. There are various uses that the community could be using this building for. Other than that, we basically operate seven to five and are closed in the evenings and weekends. So it's not that there wouldn't be opportunity for the community to use our center."

Councilman Kent: "Yeah, one other question. Number of children already registered and where they're from."

Maggie Evans: "Well, essentially we're waiting for, you know, the approval of the town in order to proceed. We cannot proceed- this is State money, sorry- yeah, we do have 50 or more than 50 children enrolled in local day centers that we are subsidizing as an agency in this area."

Councilman Kent: "What impact do you think that might have on those centers if you are taking those children out of centers that are probably- are the other centers operating for profit or- "

Maggie Evans: "Yes, they are for profit. Essentially those- by the time we get this building built, hopefully, I mean, those children will have evolved into public school so we would not attract from current (inaudible)."

Supervisor Kozakiewicz: "Yes, Rolph Kestling."

Rolph Kestling: "Just a quick- Rolph Kestling, Wading River. Just a quick one. About two years ago, the Board had absolutely no problem putting a day care center in an industrial area, Kroemer Avenue. Do you remember it? No problem whatsoever."

Councilman Kent: "No, I had a problem with it."

Rolph Kestling: "I had a problem with it, too, yes. And but I just wanted to remind you the Town Board put it in an industrial area, no problem. Thank you."

Councilman Kent: "No, I had a problem. I voted no."

Rolph Kestling: "Mr. Cardinale had a problem- "

Councilman Cardinale: "Yes- "

Rolph Kestling: "And Mr. Lull- "

Councilman Cardinale: "But it got passed."

Rolph Kestling: "And, senior moment. They had no problem."

Councilman Kent: "No, Kwasna (inaudible)."

Supervisor Kozakiewicz: "Thank you. George Schmelzer."

George Schmelzer: "(inaudible) one is from Mexico, come here, worked for several months, legal or illegal. They worked (inaudible). The other type of migrant is the ones that migrate from the city to the Hamptons, come out here for the summertime. There's that type of migrant. And we have another third type that live around here and go to Florida for the winter and come back. That's a third type of migrants. So, what kind of migrants are we favoring here? Just one type or all three? Are we helping one type and pretending to help the other type? Nobody knows. You're all smiling but not answering."

Councilman Kent: "Well, I don't take you seriously."

Supervisor Kozakiewicz: "I don't know how to address those comments."

Councilman Kent: "I don't take you seriously. So-- "

Supervisor Kozakiewicz: "The application is to address the 76 children of agricultural farm workers, immigrant farm workers, is what the application is."

George Schmelzer: "It's only immigrants. (Inaudible)."

Councilman Cardinale: "I think the word is migrant, not immigrant incidentally."

Supervisor Kozakiewicz: "Migrant."

Councilman Cardinale: "It's not immigrant. It's migrant farm workers. Some of whom come from south of this country."

George Schmelzer: "We've got more migrants out here than have never seen a farm. They migrant for the summer out here; migrate to Florida for the winter."

Supervisor Kozakiewicz: "George, we're dealing with the question of establishing a day care facility- "

George Schmelzer: "Well, if it's- immigrant, migrant, forget it. Let them go home off season, take care of themselves. Otherwise they might live here and have to support them on welfare off season. How about that? Is that what you want?"

Councilman Kent: "No."

George Schmelzer: "No answer."

Councilman Kent: "No, I said no."

Councilman Densieski: "I'll say no, too."

Councilman Cardinale: "No."

George Schmelzer: "Okay, thank you gentlemen."

Supervisor Kozakiewicz: "All right. Thank you."

George Schmelzer: "I've got no time to spend here anymore. I've got to go."

Supervisor Kozakiewicz: "All right."

Councilman Kent: "Thank you."

(Some inaudible discussion among the Board members)

Nancy Herrera: "Good afternoon. My name is Nancy Herrera and I (inaudible). I came from my country 16 years and I came here because I believe in a dream like so many of my immigrant friends family, they came here to this country to work. And it's true for so many other people they look to us like criminals. The people they come here just to get so much stuff for free. And we have nothing but taking. But we are here also to work. We are so proud of our culture and we are (inaudible). So we live in this town; we (inaudible); we work very hard. We belong to our community that we are so proud of. We work

real, real hard. And I think we need a chance. And I also stand up here because in the beginning before we started this meeting, all of us, we say this is a country of freedom and the liberty and the justice for all. I wish, I wish really we, all of us, believe in this. Because I hear here so many things that (inaudible) just because we are immigrants. But I think the whole country is being filled by immigrants and we are so proud because so many families here are coming from South America, Central America, even from Europe. I think they have somewhere, some relative, they come here and they believe in something. I think our children are our future and we teach them how to live well, how to respect everybody. I feel we don't have to punish them. Thank you very much."

Supervisor Kozakiewicz: "Thank you. You need a name?"

Councilman Kent: "Excuse me, ma'am. Ma'am."

Supervisor Kozakiewicz: "Before you sit down- "

Councilman Kent: "Could you provide your name again for the record? We didn't get it at the beginning. I know she provided it, we just didn't take it down."

Nancy Herrera: "Nancy Herrera."

Supervisor Kozakiewicz: "Nany Herrera."

Nancy Herrera: "Yes. H-E-R-R-E-R-A."

Barbara Grattan: "Okay, thank you."

Nancy Herrera: "Okay."

Supervisor Kozakiewicz: "Yes."

Thelma White: "I'm Thelma White and I live on (inaudible) Street in Riverhead. Two questions, really. I don't think I heard whether or not this is going to be available for everyone, not just the seasonal workers. That's the first question. And the second question is if- I think you said the mortgage, the loan was for 30 years. If it's paid off within that time, (inaudible)."

Supervisor Kozakiewicz: "Maggie Evans, I guess we're going to ask you to step up and address those two questions from Mrs. White."

Maggie Evans: "Our eligibility- our primary population that we serve are the agricultural community. If space is available, children from families that are Department of Social Services eligible are welcome in our center as well as community children. Obviously community children would have to pay a fee. That is not subsidized day care. Secondly- "

Councilman Densieski: "But you've got about 50 applications or 50 people already that are going to start so the chance of local people getting in is probably slim to none. Is that true?"

Maggie Evans: "No. No. We're not taking those children from those centers. Those children will evolve out of those centers. We will still subsidize care for those children. We will be taking from the local community."

Councilman Densieski: "I want to make another point that the lady stated, that the country is basically built by migrants. You know something? She's 100% right. One of my concerns is though that those people who are subsidized, we're not talking about subsidizing able bodied people to do something that every other group of immigrants and while they supported their own families. That's one of my concerns."

Maggie Evans: "Well, I think it comes down to affordability. If you are a parent, you certainly know that high quality full day year round child development services are very expensive. The average income our families make is well below the poverty level. It's a matter of being able to afford the quality care that we offer."

Councilman Kent: "Can I ask another question- "

Supervisor Kozakiewicz: "There was a- "

Councilman Kent: "-- there's 50 numbers getting thrown around and I've heard it a few times now. That's the total number of children right now that you're subsidizing?"

Maggie Evans: "Correct."

Councilman Kent: "So using logic on this, you could say you might have around 50 kids who might be eligible once you open your center?"

Maggie Evans: "Easily."

Councilman Kent: "Okay. So then there might be some places open for some other children other than- "

Maggie Evans: "Yes. We would assume that."

Councilman Kent: "And these children are going to be coming from the Town of Riverhead? They already live in the Town of Riverhead for the most part?"

Maggie Evans: "Yes."

Supervisor Kozakiewicz: "There was a second question from Mrs. White or Ms. White which was the question regarding the payment of the funds back and what does that mean as far as the ability to then subdivide the property or increase usage or do something else with the balance- the remaining acreage."

James Matthews: "The funding is a 30 year commitment. There's no obligation to repay the loan if they continue to use the property in accordance with their commitment to the State agencies that are regulating the funding of the project. But the property as we stated in the beginning is going to have a restrictive covenant placed on it (inaudible). I think another issue is that if the children who are available, the definition of farm worker, is broader than you might think and so there's a lot of other children who might be eligible if they're in the industry. Maggie knows the definitions, she went through them a little earlier. So it's not targeted to one particular worker."

Councilman Densieski: "Ms. Evans, I have another question for you. Is there a mechanism that you're going to- I believe it's one hour (inaudible) of the school that you'll pick up children, probably Orient, Montauk and however far you can drive west. What's to- is there a mechanism to stop these people within an hour distance saying, you know, we can get free day care in Riverhead. Let's move there because it's convenient for our kids. We're going to get free day care and then we can just put them in Riverhead school districts. Is there a mechanism to not promote people to move to Riverhead just so they can have this? Because if you can get cheap housing in Riverhead, let's move out to Riverhead."

Maggie Evans: "That's beyond our realm."

Councilman Densieski: "Okay."

Maggie Evans: "I don't have a mechanism in place, no."

Councilman Densieski: "Okay."

Supervisor Kozakiewicz: "Any other questions? Anybody else who would like to address the Board? I know Mr. Brown, there's someone else in the back. Harriet Gilliam."

Harriet Gilliam: "Harriet A. Gilliam, Riverhead, New York. Good evening, Mr. Supervisor- I'm sorry. Good afternoon, Mr. Supervisor- "

Supervisor Kozakiewicz: "We may be here in the evening. But not yet."

Harriet Gilliam: "Before I give my remarks on this public hearing, I would like to leave with the Board two items for them to consider as part of this public hearing. One is a copy of a videotape of a TV show which I do on public access, the People's Voice, where last week I recently had representatives from AB-CD on the program discussing this project which is the subject of a public hearing, and I think that the Town Board will find this tape enlightening in terms of what- some of the things that are said on the tape which are not being said today.

Secondly, I'd like to read for the sake of brevity, I have written out my remarks for the Town Board members and I will leave those as well for your review and consideration. So I'd like to leave those- give those to the Town Clerk now."

Councilman Densieski: "Harriet, you're not going to leave us in suspense, are you?"

Harriet Gilliam: "Stay tuned."

Councilman Densieski: "Oh, we have to watch the TV show?"

Harriet Gilliam: "I think we all need to not only stay tuned but tune in to what really is the big picture here in terms of the impact this project may have for the town. And there is some concern in terms of local community as well as larger concerns in terms of town-wide issues which I think the Town Board must consider before acting on this application for a special permit. And some of the concerns that I have and the concerns that are shared by others are the fact that we keep hearing a lot about there being a local need and

that there's a need for this in the community and to date I have not heard or seen any numbers that are specific to the Town of Riverhead. In the application that the AB-CD organization has put forth, they used Suffolk County numbers. The catchment area is Suffolk County, they talk about how many migrant workers in Suffolk County. How many children in Suffolk County. No one is speaking specifically to how many children in the Town of Riverhead are in need of this service.

The same thing about the numbers in terms of the 50 children that are being provided services in other day care centers for which the AB-CD group is contracting out those services and providing transportation. They're providing services in Mattituck, Greenport and Southold. These are existing day care facilities that are being subsidized by AB-CD for 50 children. We don't know where those 50 children came- come from. How many of them actually come from the Town of Riverhead, we don't know.

Also it seems like this is kind of a duplication of services. You have existing programs that are taking children, that are the population which needs to be served by this organization. Why is there a need to build a million dollar facility in a residential area when you have three existing facilities in the neighboring towns which are already providing this service to the children.

Also there's a question in terms of the educational and socialization aspects of it. Why do we need a center that is specifically geared towards primarily Spanish speaking migrant children? When I asked a question on the program about the need of this, one of the things that was said was, well, right now there's no Spanish speaking teachers in the programs where we're subsidizing. But, again, this is a form of isolation. If you want children to be assimilated into an environment, do they need to be separated and placed in what's called a migrant worker or a farm worker day care facility? Why not start them at an earlier age in the existing programs that are already in place and operating and obviously those children who are in the program now, they don't seem to be- there's no concern being raised about taking those children out of those programs. Ms. Evans has said that they are going to continue in those existing programs until they reach school age and then go on into school. So, that's another issue.

There's also an issue in terms of there's been discussion about another day care facility being proposed by First Baptist Church of Riverhead, a local church, local community. There was a report in the News Review about well, these two facilities would serve different

populations and it's not likely that they would cooperate. Well, I haven't been convinced that there's, you know, that there's an overriding where there's a need to carve out and separate a center just for agricultural farm workers' children.

Also there's the issue of transportation. Now in their application they say that they can transport up to an hour. I'd like to know what regulation, DSS regulations you are relying upon. It is a guideline or a suggestion? There's also- was mentioned on the show, that they talk about transporting within a 25 mile radius of Riverhead. Now 25 mile radius, that's quite a distance, and it certainly encompasses other towns where children could be bused in from those other towns.

I think from that tape you'll also see that there's a lack of awareness of local issues in our town. They talk about picking up children from, you know, farms. Many of the farm workers do not even live on the farms. They live in different places throughout the town, thereby adding to the transportation issue requiring that buses will have to go here, there, picking up children all along the way, adding to the congestion, adding to the traffic. So these are the things that are not even being addressed because there's no sense of local issues or a sense of how this town functions where people live, where their needs are, where their needs are not.

Also interestingly enough in the announcement from the Governor's office when it was announced that this program was coming to Riverhead, that's an interesting fact in itself that when the funds were released the press release indicated that the center is being located in Riverhead. And the Governor's press release indicates that this is a much needed service, a great service for Suffolk County. Again, this is a county program, county sponsored. You heard people from the Child Care Council of Suffolk County speaking about a need. That's not a Riverhead program. Her function is to place children in Suffolk County wherever she can. And certainly this would be ideal for them because there is a demand for day care but why does Riverhead always have to be the dumping ground? Period.

Why- I mean we're at a point now, last night we held a meeting at Town Hall, 20/20 Vision for Riverhead. What is the 20/20 Vision for Riverhead? And agri migrant worker day care center? Or a tourism, aquarium promoting downtown enhancing our image. You know, these are things that do not, like it's so- they're not in concert. On one hand, one day, yesterday you're talking about enhancing the image of the Town, today we're looking at something that's going to bring more

population to the town, involving a property that's going to be taken off the tax roll, involving a situation where there's going to be more demands for services in the town, involving a situation where it's going to negatively impact the values of surrounding properties.

Ms. Wigfall told me that, well, this is going to enhance the value of the properties in the area. I don't know what her background is in assessment and appraisals but any appraiser or assessor worth their value in full will tell you that no location near a school or a school facility is enhanced in value by it being located there. If anything, the property values are going to go down and people's taxes stand to go up because you're taking another piece of property off the rolls, you're subsidizing a program and I find it very difficult to believe that it's only going to cost 5 to \$7,000 per year per child. I mean transportation alone would probably encompass that.

Lastly, I just want to mention to the Town Board as I'm sure you're aware of the criteria that is outlined in the town code in terms of what you might consider and one of the pressing questions that the Town Board must consider is is this project good for the health, well-being, welfare of our town. And I think when you measure everything up that's been said here today, everything that's been presented, the answer must be a resounding no, that it is not good for the welfare, the image of our town. It's not good for the economic health of our town, and that it's not good for the well-being of our town. And this is not about being, you know, not in our backyard or anything but there's an issue of there comes a time when Riverhead not just say no, but must say no. And this is one of those instances where the Town of Riverhead must say no because we're- what is the town getting from this? Any other development that comes in here, you have developers fees, you have recreation fees that are being paid, you have user fees that are being paid. What is being paid- what is being presented to the town? What is being presented in mitigation fees to the town? Nothing. There's no advantage to the town as a whole to have this facility located here.

If there is a Suffolk County need, then Suffolk County is a might big place, with lots of areas where they could located. Let them look at some other places in Suffolk County. So I would ask the Board to consider all of these factors as well as take a look at that tape because I think you'll find that very enlightening and that it will reveal that this is a Schenectady out- agency that has no clue as to the local needs and the local operations here in terms of how our lifestyle here and also that many of the people who have spoken today and are connected with the agency, they have no local community ties

here. There are people who live here, people who have been born and raised here, that's not to say that we're shutting our doors to people coming in. But, again, people should be able to enjoy their property and not have something thrust upon them, not have something rammed down their throats because a few people connected with the county or connected with Social Services agency believe that this is a good idea.

One final point. There's talk about if the children- if you can't serve enough children in the Riverhead area, that they will take Social Services referral. Again, we don't- because no one is coming out with any numbers, we don't know how many children in this area from Riverhead would be able to avail themselves of this service. That leaves the door open for Social Service referral. That leaves the door open for people locating- relocating here in terms of putting strains on the housing demand and more strains on the schools.

So, again, I would invite someone to just say what is the real advantage, what is the real benefit to the town other than someone coming up here and saying oh, it's a lovely neighborhood and we want to be here, too. That's not good enough. Thank you."

Supervisor Kozakiewicz: "Thank you."

Councilman Densieski: "Thank you, Harriet."

Supervisor Kozakiewicz: "Mr. Brown? Mr. Brown, you want- no. Okay. Mr. Evans."

Councilman Densieski: "Harriet, I think we should say for the record that we like your hat. It's very nice."

Odell Evans: "Odell Evans. I have five more questions. (Inaudible) I asked the question, if you had 76 children, (inaudible) 40 more, who would have it? Extend the school. Well somebody is not telling the truth somewhere along the way. (Inaudible) day care center, I guess you know, 76 kids you're going to cut it off there (inaudible). Second question, still concerned about this (inaudible). Aren't you spending taxpayers money (inaudible) whatever you don't need? Why not go into an industrial zone and buy two or three acres and put it where it belongs? Number three, I agree with Harriet. (Inaudible) There's no (inaudible) as to where the children are coming from. We may only have six kids that need this new day care center rather than 76. So I'd like to see some better census about how many kids from each town will be coming here to make the 76 total or less."

Also, what's the problem with putting the day care center in the industrial zone? I understand some of you guys were concerned about that for the Kiddie Academy. I'd like to know what (inaudible)."

Councilman Kent: "You want that readdressed right here now?"

Odell Evans: "Yes."

Councilman Kent: "Well, the reason I voted against Kiddie Academy was basically two reasons. One, I didn't feel it was appropriate to locate the children when the surrounding properties were industrial. Not only light industry, but heavy industry. You have Paraco Gas, I think it's Paraco Gas, on Kroemer Avenue. You have the cement block factory on Kroemer Avenue- "

Councilman Densieski: "Junk yard."

Councilman Kent: "Also in the same complex you had a sand- some type of a sand company. You had the hospital storage building located next door and just to the north you had automotive body shop and repair shop and dry wall, I believe at the time. I don't know if the dry wall is still there. I just didn't feel it was appropriate to locate the children there. Secondly, I didn't feel it was appropriate to take away the industrial space and use it for day care because we don't have enough type of- this type of industrial space within the town as it is now. If someone came forward and built this type of industrial space and I thought that it was inappropriate to take away the available industrial space and use it for day care. I thought there were other areas in the town that could be built for day care centers instead of utilizing industrial space on Kroemer Avenue. So that was why I voted against Kiddie Academy at that location. I was not opposed and I met with the guys from Kiddie Academy. I wasn't opposed to them coming to town, I just didn't think this location was the proper location for it. So that was my reasons for that. I'm not opposed as a policy to locating day care within industrial zones but if it's by special permit, you should look at each application on its face, and based on the location whether it's good for that location or bad for that- or not appropriate for that location. And I thought in the Kiddie Academy application that that space was inappropriate."

Odell Evans: "So in the town do you think a day care center should go?"

Councilman Kent: "To tell you the truth it's not my job to identify parcels throughout the town where day care centers should go."

Where should they go? I think they should go in areas where there is grass, where there are trees. I think if it's in an industrial zone there's plenty of industrial space or industrially zoned property in the town that is not already developed for industrial business. So, that particular parcel on Kroemer Avenue was already developed to attract industrial users which pay very good taxes for the town and don't- demand very little in services. So I felt it was inappropriate to locate a day care center in an area that was already developed so nicely for an industrial user. So that's why I was opposed to that. As far as other sites in the town, I leave that up to the applicants. It's not my job to identify them."

Councilman Cardinale: "I have a question, Chris. Maybe you can answer it and if you can't, of course, Rick, with his inimitable timing, our Planning Director, just left the room. But here's my question. As I recall in that instance in the industrial zone, we had to issue a special permit there, too, which you and I declined to issue for specific reasons to the site. Where in the town can you put a day care center without being required to get a special permit?"

Councilman Kent: "I think day care centers require- where they are permitted, I think they're permitted by special permit."

Councilman Cardinale: "So that's an interesting- I'm not- I ask that question because I did not know the answer but that's an interesting thing, isn't it?"

Councilman Kent: "The reason I think that the town did that is because we always wanted to have control over specific locations where day care centers are provided. I could be proven wrong, I don't know- I believe they're special permitted."

Councilman Cardinale: "If he comes back in while the hearing is going on, I'll ask Rick, that same- "

Supervisor Kozakiewicz: "Dawn has the book out and maybe we can get that answer from Dawn Thomas, but I believe the- what Chris has recited is correct, that day care facilities- day care are by special permit."

Councilman Kent: "It allows the Town Board- "

Supervisor Kozakiewicz: "We have some review."

Councilman Kent: "-- to review each application for a day care

center regardless of zone."

Supervisor Kozakiewicz: "Okay. Do you have one more question, I think?"

Odell Evans: "Well, two now. You know, the Navy- Grumman- over 2,000 acres of land at Calverton. Why can't these people go up there and get a couple acres of land? (Inaudible)."

Councilman Kent: "They didn't ask."

Odell Evans: "Pardon me?"

Councilman Kent: "They haven't asked yet."

Odell Evans: "Well, maybe (inaudible)."

Councilman Kent: "I don't know if it's specially permitted in that zone. I don't think it is under zoning."

Supervisor Kozakiewicz: "I'm not sure it's an allowed use in the zoning we've done up there. We could revisit zoning, but- "

Odell Evans: "What's wrong with a special permit there?"

Councilman Kent: "I don't think- "

Supervisor Kozakiewicz: "What I'm saying is I don't believe it's even an allowed use by permitted use or by special permit use."

Councilman Kent: "The way a special permit works, when you have a zone, it says these uses are specially permitted in this zone and I don't believe in our Calverton zoning we even allow day care centers by special permit."

Supervisor Kozakiewicz: "It's not a use outlined."

Odell Evans: "Yeah, but let me (inaudible). There is no such word as can't, it means somebody doesn't want to do it. That's a reality."

Councilman Kent: "Well- "

Supervisor Kozakiewicz: "I don't think we said can't, I think we said it's not allowed as the zoning currently exists."

Councilman Kent: "What we require would be a zoning amendment which means it would have to go through the course of amending the zone, probably, I don't know, a good six to nine months to get a zoning amendment done in this town and then we'd probably get sued by someone who says that we shouldn't amend the zoning so then it's even longer to amend zoning. Whereas if it already said special permit-- this center could go in other locations in the town."

Odell Evans: "That's what I'm trying to point out. I have a hard time getting a clear answer on, you know, where else it could go besides Doctor's Path. So if you get trees and level land- "

Supervisor Kozakiewicz: "Well, there are a number of zoning use districts where it's allowed by special permit so, you know, we don't- I don't think Chris or I or anyone else on the Board can tell you specifically a spot where it's allowed. Industrial zone, Industrial A, I believe, allowed day care by special permit. There is a large amount of Industrial A zoned property in the town. I think most of the residence zoning districts allow it by special permit, that would be Residence B, C and D. I don't know about the business zone uses whether they allow it, but certainly we could look at other zoning districts if that's the question and, you know, look at them. But I think we're getting a little bit off the beaten track. The question here is this special permit and whether the criteria that are spelled out- that's spelled out in our zoning use ordinance, the special permit standard, because I think that was the one question that Harriet asked us- Mrs. Gilliam- Ms. Gilliam asked us to look at which is a very good question. The question is to look at what the standard of review is as spelled out in Chapter 108, the Zoning Ordinance, for special permitted uses. And there are criteria that are spelled out in that section, Section 108-3, and also I think there's reference to special permit in the particular zoning use district.

Those- that is what our job must be. We need to look at the standard that's required and whether the applicant has met those- all the items which we need to look at as far as the special permit standard. I think that's the more appropriate question as opposed to second guessing ourselves right now. Should we or should we not have addressed it in the Calverton reuse plan or not. Certainly we can look at that but I think the better question right now is does it meet that criteria of special permit use?"

Odell Evans: "Okay, and my final question for today, I hope. (Inaudible) agricultural workers, nursery, sod farms and (inaudible) What's wrong with putting this (inaudible)? I don't understand that.

That's where it belongs in my opinion. (Inaudible)."

Supervisor Kozakiewicz: "You're talking about in Ag A Zoning District, is that what you're talking about?"

Odell Evans: "In the Ag district. I don't know one from the other (inaudible)."

Supervisor Kozakiewicz: "To answer the question. I believe Ag A does permit it by special use, special permit use, so it could go in Ag A Zoning District. Why there was no application or why they weren't able to reach a deal in Ag A Zoning Use District, I don't know. So I mean I don't know if that answers the question. I don't know why, again, I think they answered the question. The reason they selected this site was (1) based upon a monetary consideration, the price being asked for by the present owner of the property was a number that was within their means as a not for profit corporation. Whether they could have found a deal or a better price elsewhere for less acreage, we can ask, you know- I think Maggie Evans did say they looked at a number of other parcels. Are you asking her to list all the parcels that were looked at?"

Odell Evans: "I think they looked at half a dozen- "

Supervisor Kozakiewicz: "Because Osborn- I'm not sure where on Osborn but that may have been- that I assume was not in Ag A district since it involved a change of zone application."

Councilman Kent: "No, a variance I think you said."

Supervisor Kozakiewicz: "Oh, it was a use variance, okay."

Councilman Kent: "So it wasn't Ag property."

Supervisor Kozakiewicz: "It wouldn't have been Ag."

Odell Evans: "I just thought I'd express my opinion on this and (inaudible). Now, the price on this property. I've been very suspicious of what's going on with that piece of property. This guy is just trying to dump this property because he can't develop it. I think that's his problem. And they shouldn't spend their money buying this guy out because he can't, you know, make money any other way (inaudible). I've got my suspicions but I can't prove it yet. There's more to the story than just you know make a profit. Because we shouldn't spend the state money to take a property like this and

take it off the tax roll. (Inaudible) they can't buy two acres somewhere else, it may cost you more to go out and buy (inaudible). I don't understand. (Inaudible) It's going to be a nature path. You're not going to expand. If you're not going to expand, don't buy it. I have trouble with that."

Councilman Densieski: "Thank you, Mr. Evans."

Councilman Cardinale: "John, do you have the answer to that? Could you- I'd like John to place on the record the answer to the question which is is there any place in the Town of Riverhead where you can put a day care center without being required to go through a special permit hearing?"

(Unidentified): "No."

Councilman Cardinale: "All right. They are- all of the zones, anywhere that they went in this town, they would be required to go through a special permit hearing just as this one to determine whether that particular location was appropriate for this particular use and I agree with Bob that the most convincing argument that's been advanced by Ms. Gilliam where she says if you look at our criteria in this location they don't jive. And that's certainly what we should- "

Odell Evans: (Inaudible)

Councilman Cardinale: "-- what was just being said in the presentation that former Councilwoman just made is that if you look at the criteria for a special permit to be issued, in regard to this location it cannot meet that criteria but even if they went someplace else in the town they would still have to go through a hearing like this to prove that that other location met the criteria. There's no place where you can go as a matter of right and put a day care center in this town. There's no permitted zoning- no district where it is a permitted use."

Odell Evans: "Okay, thank you. (Inaudible). And the Planning Board (inaudible). Somebody is not telling the truth."

Maggie Evans: "You know, I have to be honest here. When we were invited for that public appearance on the public access channel we were told that it was for information purposes only, that we would be able to put forth what we're attempting to do, who we're trying to serve and why we were there. And Mary and I felt a little blind sided because it was a very biased program. We did not come as prepared had

we known what kind of questions were going to be thrown at us. We probably would have selected two different people to represent our program. We were there to share information so some of the questions that were brought up and especially the part about the expansion- I'm sorry, Mary- when Mary made a mistake, she answered saying that we could expand or that we would expand. We have no plans on expanding. We have no money to expand in the future.

I want to address two more points. What we will bring to this community, you're talking about a tax base. We are bringing, again, 40 jobs and maybe the employment rate here is so low that people aren't looking for jobs. Forty full time year round positions. We're also bringing an annual budget of \$750,000 that will be spent in the local community. So, yes, this is a not for profit organization that we will not be paying tax dollars for the property. But we are putting \$750,000 into the community beside all the nice stuff that we are- "

Councilman Densieski: "That's one of my points. You're putting \$750,000 into the community of taxpayer dollars. That's one of the points I just want to make."

Maggie Evans: "Well, we're giving it right back. We're giving it right back. We are- "

Councilman Cardinale: "I'd like to thank Dawn for doing that really quick research and just to clarify the record further. She tells us that Business A, Business B, and Business C, Business D, Residence A, Residence B, Residence C and Recreational Zone in the Town of Riverhead all permit this use but only by special permit."

Councilman Kent: "Also Industrial- "

Supervisor Kozakiewicz: "Industrial A as well."

Councilman Cardinale: "And Industrial A which isn't here but I remember that from the last- "

Supervisor Kozakiewicz: "Just to answer your question because I think the industrial question came up as, you know, the Kiddie Academy. According to the quick research done by Dawn Thomas, real quick, Industrial A does not provide for a day care facility as a special permitted use. It's likely they made the application perhaps arguing that they were a non-nuisance wholesale business or some other general use. I mean- I don't know. I really don't know."

Councilman Cardinale: "Now I'm really glad I voted no on that."

Supervisor Kozakiewicz: "We'll have to pull that application out. To be honest, right now, we don't have that definitive answer how that application was presented to the Town Board. Clearly, however, there was a 3 to 2 vote, that's clear. It was allowed to be built and it's functioning today as we speak. I think we probably- if there's any other questions, yes, Butch Langhorne, please. Mr. Evans, you've been up a number of times, I mean, unless- we're going to hold this open for another public hearing as well."

Butch Langhorne: "Good afternoon. Butch Langhorne, a Calverton resident. And I'd like to have it understood that I'm speaking on behalf of myself, a Calverton resident, okay. I've heard a lot of discussion that's been said today. I would only ask that you folks on the Board, Supervisor Bob Kozakiewicz, and Councilman Densieski, you are the only two that have not heard the presentation that was brought up that the First Baptist Church is going to be bringing to the Town Board. I don't say that this is not a good project but I am saying is that I think you need to listen to everybody's project because here you're still singling out and if you're singling out I don't care who it is, it should not be done. We have a project. I am a part of that project and that's not what this is all about. We're supposed to be talking about this project.

But what I'm here to say is that maybe we can get together. Maybe the State can get together with First Baptist and what they're doing and put something together and if it doesn't happen, I can tell you as being a part of that Board, if that is built we will not discriminate against anyone, any child would be able to come."

Councilman Densieski: "Thanks, Butch."

Councilman Kent: "Thank you Butch."

Supervisor Kozakiewicz: "Thank you. Mr. Matthews, do you want to let Mr. Evans- he has some more questions. Or do you want to try and address some of the past questions he's had."

James Matthews: "Yeah, I'll just be brief. I don't believe as was pointed out, the Agriculture Zone permits day care centers. It's not a permitted use in Agriculture districts."

Supervisor Kozakiewicz: "It is- I'm sorry, what was that? You were turned away when you made the comment."

James Matthews: "I'm sorry. The- when we, you know, when we reviewed the code and what we were told, in the Agriculture District we're not allowed to have a day care center at all."

Councilman Kent: "It can be specially permitted?"

Councilman Cardinale: "Yeah, that's correct. That's not listed as one of the districts where it's permitted."

Supervisor Kozakiewicz: "Okay. All right. Mr. Evans."

Odell Evans: "I think now even though they say they're not going to expand beyond the two acres- "

Supervisor Kozakiewicz: "What they've said is they will file a covenant that will be recorded on the property. In other words, they will file a legal document which is like a deed encumbrance or a written agreement. This will run with the land. It's like stating on a deed we're never going to further subdivide, we're never further- will never develop any further, we will not expand operations. That is what Mr. Matthews who stood up earlier in the meeting indicated. In addition to the representation they're making today that there would be no further expansion, they will back that up by a legal document which would be recorded as part of the approval process, a covenant and restriction. So there would be a legal document which would run with the land which would say that that cannot be further subdivided, that it cannot be expanded, that the operation cannot become larger than the 7,000 foot facility. So that's- I'm not sure if you heard that or if you still have some- "

Councilman Kent: "Disbelief."

Supervisor Kozakiewicz: "-- disbelief. But the document would be recorded as part of the approval. If we, you know, look at the special permit standards and we come to a conclusion the special permit standards have been met. Likewise if it's not met, then that ends the story."

Odell Evans: "(inaudible) special permit later on and get an extension?"

Councilman Kent: "No. I don't believe they can because this will be a- "

Supervisor Kozakiewicz: "This will be a recorded covenant."

Councilman Kent: "Excuse me, let me finish, please. This will be recorded against the property. So we cannot grant them- no, we cannot grant them a special permit. The Town Board cannot give them any type of way to expand that. This would be a covenant against the property."

Odell Evans: "But the way they get away with it is they go to court and they'll win."

Councilman Kent: "If the court will grant it, I don't know. Well, I can't get- you know, I'm a Town Board member. I can't guarantee what the Supreme Court of the State of New York will do. When I become a Supreme Court Justice then I'll be able to decide- "

Odell Evans: "(inaudible) taxpayers money on projects that we don't need. (Inaudible) I wish I could- but I can't get it here."

Councilman Kent: "Go to the New York State Legislature. Because that's- I think the money is coming from New York State probably, or federal. New York State? Okay, speak to Pat Acampora, Ken LaValle. You want their phone numbers? I think we can provide that to you."

Odell Evans: "No. Let me tell you what happened with those two. I wrote a letter to both of them back in May and never got an answer to either one so that's a waste of time, so we have to go to somebody else (inaudible)."

Councilman Kent: "Election Day is the first Tuesday in November. Vote for whoever is running against them."

Odell Evans: "My one vote won't make a difference."

Councilman Kent: "Sure it will. If everybody felt that way, nobody would vote. Okay."

Supervisor Kozakiewicz: "Okay, you said you had another question, too, Mr. Evans. I think you said you had a couple."

Odell Evans: "I forget it now. Let me see, oh. (Inaudible) for buying property, \$1,000,000 for this day care center. But there is \$50,000,000 (inaudible) in the state for day care centers so they could go somewhere else and buy (inaudible) so called reasonable price, I have a hard time understanding what this is all about. If I can (inaudible) why they're buying this property without a need for

it."

Supervisor Kozakiewicz: "I think they've answered your- it's not a question of whether you get an answer or not. You're skeptical, I think is what it comes down to. You don't- right?"

Odell Evans: (Inaudible)

Supervisor Kozakiewicz: "You're skeptical of the entire- I know because you've asked the question six times, I think, or seven times."

Odell Evans: "Let me tell you. Well, let me tell you- the site plan. What's that right of way on the north side of the property for? Tell the truth, let's get real about it. The right of way- do you have the site plan? Look at it."

Supervisor Kozakiewicz: "Yes, what- the only thing I can tell you from what I- "

Odell Evans: "Right of way for if you don't- "

Supervisor Kozakiewicz: "Can I have two seconds? Could I have two seconds, first?"

Odell Evans: "Go ahead."

Supervisor Kozakiewicz: "Surveyor- we'll look at it right now. A surveyor needs to show an existing right of way that's on a deed or previously recorded. If a surveyor does not show that, that surveyor would be not doing his job. In other words, if there's an existing right of way and I guess that's the question- "

Councilman Kent: "Future easement for west end- "

Supervisor Kozakiewicz: "Okay, so it's a future easement for west end. Okay, well let's ask that question. There's a future easement shown on the west end of the property. What is that for?"

Maggie Evans: "We are not- "

Councilman Densieski: "Can you speak into the microphone, please. Thank you."

Maggie Evans: "Sure. I don't know how many other ways we can say it. We are not proposing to expand beyond the 7,000 square foot."

We don't have the funding. It's taken us two years to get to this point. It's not going to happen."

Councilman Densieski: "Why was the easement drawn it there, just out of curiosity."

Maggie Evans: "I don't know. To be very honest with you. Do we know- fire truck access. Is that possible?"

Supervisor Kozakiewicz: "Okay, that might be. I do recall that when the application came in there was a request from the Fire Marshal- "

Maggie Evans: "Correct."

Supervisor Kozakiewicz: "-- to have access to the rear of the structure in order to provide fire services. In other words, the Fire Marshal had asked to have access for fire fighting apparatus on both sides of the structure. But- "

Odell Evans: "Is the parking lot on the north side?"

Councilman Kent: "Yes- east side. It looks like it's on the east side. Oh, on the north side, yeah, there's a small parking lot there on the side."

Odell Evans: (Inaudible)

Councilman Kent: "I think what Bob was saying was it's for the back of the structure. The rear."

Odell Evans: "Can't go through the parking lot?"

Councilman Kent: "Excuse me?"

Odell Evans: "You can't go through the parking lot to get to the rear?"

Councilman Kent: "It shows curbs. I don't know, I guess the fire trucks could go over the curbs if they wanted to go through the parking lot."

Supervisor Kozakiewicz: "We can't give you an answer today. We have the public hearing open for the next- July 5<sup>th</sup> hearing. In the meantime, your question has been noted. I will find out if we can get

an answer for you as to why- maybe Mr. Matthews will know why there is on the plans from Mr. Campos (phonetic) a strip which is labeled future easement for west end of property."

James Matthews: "I believe it's related to the fire access but we'll have the architect here next time, he couldn't be here today, so he'll be here next time. We'll have him go through all the plans- "

Supervisor Kozakiewicz: "They'll have the architect, the individual who drew the plans, here at the next meeting. Any other questions? All right. I'm not going to close the hearing, we'll keep it open for July 5<sup>th</sup>, 7:00, our next Town Board meeting. We will not be meeting on July 4<sup>th</sup>. All right."

Meeting left open to July 5<sup>th</sup>

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Public Hearing opened: 3:59 p.m.

Supervisor Kozakiewicz: "At this time, the hour of 3:56 has arrived. If we can open the second public hearing. Thank you."

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- "

Supervisor Kozakiewicz: "Hold it, Barbara, just a moment. We have a lot of people existing so- "

Barbara Grattan: "Okay, just wait a couple minutes- "

Supervisor Kozakiewicz: "4:59. I'm glad everybody exited from the first public hearing and we'll open the public hearing at this point at 3:59. Did I say 4? I'm sorry. It's been a long- we have three, yes. This is number two. Okay. We're ready, Barbara?"

Barbara Grattan: "I'm ready. Okay. 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 20<sup>th</sup>, 2000, at 2:10 p.m. regarding the consideration of a local law to amend Chapter 108 entitled Zoning of the Riverhead Town Code, Article XXV, Recreational District 108-125 Uses.

I got a letter today from the Knolls of Fox Hill Homeowners

Association which I'd like to read into the record.

Town Board, Town of Riverhead, Barbara Grattan, Town Clerk, 210 Howell Avenue, Riverhead, New York. Subject: Proposed Amendment to Article XXV - Recreational District.

Dear Board Members: On behalf of the members of the Knolls of Fox Hill Homeowners Association and the Oakleigh Avenue Civic Association I wish to urge the members of the Town Board, the Riverhead Planning Department, the Riverhead Planning Board, and the Riverhead Building Department, including the members cc'd below to vote nay to this proposed amendment as to the inclusion of 5-Country Inns.

We further request that any proposal to amend this article be tabled for a later hearing to enable our member's sufficient time to prepare a response and opposition to it.

Respectfully, Jim Hegarty, Recording Secretary."

Supervisor Kozakiewicz: "I also have a card from a Frank Nicolazzi. All right."

Councilman Kent: "He's right here. Where did everybody go?"

Frank Nicolazzi: "I guess I was sitting too long. My leg- "

Councilman Kent: "Well, you enjoyed the discussion though."

Frank Nicolazzi: "Absolutely."

Supervisor Kozakiewicz: "It was lively."

Frank Nicolazzi: "Yes, it was. Mr. Supervisor, Councilmen, Town Attorney and Town Clerk. Thank you for the opportunity of addressing this Board.

As was specified in the communication from Jim Hegarty who is our Corresponding Secretary, we first were aware of this coming to the Town Board on 6/15 when it was in the News Review. The turn around time 6/20, was a little bit short. But we made an effort to be here and I'm that effort.

We have reason- we understand the purpose of the need for the proposed amendment, 108-125 Uses. There's a couple of questions. Motels and hotels are included in that recreation district Article 25.

The addition of Country Inns it is my belief comes as the result of an original communication that was sent to this Board in- on April 11, year 2000, was directed to the Architectural Review Board with copies to all Board members and in that communication the subject was the Fox Hill Country Inn, file number 600-040-2-6. In that proposal that was submitted to the Town Board there was a requirement in the proposal for appropriate zoning. And I guess my question or the question of my organization has to be (1) what prompted this change in the Article, and when we mention- when we speak of four items that are already in the Article, item 1 is multiple family dwelling, condominiums, apartment houses and garden apartments designed as to so provide residential and recreational facilities; (2) motels and hotels; (3) any other recreational use by special permit of the Town Board, day care centers and nursery schools by special permit of the Town Board; and (5) which is what this is all about is something that you're adding onto to the program.

It is our feeling that the reason for the Country Inn to be included or being included has a direct (inaudible) to the question of Fox Hill Country Inn which we are opposed to as a community. And there are several reasons why we are opposed to that issue. It is not my intent to take this valuable time of the Board presently to review all the issues. But I believe that what we're asking for in the communication to the Board is for there to be appropriate time given us so that we can put together a team to represent our community in opposition of this particular change and certainly if and when this Fox Hill Country Inn comes up, we would like to be in a position to oppose it. And we think that this is the first step in cementing their proposal which was made to the (inaudible) which I have a copy of. I'm sure you all have a copy.

So there's a great concern and we feel rightfully so."

Councilman Kent: "Mr. Nicolazzi, a couple points. Now I'm as concerned as you are about this. First of all, I live- "

Frank Nicolazzi: "Absolutely, you live there."

Councilman Kent: "I live right there and I'm also an Oakley Avenue homeowner. But two things that puzzle me somewhat on this."

Frank Nicolazzi: "Okay."

Councilman Kent: "One, this original application that was brought to us for this proposal was for a hotel."

Frank Nicolazzi: "Correct."

Councilman Kent: "Okay. Which is already a permitted use. Secondly, now we're looking to- "

Frank Nicolazzi: (Inaudible)

Councilman Kent: "Let me finish then you can- now, we're looking to add country inn which by the way is limited to 50 units."

Frank Nicolazzi: "Correct."

Councilman Kent: "Which is in my mind a less intense use of the property than what a hotel would be which is usually something more than 50 units."

Frank Nicolazzi: "I see."

Councilman Kent: "So I'm somewhat puzzled why first of all the original application, I believe, is something around 70 units which wouldn't fit within the country inn, so now I think they're coming in with something less than 70. I haven't seen their- "

Frank Nicolazzi: "Well, the original proposal probably by virtue of being (inaudible) as to what was permitted and what is now going to be permitted was sized down to take the format of the country inn. So they came in with a country inn because they knew damn well they wouldn't be able to go beyond. There are other concerns as well but continue, sir."

Supervisor Kozakiewicz: "Just for the record, the other use is hotels and motels."

Frank Nicolazzi: "And motels. Correct."

Councilman Kent: "No hotels."

Supervisor Kozakiewicz: "So a motel could be built without any limitation on the number of rooms other than what the sanitary code- "

Frank Nicolazzi: "But they all require special permit."

Supervisor Kozakiewicz: "Correct."

Councilman Kent: "Oh, they are special- "

Frank Nicolazzi: "108-3 requires according to what I read- "

Supervisor Kozakiewicz: "Right. No, they are by special permit in the recreation district."

Frank Nicolazzi: "They are. But it just seems strange to me that the country inn was brought into the fold if, in fact, motel and boatel were already something that did require a special permit. Councilman Kent brings out the fact that the 50 with the country inn puts a cap in the number of units- "

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

Frank Nicolazzi: "-- which is fine, but it's not fine. It's something that we don't need and I could go on- "

Supervisor Kozakiewicz: "I think Councilman Kent's point is that he sees it as a less intense use than a motel."

Frank Nicolazzi: "Right. But in the application which you certainly are well aware of, the application speaks to the issue of the golf course, or Fox Hill Country Club- "

Supervisor Kozakiewicz: "Rick, Rick, can you close that back door? Thank you."

Frank Nicolazzi: "It speaks to the issue of servicing students who are going to be enrolled in a golf program at the Fox Hill Golf Course, (inaudible) Corporation. My question is, if that's the purpose of- if that's the purpose of this country inn, if it's that purpose and that purpose alone, why wouldn't they make application to build up on, and/or near the actual facility which is Giorgio's and/or the golf course?"

I think that there are so many issues that we as a community are faced with. One, the traffic is horrendous on Sound Avenue. (Inaudible) Oakleigh Avenue is a non-designated street. We've been through this before. Oakleigh Avenue is in dire need of repair. Now, hearsay. I don't want to bring hearsay into this meeting because I don't think it's appropriate. But a birdie tells me, well, they're going to put in a sidewalk. They're going to improve the road. It's not a designated road. The state has some control as to what can be done with the road. I certainly wish that the improvements that you're going to make on Hulse Landing would apply to us on Oakleigh and give us some of that money that I know was allocated by state

funding or however it came to be. That's not the case.

I don't want to ramble- "

Councilman Kent: "Just on that. Not to get confused- "

Frank Nicolazzi: "Okay."

Councilman Kent: "Hulse Landing improvement that we talked about with rec fees is about 40 feet by 20 foot and it's to put a concrete cap over some (inaudible) baskets that were already put in to control erosion."

Frank Nicolazzi: "Okay."

Councilman Kent: "So it's way down by the beach and Oakleigh could use it but it would only benefit those people in Woodcliff Park so I don't know if we wanted to do that."

Frank Nicolazzi: "Well, he may not even want that. He doesn't want his home infringed upon. But I'm not here to- I'm not here to ramble. I'm here to face the facts. I'm asking this Town Board your support in not giving a special permit to this particular issue, particularly if it's going to make the ride that much easier for this proposed country inn which we do not want to."

Councilman Cardinale: "Rick, can you give us a little- can you give me a little guidance here because I'm completely confused. I thought we were listening to a local law- "

Supervisor Kozakiewicz: "Zoning amendment."

Councilman Cardinale: "Zoning amendment- "

Supervisor Kozakiewicz: "It's not a particular special permit."

Councilman Cardinale: "And so that- it's not a special permit; it's a local- can you tell us like you told me and I forgot at the work session, why this is on in the first place? Why are we considering this amendment? I certainly didn't want it."

Richard Hanley: "I think we're concerning it for two reasons. The first being that there was this application made by I can't tell you the exact- "

Councilman Cardinale: "Yes, somebody."

Richard Hanley: "-- Fox Hollow (inaudible), correct, right, for what they termed a resort on real property within a golf course area. It was my belief at that time, that the recreational district really did not provide for that use. Specifically there is no definition of resort in the ordinance and I didn't see how the Town Board could approve that as a site plan by permitted use. The ordinance does provide the motel by special permit. But this was not a motel, didn't meet the definition.

So when the administration changed, they came back in, I sat down with the Town Attorney and we went through it and we agreed that given the fact that the Planning Board has recommended in the past that his particular zoning district have country inn within it, the Planning Board was not happy with the fact that the Town Board just allow for a country inn in CR district, they thought that would be the best avenue to at least start this process going for this particular special permit use, which will have its own hearing some day.

But this hearing today is nothing more than the Town Board amending the recreational district to allow for country inn which would apply to every parcel within the recreational district."

Councilman Cardinale: "What's the difference between a country inn of 50 units and a hotel of 50 units?"

Richard Hanley: "I think the country inn is just limited in terms of- it's a limitation on the number of units."

Councilman Cardinale: "That's my point."

Supervisor Kozakiewicz: "There's also interior hallways as opposed to a motel which has exterior access."

Richard Hanley: "Yeah, but I mean hotel- "

Supervisor Kozakiewicz: "Plus motel there's no limit on the number of rooms."

Richard Hanley: "Motel is defined specifically as overnight accommodations which have exterior access."

Councilman Cardinale: "I understand that but I understand also that if I'm not mistaken, hotel is a special permit use here already."

Richard Hanley: "No."

Councilman Cardinale: "Oh, it is not."

Richard Hanley: "It is not."

Councilman Cardinale: "Just motel."

Richard Hanley: "That's correct."

Councilman Cardinale: "So they could not build a hotel?"

Richard Hanley: "That's correct."

Councilman Cardinale: "Okay, I got you now."

Richard Hanley: "That was our reasoning, our thought process."

Councilman Cardinale: "So they can't build what they want to build unless this amendment is given- "

Richard Hanley: "That's right."

Councilman Cardinale: "And he's here to tell us don't give the amendment, then you won't have to sit through a special permit hearing where everybody is screaming they don't want the special permit."

Richard Hanley: "Just for the record sake, this is not being done just for this applicant. This was a function of an application that we were confused on how to deal with in conjunction with the fact that the Planning Board had recommended that this particular district have country inn as part of it."

Councilman Cardinale: "I understand. Thank you."

Richard Hanley: "Okay."

Frank Nicolazzi: "Certainly my comments would not- I would not want my comments to be a reflection on Mr. Hanley and Mr. (inaudible). So I'd like that to please go into the record."

I'd like also for the record, if I may, please. I might ask Miss Grattan, you do have that second letter that was attached?"

Barbara Grattan: "The ARB? No, I don't have it."

Frank Nicolazzi: "You don't."

Barbara Grattan: "It's in my office."

Frank Nicolazzi: "All right. Could I ask you to read it into the minutes, please?"

Barbara Grattan: "Sure. The Architectural Review Board, Town of Riverhead, 210 Howell Avenue, Riverhead, New York dated April 11, 2000.

Subject: Fox Hill Country Inn. File No. 600-040-2.6.

Dear Board Members: On behalf of the members of the Knolls of Fox Hill Homeowners Association and the Oakleigh Avenue Civic Association I wish to state that we have a vested interest in the present and future development of our neighborhood and the Town of Riverhead as well. With this in mind, our Association would like to go on record at this time with our request to be notified of each step, proceeding and hearings held regarding the development of the property situated as recorded in tax map designation 0600-040-02-06 and under the same file number.

It is our desire to have the opportunity of being represented at all stages in the development of the above property.

Respectfully, Jim Hegarty, Recording Secretary."

Frank Nicolazzi: "Thank you."

Barbara Grattan: "You're welcome."

Frank Nicolazzi: "You have a copy of that?"

Barbara Grattan: "I do have a copy of this. So you can have this back."

Frank Nicolazzi: "And with that, I would like to send my gratitude to the Town Board and please take every step to take into consideration the concerns of our community."

Supervisor Kozakiewicz: "Can I ask a question? You've asked that we keep the public hearing open. Would that be for just written comment from your organization?"

Frank Nicolazzi: "Well, we would prefer to have people here as was today quite a number. I mean I would muster our Association, if that be something that you please do keep it open for- I don't know, reschedule which is what we're asking. If that's possible. It could be done the same day as the 5<sup>th</sup> of July. Whatever is convenient. But we'd like to keep it open."

(There was some inaudible discussion among the Board members)

Supervisor Kozakiewicz: "Okay. So written comment would not be satisfactory in your mind is what you're saying as far as if we kept it open for two weeks for your organization to provide further written comment with respect to the proposed rezoning. The zoning amendment."

Frank Nicolazzi: "I got you. I understand."

Supervisor Kozakiewicz: "That's what I'm asking."

Frank Nicolazzi: "Okay."

Councilman Kent: "Mr. Nicolazzi, keeping in mind that according to our Planning Director there are other areas within the town that are zoned recreational."

Frank Nicolazzi: "Okay."

Councilman Kent: "Within which we'd like to allow country inns. According to Mr. Hanley, this is not designed solely to allow the country inn on the site that you oppose."

Frank Nicolazzi: "Okay."

Councilman Kent: "But to allow country inns in other areas that are also zoned recreational."

Frank Nicolazzi: "I will take your generous offer of two weeks and we will supply some documents and thanks for your patience to our displeasure."

Supervisor Kozakiewicz: "Thank you."

Frank Nicolazzi: "Thank you very, very much."

Councilman Densieski: "Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else would like to address the Board with respect to this public hearing? So what we'll do, Barbara, the time being 4:17, is we will close it for purposes of any further discussion on record but keep it open for written comment for a two week period."

Public Hearing closed: 4:17 p.m.  
(Left open for written comment only for a period of two weeks)

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Supervisor Kozakiewicz: "Thank you, Barbara. Okay, we have one last public hearing. The time of 4:18 having arrived. Barbara, could you please read the public notice?"

Public Hearing opened: 4:18 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 20, 2000 at 2:15 p.m. regarding the consideration of a local law to amend Chapter 101 of the Riverhead Town Code entitled Vehicles and Traffic, Section 101-26 Enforcement: duties.

And what this is doing is adding to enforcement duties (a) Fire Marshal Code Enforcement Officer and under (b) which is Violation Reports, underlined, which is the addition Fire Marshal Code Enforcement Officer. That's it."

Councilman Kent: "You want to give us some- "

Supervisor Kozakiewicz: "Dawn."

Councilman Kent: "Go ahead, please."

Dawn Thomas: "Yes. Just a little background. This problem came to my attention by the code enforcement division in the building department that certain code enforcement officers were not able to issue for instance fire zone parking tickets and things like that. So we drafted this amendment to- "

Steve Haizlip: "We can't hear. And she won't get up to the mike-- "

Councilman Kent: "Well, she- "

Supervisor Kozakiewicz: "All right, all right."

Councilman Kent: "That mike's not even on."

Supervisor Kozakiewicz: "Let's try it again."

Councilman Kent: "Just flip up the switch."

Supervisor Kozakiewicz: "Flip the switch up. That's down. Up. There you go."

Dawn Thomas: "I'm sorry, I'll start over. Can you hear me now?"

Councilman Kent: "Yes."

Supervisor Kozakiewicz: "Can you hear, Steve?"

Steve Haizlip: "As soon as she speaks, I'll let you know."

Councilman Kent: "She was speaking. So you don't hear her?"

Dawn Thomas: "This problem came to my attention. The building department had actually- "

Steve Haizlip: "Too low."

Councilman Kent: "You have to scream."

Dawn Thomas: "I'll scream now. The building department brought the problem to my attention that certain code enforcement officers within the town were not able to issue tickets for parking in fire zones and that type of violations. So we drafted this amendment to address the problem. It simply allows fire marshals and actually instead of code enforcement officer, it should read housing inspectors, ordinance inspectors and fire marshals to issue tickets for parking violations so that they're not limited to doing that when the need arises."

Supervisor Kozakiewicz: "In other words, what happened was they discovered, for example, the fire marshal would be out doing an inspection of a building. He'd come up to the building and find that there was a fire zone. A fire zone does not allow parking in front of

an establishment. He didn't have the capability of issuing a parking ticket or a violation under our code, under Chapter 101 of the Vehicle and Traffic Law.

Because it seemed to be illogical that he would have to call a police officer in or someone else who would have to issue a ticket, it would make more sense since he's out there doing an inspection of a premises for purposes of seeing whether it meets with the fire code and fire standards, to be able to issue a ticket on the spot. So what we're doing is amending Chapter 101 and in this particular case Chapter 101-26 to include the additional enforcement power upon the fire marshal in order to write a ticket or summons. That's what the purpose of this particular public hearing is and what the proposed amendment would be to Chapter 101 of our Town Code.

Hopefully, that makes it a little bit clearer. Is there anybody who would like to address the Board at this time to give us some commentary with respect to the proposed amendment to Chapter 101-26? Yes, Steve. Steve Haizlip."

Councilman Cardinale: "This isn't just a prelude to giving him a gun, is it?"

Supervisor Kozakiewicz: "No."

Councilman Cardinale: "I'm comforted. I'm a little worried about the ticket book."

Steve Haizlip: "Steve Haizlip of Calverton. I think if you recall when Ronnie Eck (phonetic) was living that was a favorite subject of his and he was here forever hollering about vehicles parking in the fire zones. And it wasn't taken, you know, too heavy at the time. But from what I understand Mrs. Thomas said and you, it's only going to be for the fire marshal? They talk about code enforcement officer- "

Supervisor Kozakiewicz: "No. It's adding additional people. There are others who already have that authority. Certainly the police department, police officers have the authority to issue these type of summonses, these parking tickets."

Dawn Thomas: "And parking- "

Supervisor Kozakiewicz: "As well as the parking meter officers. They already have the capability of doing this. So we're adding

additional people, not taking away law enforcement or the enforcement powers upon those who already have the right to issue these tickets."

Steve Haizlip: "All right. There's only one exception, or it may not be an exception but there is one thing that does happen. You have your armored vehicles and they're carrying money. And they pull up close to the door as they can get in the fire zone and they have to make the delivery inside, pick up, and come back. Are they going- is that going to be an exception that they have the privilege because if I was a code enforcement officer or the fire marshal and I was going by and he's sitting there idle, I've got the power, I'll write a ticket for him. But if you're going to exempt him and not make him go way out in the parking lot and take a chance of coming in with this money there and then going back, you know, that's one thing I would say you- "

Councilman Densieski: "Steve, Steve- "

Supervisor Kozakiewicz: "Well, presently- "

Councilman Densieski: "I'm sorry, go ahead."

Supervisor Kozakiewicz: "Presently if he's parking in a no parking or standing in a no parking fire zone and a police officer came upon the location, theoretically he could issue a ticket to the armored car. I think there might be- it's within the scope of discretion, there's a legitimate reason why the armored care is there. They know it's only going to be temporary and momentary so they would not write- I have never heard of a case where an armored car service was written a ticket for parking in a no parking fire zone.

This amendment is not changing that. We're not exempting armored cars; we're not exempting other type of vehicles from the regulation. The parking restrictions would still apply. We're just adding additional enforcement powers to additional identified people."

Councilman Densieski: "Steve, we're hoping that the fire marshal can use good judgment and common sense and not give any ambulances parking tickets."

Steve Haizlip: "Well, I get what Mr.-- Commissioner (inaudible) of Nassau County said to his patrolmen, maybe that don't fly here. But boys your numbers are down. So- they get an order your numbers are down. All right. Well, I'm in favor of it and I think it should be held because if you start allowing vehicles to clutter up fire zone

areas and there is something that does take place, there's a number of things that can, they've got to have access to come in with ambulances, stretchers and so forth. So, I'm in favor of it."

Supervisor Kozakiewicz: "Thank you."

Councilman Densieski: "Thanks, Steve."

Supervisor Kozakiewicz: "Anybody else? Bill Kasperovich."

William Kasperovich: "William Kasperovich from Wading River. And I guess I'll give you a problem. You had one yes; I've got to give you one no."

Supervisor Kozakiewicz: "I assumed you were going to get up and give us a no but it was just a guess. Now I know it's true."

William Kasperovich: "I'll use for an example the King Kullen supermarket in Wading River. At the time the site plan was up for approval, I objected to the architectural layout where the fire zone was marked on the site plan. It could be almost impossible to keep people from (inaudible). Today we have (inaudible) from east to west, a pizza place where people park their car close to the door in the fire zone, run in and get their pizza and come back out. Next door to that we have a dry cleaning establishment. Especially on a rainy day, people park in the fire zone so they could run into the store and get their dry cleaning and come out. And so the layout of the shopping center was not really realistic about where to place fire zones."

Now granted a lot of times these site plans come in when the developer doesn't know what kind of tenants he's going to have. But at the same time, you ignore this enforcement that's placed on the site plan. You then come to the problem you're confronted with today. It's not practical. So the consideration starts with site plan approval.

Secondly, I am totally opposed to giving police authority to other people. We somehow seem to be following after New York City. There you see it. You go into a fire zone, you're sitting behind the wheel with the engine running, and you get a ticket. Well, you don't see any cop around. How did I get a ticket? They start giving it to other people than policemen.

Now, if you want to enforce this, make arrangements with the police. I sit there at the pizza house and I watch the cops drive by,

they make a circle around, they come back, the same car is still there, and they just drive away. Now, in this matter, I've offered the solution many times. That in this township we should have such a thing as citations. What's the word? In other words, you could first warn. It's first warning. All right. Years ago, the police said this would be impossible to monitor the warning tickets given out. All right. Things have changed. There's different bookkeeping, we have different machines that can do things. I say this warning system should be put into effect not the giving of police authority to other people. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board? There being no further comment, I close the public hearing at the time of 4:31."

Public Hearing closed: 4:31 p.m.

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Supervisor Kozakiewicz: "All right. We've reached the stage of open discussion and I'm going to try and be a little bit more diligent in watching the five minute rule today. My colleagues have told me to be a little more cognizant of it and, hopefully, they'll help me. You can comment on anything that's affecting you or the Town of Riverhead as well as addressing the resolutions that are before the Board today. Remember five minutes. We want to try and get through to everybody and, hopefully, get done before mealtime. Mister- I saw your hand go up quick, Mr. Odell- I mean Mr. Evans, I'm sorry. Odell is your first name. I'm sorry."

Odell Evans: "Yes. Just one quick question."

Supervisor Kozakiewicz: "Sure."

Odell Evans: "At the work session, go back to this Grace's place- (inaudible) just let them make their recommendation, you know, pass it onto the Planning Board? How does that really work?"

Supervisor Kozakiewicz: "We don't steer people to properties. We didn't do that. We did ask questions about where the funding was from, what type of clientele they would be servicing, how, you know, how or why it is they came to this particular piece of property. What caused them to come to this particular piece of property. That's when we were told about Sister Margaret Smyth and the fact that she had made a call and that they were currently servicing about 50 children

from birth age to five years old in various locations but no we didn't tell them you can't go there, no- "

Odell Evans: "I didn't mean it that way."

Supervisor Kozakiewicz: "-- and so the answer is no to that question. We did not tell them that they should look at another site. We didn't do that. Okay. Vinny Villella. Trying to get to everybody, Bill. Everybody wants to get up at the same time."

Vinny Villella: "I'll make it short. Say hello to the Board; hello to Barbara."

Councilman Densieski: "Hi, Vinny."

Vinny Villella: "First I want to thank Dawn for what you've done with that hold harmless letter to the school district. We appreciate that. That was very good- this way we can pick up the kids in the Wading River area. I want to thank you for that, have it on record."

Second. Handicap signs. Where the hell has that been? (Inaudible) waiting eight months now for it to be uniform in the Town of Riverhead. I think we owe that to Mr. George Richmond and the Committee and I'd like to, you know, is there anything going on with that or can you- "

Supervisor Kozakiewicz: "I just spoke to Chris about that- "

Councilman Kent: "Yesterday."

Supervisor Kozakiewicz: "Yesterday. That we need to- "

Councilman Kent: "We are going to call a meeting."

Supervisor Kozakiewicz: "-- reconvene the Handicap Committee. Chris is given the Committee assignment along with Phil, so ask them if- "

Vinny Villella: "Please look into it and do what's right for the Town, for the Committee- "

Supervisor Kozakiewicz: "It's very coincidental you brought that up today because we happened to talk about this last night at the master plan- when we were here for the master plan session."

Vinny Villella: "I wasn't even invited to the master plan."

Supervisor Kozakiewicz: "Oh, it was open to all. It was an open discussion. There were a lot of people here. There was probably just about every seat was full."

Vinny Villella: "Beautiful. That's the way it should be. People should have some say in what's going on. The next thing I just want to talk about is the FAA petition. Two weeks ago I was up here, I was praising the Board and everything for going in the right direction but since I found out the petition is not even- I guess you have to re-file or do something."

Supervisor Kozakiewicz: "There is some additional information they are looking for. They're looking for a sketch of the property as well as what they call a 7.5 quadrant map which we need to supply and then they will then finalize their review of the application."

Vinny Villella: "Okay. You are sticking to the same petition? You're not changing it?"

Supervisor Kozakiewicz: "Correct. Correct."

Vinny Villella: "Okay. That's what- because I know the FAA- once it's public owned and private use, there's no FAA funds that come to the town."

Supervisor Kozakiewicz: "What happened was when the application was made a couple Board members had some questions about the type of use, the type of ownership, and at that point in time, I indicated to them that there was some additional information that Sharon Perry was looking for from the FAA and that was about the time we had Tom Chastaine (phonetic) come in to discuss various options and various uses and various ownership with the Board. And the understanding was that we would keep the application and notice of landing proposal there and learn a little more in the meantime so we know what we're doing. So that's why that hasn't been followed up but it requires just those items. As a matter of fact, they- "

Vinny Villella: "Okay, but it's the same petition then. You're not going to change anything on there?"

Supervisor Kozakiewicz: "The petition- it's not a new petition or new notice of proposal coming in."

Vinny Villella: "Well would you tell Mr. Steve Kirschenbaum that, please? Thank you."

Supervisor Kozakiewicz: "You're welcome."

Vinny Villella: "Because he still thinks that there's an airport though."

Supervisor Kozakiewicz: "Bill Kasperovich."

William Kasperovich: "If I give out these papers, you won't charge me for (inaudible) the five minutes. Ladies first, apologize."

Barbara Grattan: "You've got another one, Bill?"

William Kasperovich: "William Kasperovich from Wading River. Gentlemen, let me take you back to 1967 (inaudible) July 8<sup>th</sup>. (Inaudible) a letter from (inaudible) Councilman of Riverhead to a Mr. H.W. Hipp (phonetic) who at that time was the president of the Wildwood Acres Association. That letter sends the Mr. Hipp a copy of the proposal with the Long Island Lighting Company with regards to property on the most northwesterly corner of the township. As you see, this enclosed copy of the agreement included a piece of a surveyor's map which described Mrs. Tuthill's property with a cottage in the center of it. I stapled the tax map information onto that so that you could compare one to the other and you could see that the tax map which was gotten today takes the property to include the creek. Now this property was sold to- "

Councilman Kent: "Are you talking about the recent sale, Bill?"

William Kasperovich: "Yes."

Councilman Kent: "It was recently sold to a man by the name of McCarrick (phonetic). I think it's Michael."

William Kasperovich: "That (inaudible) of the 13<sup>th</sup> of March it says here. I have papers- I have the deed to the- was on file with the County as of this morning. And compare the tax map and the map that came with the local agreement as you can see comparing one to the other, that they're definitely not the same piece of land. Now, these papers I've assembled for you to jog your memory and that most of the documents with regard to this creek and the mouth of the creek and what have you, understand is all in the hands of the attorney that is currently on the litigation. So these papers as you can see a

letter written by Lilco with a map to the President of the Wading River Civic Association- Wildwood Acres Association from Mr. George G. Young (phonetic) of July 8, 1969 and the agreement with Lilco of October 24, 1967, a copy of which that I gave you, you see the last page has been signed by Mr. (inaudible), at that time the Town Supervisor."

Supervisor Kozakiewicz: "Mr. Kasperovich, we're at five minutes. Do you wish to sum up?"

William Kasperovich: "Well, I bring to your attention that Lilco has sold a piece of Riverhead property and nobody knows about it. And you want to limit me to five minutes, that's your prerogative. But I don't think it's fair- "

Councilman Kent: "Bill, Bill, we are- "

William Kasperovich: "-- I went through more than five minutes to pull this together for the benefit of- and your assistance that you could quickly look through that and see what's involved, and I am slow in my presentation and I get cut down."

Supervisor Kozakiewicz: "I'm trying to have everyone have a chance to address the Board because I do have some cards from some people. I'm not sure if they're still here, who want to address us on some other topics. And I'm going to limit them to five minutes as well. And one of the people is indicating he's already willing to abide by the five minute limitation. So- Bill, if the question is you'd like us to look at the question, we'll look at the issue."

William Kasperovich: "Take a look at Resolution 562 and tell me which Second Street is being talked about."

Supervisor Kozakiewicz: "South Jamesport."

William Kasperovich: "Well, what's wrong with the one in Wading River?"

Supervisor Kozakiewicz: "I can tell you that I know it's in South Jamesport because earlier we approved a project for them- "

William Kasperovich: "Very well and good you put together a piece of paper and there's no way to know this."

Supervisor Kozakiewicz: "Bill, if you want to come up and

address the Resolutions, I'll give you another five minutes to do that. Five minutes."

William Kasperovich: "I- that was the only one- well, there's only one other one that I had to say- "

Supervisor Kozakiewicz: "Okay."

William Kasperovich: "-- that your Chapter 96 Trash, Rubbish and Refusal Disposal, that this particular piece of property, this type (inaudible) is repeated many times to this extent and why this particular piece is singled out, I don't know. But this is not an isolated case. There are many such thing and why we can't apply the same Chapter 96 onto the road right of way where overgrowth- normal overgrowth has consumed the area. And I'll let it go at that, gentlemen."

Supervisor Kozakiewicz: "Thank you."

Councilman Densieski: "Thank you."

William Kasperovich: "I think we should not let grass grow under our feet on this property sale by virtue of the- in fact it's in litigation and something is very wrong. The highway department has put up a snow fence around this property and nobody seems to know what guidelines we use to put this snow fence up. It's apparently a highway department project because there were highway men working on that fence this morning."

Supervisor Kozakiewicz: "All right. We'll look into it, Bill. Thank you. Scheibel? Bill Scheibel? Did I pronounce it right? I know you did it phonetically for me so, hopefully, I got it right."

Bill Scheibel: "Good afternoon everybody. Bill Scheibel. My wife and I, Linda, live at 132 Farm Road East in Wading River and we've been here for about two and a half years, love Riverhead, but I need help with an issue. The same issue has existed in the two and a half years that I've lived here.

Sometime ago, a special use permit was granted to I guess Corporation 1990 for Sound View Golf, the Great Rock golf course. And under that special use permit, I guess, there were certain things that they were allowed to do and not allowed to do and what it boils down to is I come to find I have a road in my backyard. And I can't seem to find any site plan where a special use permit covers the fact that

they're allowed to have a road in my backyard.

And I'm not personalizing this. I'm not saying the Town of Riverhead did anything wrong or that the golf course did anything wrong. But I can't seem to get it resolved to how this road came to be in the back of my property. And I can't, you know, how can I peacefully use my property with a constant flow of traffic including Mercedes, sport utility vehicles, Nissan Pathfinders, you know, whatever, just driving back and forth pretty much indiscriminately 10 feet from my rear fence.

In going over the site plan additionally I've come to find that there's supposed to be buffer zones of property there, you know, undeveloped, that's trees and foliage that's long gone. There's other issues back there that, you know, since the property was regraded and I just- I guess what I'm asking is how can I get help and what's the process to get resolved in this?

I've spoken to the golf course people and have gotten absolutely nowhere. They basically said that they're well within compliance with what they were told they're allowed to do yet the site plan that I can view when I go over there and look at it clearly doesn't indicate that and, you know, I've worked with Rick and the folks in code enforcement, etc., and we just can't seem to get resolution to this. So I'm here to ask for the town's assistance in what to do."

Supervisor Kozakiewicz: "Is it your- the road that you're raising an issue about is the road that's the access for the golf course? Is that the road, Fairway Drive?"

Bill Scheibel: "No, it appears that it's used as some type of a- well in speaking with golf course people, the words cart path were used. Although I don't know there were Mercedes and the SUV's- (inaudible). It's-- there's cars driving down. I mean, and it's being, you know, originally it was built as a cart path. What's interesting is that in reviewing the site plan, there's no mention of cart path either and there was no mention of anything relative to how the course is constructed. I mean there's a lot of elevations-- "

Supervisor Kozakiewicz: "No, that would be a site plan itself which may have shown that as opposed to the site plan resolution which, I think, you've looked at the site plan, the approve site plan?"

Bill Scheibel: "Right. Yeah, the site plan doesn't seem to

address a lot of the things that happened out there."

Rick Hanley: "Bill and I have been talking for some time on this issue."

Supervisor Kozakiewicz: "Right. I gathered."

Rick Hanley: "The site plan that was approved by the Town Board for a golf course, shows a green, I believe, Bill, that's- "

Bill Scheibel: "Yeah, there's a green and- "

Rick Hanley: "About- the green itself is probably about 25 feet, maybe less from his property line. By the way, for the Town- the Town Board's edification, this lot was part of a subdivision that was made part of the Great Rock Golf Course so it was not only the golf course itself but there was a division of land as well.

There is no cart path shown on that approved site plan. So whatever they've done there in terms of this path, whether it's a construction haul road, whether they expect to abandon this road after the golf course is open- it's not yet open- but apparently what's been happening is that they're using this roadway for construction vehicles of all kinds. I guess we're talking about fairly large construction vehicles, trucks, and it's very close to his property line.

Bill and I spoke about it. One approach was to have him discuss directly with the owner what his intention was- "

Supervisor Kozakiewicz: "Which sounds like he's done."

Rick Hanley: "Which was done, which was unsuccessful. So I think at this point we're dealing with code enforcement issue, construction of a haul road or a cart path which was not depicted on the original plan which would need an amendment by the Board."

Supervisor Kozakiewicz: "We usually have cart paths laid out on a- "

Rick Hanley: "Typically, yes. Yes."

Supervisor Kozakiewicz: "-- site plan for a golf course. Is that right?"

Rick Hanley: "Yes. Typically."

Supervisor Kozakiewicz: "Okay."

Rick Hanley: "It's not an assumption that there would be a golf- a cart path associated with a golf course. There are courses that do not have cart paths, so it's not an assumption by the Town that there would be. So this is an addition to the site plan that was not made part of the original."

Supervisor Kozakiewicz: "Is it your position that there needs to be an amended site plan?"

Rick Hanley: "Yes. Which is your discretion. I think the golf course people would have to convince you that cart paths are necessary for the function of the course and maybe this is not the proper location for one given the proximity to the other property."

Councilman Densieski: "I don't think the gentleman has a problem with the cart path but he has a problem with vehicles. Is that true?"

Bill Scheibel: "Well, let me comment on that, too. I mean there's a lot of grade change allowed in the filing and that grade change has made a really steep hill back there. And I'm afraid that even carts, may have a problem, especially when the weather gets a little icy and, you know the golfers just want to get out there and I'm worried that, you know, someone is going to come flying down the hill and, you know, come flying into the fence or worse. There's the issue of- I guess what it boils down to, the simplest way I can put this is having a golf course as a neighbor is a terrific thing. I think that's great. It certainly didn't hurt my property value. But I want to be on a golf course, not in one. And now I feel like I'm in one. I mean I don't expect to see at quarter to seven on a Saturday or Sunday morning a Mercedes sport utility vehicle driving up and down the road behind my house. I mean, and if they can convince me that a cart path is an okay thing to have and it's not going to raise dust, but the peaceful, you know, enjoyable use of my property is directly affected by the fact that- let's think of that dust for a second. There's no watering going on on this cart path. And they put some kind of (inaudible) down. I'm in the back having a barbeque with friends and family and somebody is going to come blowing down this hill in a golf cart and if the wind's going the right way, a cloud of dust is going to come flying over my back porch. It's inappropriate.

I mean- and I'll say if there was a filing that you can't find, there is a site plan that's been filed and shows the cart path is

there, then what happened to the reserve space I was supposed to have and the buffer space? And the trees and the untouched foliage, I guess is the word I saw on the site plan. It's all gone. It's cleared right to the property line. And how did that happen? So, you know, (inaudible), and I would just ask that if a CO was applied for, which I understand it's going to be shortly, that the town deny that until such time as these issues are resolved. The way to resolve- a relocation of the cart path or planting or some other means and, you know, that I be brought into whatever that resolution is."

Supervisor Kozakiewicz: "You say it's hard (inaudible). There's no asphalt, there's no surface that's been put down."

Bill Scheibel: "Now it's like a- I guess they just put down (inaudible) and rolled it out."

Supervisor Kozakiewicz: "Okay. All right."

Bill Scheibel: "Thanks very much."

Supervisor Kozakiewicz: "You're welcome. I also have a card from Steve Haizlip for shrubbery."

Steve Haizlip: "Steve Haizlip of Calverton. First off, Dr. Grantham years ago was referred to as a gadfly. I hope I'm not referred to as a gadfly because I try to do good for the community and not be controversial and at the same time, I don't want to be treated as an outcast either. Now, I believe our building head, Mr. Leroy, is in the building- was here a few moments ago. I looked back and he was successful here one time at a work session bringing up all the dead shrubbery down at K-Mart and so (inaudible) later on that got all replaced. It really looks good. That's what shrubbery is for. Beautification. It sets off a border line.

Now, we've got a couple of problems here in Calverton, not right at this spot, I mean in Calverton and one of them is up on Riley Avenue, (inaudible) Garage. There's all those evergreen shrubbery planted, they're all dying. Now in the site plan, I know you're calling for it to be there but then all of a sudden the maintenance did the watering of them, goes away, nobody does it, they die and they stay there. And you go by and it's just looking dried up, there's no beauty to them.

Now, where TS Haulers is in front, there's at least 50 or 60 feet of dried up little evergreen plants. I mentioned it, the word must

have got back, they took them out but there's been plenty of time to order new ones and put them in there and nothing has gone back. There's also some down the side on the north side. I'm not too concerned with them. I'm only concerned when I drive down the road and I see them.

Now, did you ever drive by on Route 58 and see all these dealers loaded up with cars. I mean they're spilling out of the lots. Well, I couldn't figure out what is happening here. Why is this? Oh, suddenly my memory came back to me. The PSE once said when Long Island Lighting was putting in for a rate request, and right along with the Education Department Commissioner, said oh, sock it to Long Island. They're all rich down there. So the automobile manufacturers heard this and boy they're bringing the cars in. They all think we're rich out here. So that's all (inaudible).

Now- "

(There was some inaudible discussion among the Board members)

Supervisor Kozakiewicz: "Sorry."

Councilman Densieski: "Sorry."

Steve Haizlip: "I want the whole Board's attention. I don't want two guys talking and then they got their attention but they don't have mine. Now are we ready to go?"

Supervisor Kozakiewicz: "Yes, sir."

Steve Haizlip: "All right. Now, my wife come home yesterday and she wanted to go to the Salvation Army to do some shopping to see if she can find some jam jars. And she gets up there, she says, uh uh, the policeman, you can't come in here. We're not (inaudible). I mean what is he (inaudible) that us local people that wants to go looking for secondhand stuff and shopping and we can't go in there. You know she's got a (inaudible) valve and she can't be walking from the lumberyard down there or wherever so she wanted to try and get into there and they said no we don't allow it no more. That was a policeman's reply to her so I hope you- "

Councilman Densieski: "Steve, you can still park there but you just have to go down McDermott. You can still park in those spots, you have to park- you have to drive down McDermott, make a left and

then another left. You can still access the parking lot. Just not from Salvation Army's entrance. You have to go down McDermott."

Steve Haizlip: "Oh, okay, I'll tell her that. I thought that's what she was trying to do, Ed. All right. Now, I'm up to the point here where Mr. Schulman waited here for a whole hour and of course he had to get home to his business. So in some of this five minutes that I've got, he's asked me to do something for him. So I'll be using a little bit of his time.

On Resolution 571, it sort of strikes me funny, too. It says amend site plan of Calverton Links Clubhouse. Now, I think he said that he briefly spoke to Rick and he said no, that means approving. Well, he's a little confused and I'm a little confused. The original submission would be an approval. Now, you say then he's amending his original submission. So he's a little confused. Do we have an approval or we don't have an approval or is it being amended?"

Supervisor Kozakiewicz: "He's receiving an approval for the third drawing that he's shown of a clubhouse which is amending his original site plan. He had originally received a site plan approval so we're amending the prior site plan approval to allow him to construct a clubhouse."

Steve Haizlip: "All right. That clears it up. In other words, he's been approved on the original amended site plan. All right. So I will bring that information to him.

In reading the Newsday and also it's been brought to my attention by other people that read it, that Tanger is trying to get a movie up there. Now how does that tie in with outlet? You know, we've got a movie down here that Joe Janoski bought (inaudible). And it's become a white elephant and we're trying to get that one opened and they want to put a movie up there. I mean what's going on here? I mean, that can't be an outlet commodity. So I hope it don't fly.

And another thing. There are people talking about they want to get restaurants in there. I mean, I can see snack bars in there for people, to in there and grab a good snack. It's not a place to lounge all day. And then go in a restaurant and sit there and eat. So that (inaudible) can be more valuable than restaurants."

Supervisor Kozakiewicz: "Steve- "

Steve Haizlip: "Yes?"

Supervisor Kozakiewicz: "You've been up for about eight minutes."

Steve Haizlip: "I told you I'm- "

Supervisor Kozakiewicz: "I know. I know. But it's been about eight minutes and I'm just letting you know."

Steve Haizlip: "Well, wait a minute. Wait a minute. This is the most important one."

Supervisor Kozakiewicz: "Okay, go ahead."

Steve Haizlip: "This is the most important one. Fifty two years ago right to this day, I officially come into this town, married up in the St. Isidore's rectory. Weren't even allowed to go into the church. And I've been sort of outcasted every since. So 52 years ago today I've been a citizen of this town. And thank you very much."

Supervisor Kozakiewicz: "Thank you."

Councilman Kent: "Thank you."

Supervisor Kozakiewicz: "Congratulations."

Councilman Kent: "Congratulations. Go home and kiss your wife."

Supervisor Kozakiewicz: "Joan Griffing."

Joan Griffing: "Good afternoon. Joan Griffing, Calverton Civic. I promise it's not about the airport today."

Councilman Densieski: "Yeah, yeah."

Joan Griffing: "Yeah. Okay. 565 Reeves/Osborne drainage capital project budget adjustment."

Supervisor Kozakiewicz: "Yes."

Joan Griffing: "Is that concerning the flooding on that street?"

Supervisor Kozakiewicz: "Are you're talking about on Osborne and Reeves? Yes. It's the project was one that was previously

approved. Mark has indicated- Mark Kwasna has indicated a desire to take the project on and the idea is to get some piping of the waters that are flowing off of Reeves and Osborne so that they're not coming down those two locations. So that's the desire and that's the goal."

Joan Griffing: "Thank you. And just an update on the Home Depot site. Is that going through or is it back in court or- "

Supervisor Kozakiewicz: "We- well, I mean there is a lawsuit that's pending which involves change of zone application that was approved by the Board back in February. If my memory serves me, I think February 20<sup>th</sup> or somewhere thereabouts. We did approve the special permit. There were two special permits we approved and we're waiting for a site plan. So it's still in litigation."

Joan Griffing: "Okay. And the last question. The Hess gas station that opened up by the Expressway, is that Brookhaven or is that Riverhead?"

Councilman Kent: "Brookhaven."

Supervisor Kozakiewicz: "That's Brookhaven."

Joan Griffing: "Okay. So it's Brookhaven police that monitor that area?"

Supervisor Kozakiewicz: "Suffolk County. Suffolk County police."

Joan Griffing: "Everybody- not everybody, lots of cars are making lefts, coming up illegally, trying to get back to Northville and (inaudible)."

Councilman Densieski: "That's County Road 24."

Joan Griffing: "There's (inaudible) in between there and looking for an accident to happen."

Supervisor Kozakiewicz: "Okay."

Joan Griffing: "Okay. Thank you."

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

Resolution #540

Barbara Grattan: "Resolution #540. Supervisor- "

Supervisor Kozakiewicz: "I'll move this resolution which is amending Chapter 108, Article XXXV - Pine Barrens Receiving Area. I'm doing this because we had labeled a number of them to be moved by Councilman Lull so I'll- "

Councilman Kent: "Are you allowed to move?"

Supervisor Kozakiewicz: "I don't see a reason why not."

Councilman Kent: "Okay."

Supervisor Kozakiewicz: "But if you want to move them- "

Councilman Kent: "No. I just didn't know if the Supervisor- "

Supervisor Kozakiewicz: "Do you want to move them? You can move them."

Councilman Kent: "No, no, you can do it. I don't care. Usually the person who conducts the meeting doesn't make the motions."

Councilman Densieski: "I move for Chris to do it."

Supervisor Kozakiewicz: "Chris- "

Councilman Kent: "Thanks a lot. I think it should be whoever is listed as the second."

Barbara Grattan: "All right. Let's do Kent. Kent moved this resolution."

Councilman Densieski: "Second the motion."

Barbara Grattan: "Good. Ah, moved and seconded."

Supervisor Kozakiewicz: "Moved and seconded. I'm sorry, Barbara. I- you lost me there. Okay."

The Vote: "Densieski."

Councilman Densieski: "Here we go already. I don't understand

this completely. It sounds to me like we're putting a lot more where there shouldn't be. I'm just going to abstain."

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

Councilman Cardinale: "I'm going to vote yes on this. I think it does at least two good things. It enables the people who- rights in the pine barrens in the Town of Riverhead are limited in their property rights to transfer their development rights to another commercial area within the town and earn something from the land that is theirs and it also allows a developer an additional mechanism to permit him to meet requirements of the Health Department in commercial areas. So I think those are two very good things it does do and I'll vote yes for that reason."

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

Supervisor Kozakiewicz: "This one was a matter of a lot of discussion. We did have the individuals from the pine barrens commission and the pine barrens credit come in and explain this to us. Clearly this increases the value from pine barrens credit as pointed out by Councilman Cardinale and, therefore, I think it's a good idea for us to take this action. So, yes."

Barbara Grattan: "The resolution is adopted."

Resolution #541

Councilman Kent: "Resolution 541 authorizes the Town Clerk to publish and post a help wanted ad for part time Justice Court Clerk for the Riverhead Justice Court. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #542

Councilman Cardinale: "This resolution calls a public hearing of Wading Woods - Farahzad condominiums lateral water main Riverhead Water District. So moved."

Councilman Kent: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #543

Councilman Cardinale: "This resolution approves the application for fireworks permit of Riverhead Raceway for July 1<sup>st</sup>, 9:00 p.m. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "I'll be there, yes."

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

Resolution #544

Councilman Kent: "Approves the application of Tanger Properties Ltd. Partnership. So moved."

Councilman Densieski: "Second the motion."

Councilman Kent: "The application is for a tent sale at Samsonite from June 28<sup>th</sup> to July 5<sup>th</sup>."

Supervisor Kozakeiwicz: "Moved and seconded."

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

Resolution #545

Councilman Kent: "This approves the application of Riverhead Country Farms- Country Fair, excuse me, Townscape, Inc. to conduct a country fair October 8<sup>th</sup> with a rain date of October 15<sup>th</sup>. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #546

Councilman Kent: "This accepts the letter of credit of HDI Enterprises LLC for Commere Park. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozkaiewicz: "Moved and seconded."

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

Resolution #547

Councilman Densieski: "Accepts performance bond of Larry's Lighthouse Marina, Inc. in the amount of \$26,000. So moved."

Councilman Kent: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #548

Councilman Cardinale: "This resolution awards bid on a new Samsung SE210 W-2 wheeled excavator for the Highway Department. So moved."

Councilman Kent: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "It's a lot of money but the drainage project that we were just talking about on Osborne Avenue, we're going

to save a lot of money there, so I think by getting some of these pieces of equipment we're going to save the taxpayers some money so I'll vote yes."

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

Councilman Cardinale: "I wanted to ask a question before voting. First of all, I agree with Ed that it's an expenditure that we need to make. I would like to see a capital project prepare us for these large expenditures. I know it's needed now but I'm hopeful that in the budget time we do set up a capital budget for this kind of thing.

But my question is this. There's only one bid received?"

Supervisor Cardinale: "Yes."

Councilman Cardinale: "This and the next one are \$130,000 expenditures. I'm a little concerned about the fact that there was only one bid received and whether we should send this out for a re-bid. Does anyone have any information on- "

Supervisor Kozakiewicz: "I spoke to the Highway Superintendent about this as well as the Deputy Highway Superintendent. The numbers came in lower than they anticipated the number to come in so they were happy with what, you know, based upon their initial research and the prices they had received by going around to various dealers, they were extremely happy with the numbers that came in."

Councilman Cardinale: "So this and the subsequent one were properly bid out. We got one bid from a local operation but we've done our own research and we know that's a good price."

Supervisor Kozakiewicz: "Yes. They were both less than what they anticipated."

Councilman Cardinale: "Under those circumstances, I vote yes."

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

Councilman Kent: "So are we saying that when we purchase all the equipment that we anticipate purchasing under the bond and might even below the \$650,000?"

Supervisor Kozakiewicz: "The number was lower."

Councilman Kent: "How many other- there's only two pieces."

Supervisor Kozakiewicz: "There's two other that are coming off the (inaudible) bid."

Councilman Kent: "Okay. So we're going to be below the bond authorization? Yes, okay, that's good. Yes."

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

Resolution #549

Councilman Densieski: "Awards bid on new mobile 4-wheel sweeper. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #550

Councilman Densieski: "Awards bid for coffee/snack truck service resolution 550. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "My favorite resolution, the coffee truck. I've said my feelings on this but I'm just going to touch onto it quickly. Thomas Sun has had that service there for the last 10 years except when the plant was idle. He was basically linked to be a friend of mine in one of our local newspapers. So that's why he got it, which is incorrect. He asked for it procedurally correct and he got it. I feel that he's being charged for something he had for free. I don't think it's right. There are no other municipalities that charge for industrial parks and I think it's wrong and I'm going to send a statement. I'm going to vote no."

Barbara Grattan: "It's no."

Councilman Densieski: "No."

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

Councilman Cardinale: "Well, I often agree with Ed but not on this one. I was amazed that actually there was a bid of \$5,000 and a bid of \$6,000 for a coffee truck in the Grumman facility. I guess coffee is profitable. And he got it for \$6,180. I'm glad to give it to him an annual right to sell at that location. Incidentally, we do this with all our parks. They pay a few hundred bucks, not our parks, actually our beaches. They pay a few hundred bucks- "

Councilman Kent: "Our parks also. Stotzky Park."

Councilman Cardinale: "Our parks as well. So it's routinely done. It should be done. It gives everyone in town an opportunity to bid it in. I'm just real delighted that this bid was so high and I'm pleased to vote yes."

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

Councilman Cardinale: "And wish him well."

Councilman Kent: "Oh yeah, we're receiving over \$6,000 for Mr. Sun to have the exclusive use- exclusive right to sell at Grumman. I think it's appropriate. I don't know other towns whether they own industrial parks but I believe that if we're going to give someone the exclusive right, they should have to pay some money for it and put out to bid just like we do on our other town owned properties. And he came in, he offered \$6,000. Money that we can place in an account that needs the money. So I vote yes."

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

Supervisor Kozakiewicz: "I can understand some of Councilman Densieski's concerns or being upset because of the fact that there was some mistruths or untruths stated as far as this being a special favor or a friend who was given a leg up with respect to this particular piece of property. So I think that there's some unfair criticism and hopefully the record and hopefully the media will reflect that this was not any sort of favor banking. There was procedure followed. He did ask the questions whether there was any other vendors on the site. Whether through miscommunication or otherwise he was told there was

not. We told Mr. Sun to go on the property. Mr. Sun did and it became a bigger issue than I think it ought to have. Because we are receiving some money which we do on other town owned properties. However, because we should follow that procedure, I do vote yes. But, again, I want to indicate my- share that, you know, there was some wrongs with respect to this particular topic."

Councilman Cardinale: "I'd like to add just one other thing. I agree with you incidentally on that what you've said. But I met Mr. Sun for the first time a day or two ago and he told me actually that contrary to press indications that he never liked Ed at all and that he likes him even less now at his expense of \$180. So, it's not true that he didn't like him then and he doesn't like him now."

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

Resolution #551

Councilman Kent: "This approves the temporary sign permit of Riverhead- for the Riverhead Blues Festival. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "I feel that the Blues Festival was a great accomplishment of the last administration and I hope we can continue it, possibly make it better. So I'm going to support it and vote yes."

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

Resolution #552

Councilman Kent: "This resolution appoints Rocco Pallatto as a fill in lifeguard to the Riverhead Recreation Department. I refrain from any comment. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #553

Councilman Kent: "This ratifies the appointment of Francenia Hopson as a recreation aide for the Go Girls Title V Program. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "And I believe this money is grant money. It's not taxpayer dollars. I believe. Yes."

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

Resolution #554

Councilman Cardinale: "This resolution authorizes the Town to remove rubbish, debris and the cutting of grass and weeds from property pursuant to Chapter 96 at the location 11 Patti Lane, Riverhead, New York. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #555

Councilman Cardinale: "This resolution also authorizes the Town of Riverhead to remove rubbish, debris and cut the grass and weeds from property pursuant to Chapter 96 located at 31 Wildwood Drive, Wading River, New York. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #556

Councilman Cardinale: This resolution authorizes attendance of a police lieutenant to FBI Academy. So moved. September 24<sup>th</sup>."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "Yes. I would point out that this is a 12 week program. We'll miss him dearly, the Lieutenant who is attending but I'm told that it's very difficult to get a seat and we got one so we should take it. So I'll vote yes."

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

Resolution #557

Councilman Densieski: "Authorizes attendance of an officer at the Juvenile Officer Basic Training Course. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "Yes. This is in Ellenville, New York in September and the cost is limited to \$650. I will vote yes."

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

Resolution #558

Councilman Densieski: "Authorizes attendance for the National Youth Court Conference 2000. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "Yes. This is in Albuquerque, New Mexico in October and expensive but we spoke with these individuals and it's critical to the program that they attend. I'm going to vote yes. I'm hopeful, however, since they're both-- two of them are going on another one in the next resolution that they have some time to be at work. I vote yes."

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

Councilman Kent: "This is the only conference they're attending. We have \$3,700 in the budget line which is grant monies. This is limited to \$3,500. I vote yes."

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

Barbara Grattan: "The resolution is adopted."

Resolution #559

Councilman Densieski: "Authorizes attendance of Northeast Region Training Conference New York State D.C.J.S. Grant Program which is the Juvenile Accountability Incentive Block Grant. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "Well, interestingly enough two of the people that are going to Albuquerque are also going to Philadelphia. But this is also I'm told a wonderful program and they're going to work in between. I will vote yes."

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

Resolution #560

Councilman Densieski: "Authorizes attendance of Assessor at seminar. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "Yes, this is Cornell in the summertime. It's cool up there. I'll vote yes."

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

Resolution #561

Councilman Densieski: "561 is a Sewer District budget adjustment. It's moving \$10,000 from appropriated fund balance to lab analysis expenses. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "A question, please. Is this from the appropriated fund balance of sewer district? I can't tell with the numbers. It's from the sewer district savings- appropriated fund balance going to lab analysis. Yes."

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

Resolution #562

Councilman Densieski: "Second Street drainage capital project budget adjustment. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "It's \$4,700 going to construction. Yes."

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

Resolution #563

Councilman Kent: "This is a \$6,900 budget adjustment of buildings and grounds and a \$400 budget adjustment from the Town Board budget. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #564

Councilman Kent: "This is the 2000 highway vehicles equipment budget capital project adjustment to their capital project budget. \$650,000 from serial bonds to vehicle acquisition to acquire those new vehicles that we're getting to do a lot of work in the town. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #565

Councilman Kent: "This is the Reeves/Osborne drainage capital project budget adoption for \$40,000. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #566

Councilman Kent: "This if a \$54,700 capital project budget adjustment for Herricks Lane Water Extension for Stoll Associates. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #567

Councilman Densieski: "This is a transmission main at Calverton Enterprise Park capital project budget adoption. It's \$1,030,000 and it's federal money so I'm definitely voting yes."

Supervisor Kozakiewicz: "You moved it."

Councilman Kent: "I'll second it."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Kent: "Yeah, this is the extension of the water mains for the Calverton complex and I vote yes."

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

Resolution #568

Councilman Densieski: "Approves site plan of Riverhead car wash. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #569

Councilman Kent: "This approves the site plan of Larry Galasso. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #570

Councilman Cardinale: "This resolution amends the site plan of Sunken Ponds Estates. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #571

Councilman Kent: "This amends the site plan of Calverton Links clubhouse. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #572

Councilman Cardinale: "This resolution amends the site plan of Baiting Hollow Commons. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Rick, did you speak to Mr. Terry in regards to the conversation we had yesterday, the drainage problem. On Zdunko Lane?"

Rick Hanley: "Yes, I saw him today and informed him that one of the conditions of the resolution is he must deal with that inlet of the drain with the highway. So he's going to do that."

Councilman Densieski: "Okay. That's included in this one."

Rick Hanley: "Yes. That's a condition of the resolution that he will have to deal with that."

Councilman Densieski: "Okay, thanks, Rick. So moved. Seconded."

Barbara Grattan: "Okay, we're voting. Yes?"

Councilman Densieski: "Yes."

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

Supervisor Kozakiewicz: "I do have a question. I don't see it in the resolution; it's not- I'm missing- is the Resolved clause- "

Councilman Kent: "Is there another amendment to this resolution?"

Supervisor Kozakiewicz: "Or is there another page that we're missing?"

Councilman Kent: "There should be a third one? We could amend it right here if you want. Sure, why don't we move to the next resolution- "

Barbara Grattan: "Just hold this off to the side?"

Resolution #573

Councilman Densieski: "Classified action and declares lead agency on special permit site plan of Charles Hydell and refers petition to the Planning Board. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #574

Councilman Cardinale: "This resolution amends Resolution 487. So moved."

Councilman Densieski: "I'll second it."

Supervisor Kozakiewicz: "Moved and seconded."

Councilman Kent: "This is just to change the title of one of our seasonal employees."

Barbara Grattan: "Is it moved and seconded?"

Councilman Kent: "No change in pay. No change in pay."

Supervisor Kozakiewicz: "It's moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Because of what Chris just said, there's no change in pay, it's just a change of title. I'll vote yes."

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

Resolution #575

Councilman Kent: "This is the- there was an add on. It's this one with the staple on it."

Supervisor Kozakiewicz: "I think I've got two."

Councilman Densieski: "Approves site plan of Starr Corp. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "I'd like to point out that probably due to the aquarium we have another building that was closed down that's going to be opened up, hopefully soon, into a restaurant and wish him good luck. Yes."

Tim Yousik: "If I could, could I have a moment just to make a comment on this before you vote on this? I didn't realize I had to do that before the resolutions started."

Supervisor Kozakiewicz: "Well, it would be a little bit out of sequence but since it's- well, we're going to vote on it. Do you want to make comment before we vote on this?"

Tim Yousik: "Before or after is fine."

Councilman Densieski: "I don't have any objection to it."

Supervisor Kozakiewicz: "We don't have any objections. There's no other objection, right?"

Tim Yousik: "I just want to share with the Town Board a problem with going through the site plan review that should be addressed by this Board. We made the application, we came in front of the Architectural Review Board only to find out that we were denied round one because we did not bring in samples of the molding that we were going to use on the outside of the building. Take a ride up to Riverhead Building Supply where there's 25 different moldings; I don't know (inaudible). Especially on a building that's been closed for two and a half years. That wasn't half as bad as when you come back a month later to find out you're denied again because your architect did not put on the plans what species of beech grass would be in your planter box. Number one if that's something that needs to be addressed, because a member of the ARB wasn't there the first time, we find out that this is a question the second time is completely unacceptable.

If you go in front of the ARB and there's a list of questions or some concerns that need to be addressed on round two, that's fine. But come back on round two and find out that you still have to address questions because one of the members wasn't there on round one, that's not fair to any- forget about myself for a moment- that's not fair to

anybody who comes into this town trying to do business.

Last, if he's sitting in front of that meeting- I wasn't, my partner Richard Cox (phonetic) was, to be told by a member, and I quote, that beech grass will look like shit, I think is also unacceptable."

Supervisor Kozakiewicz: "I want to comment with respect to that. The comment- I did verify the comment was made. I spoke to the Chairman and he said that was not a comment that should have been made by one of the Architectural Review Board members. It was something that he felt was certainly not appropriate. It shouldn't be done and that's something that I guess we'll have to talk to him personally about the individual who made that comment.

I would like to point out that when this issue was brought to the Board's attention and with Rick Hanley's assistance, we were able to turn this particular situation around and we, in fact, have a discussion of a particular species that will be in the planter area and so it's moved forward. We're trying to be as friendly to business- new businesses as possible. At the same time, I know there's been a lot of comment about the ARB and the purpose. I know that Riverhead has for too long endured the reputation as sort of being sloughed off on or dumped on and we heard it earlier today during the long, long hearing about being dumped on. And the ARB is faced with a tough task because they're dealing with some issues which are not hard and fast, not black and white. They're aesthetic issues. And I think the bottom line, however, is that their goal is to try and make the Town of Riverhead, all of the Town of Riverhead, a more pleasant and better looking place, so I- "

Tim Yousik: "You know something? If that were truly the feeling that I had about the ARB, I would live with all of these little hurdles I had to go over. But when I look at Mattituck's McDonalds and I look at our Kentucky Fried Chicken and then I get asked what kind of beech grass is going in my planters and get denied, yes, it was overturned the next day. I do appreciate the help. Nobody should have to go through that though. What difference- you go up to Warner Nursery and pick out seven different types of beech grasses. They all look nice. Period. If I want to tear it out a week later and put in new ones, would it make a difference? I mean, putting in planter boxes, why? So you can plant something that's aesthetically pleasing. What species of beech grass, I think is stretching it a little too far. I just think (inaudible) just need some conversation from the Board because unfortunately somehow it

falls back on you guys. You guys are the ones that are elected officials and you sit up there and I think that when the ARB does things like this, it unfortunately makes you guys look bad. And it shouldn't have to be.

The last comment real quick and I'll sit down. I just wanted to thank Ed for the community service program, getting that enacted. One small thing, I hope we get the insurance in place so we can see it happen. Thanks."

Councilman Densieski: "Thank you."

Supervisor Kozakiewicz: "Now, we can finish the vote."

Barbara Grattan: "We had Densieski, right? Was yours yes?"

Councilman Densieski: "Yes."

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

Councilman Cardinale: "I would like to- I am pleased to vote yes for this and I would like to commend the Architectural Review Board for their customary expediting of this matter."

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

Councilman Kent: "Because- I think that (inaudible) is a nice touch. So I'm going to vote yes."

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

Supervisor Kozakiewicz: "As has been pointed out, we have an empty piece of property that's now going to be put to use and provide taxes and hopefully a very nice place to have some food. So, yes."

Barbara Grattan: "The resolution is adopted."

Now let's go back to Resolution #572."

Supervisor Kozakiewicz: "Correct."

Councilman Kent: "Oh, yes. Phil has got that one."

Councilman Cardinale: "572. This amends the site plan of Baiting Hollow Commons. It has been amended to add a third condition

to the Resolve clause. I would move it again as amended."

Councilman Densieski: "Second the motion."

Councilman Kent: "Read in the amendment, I think."

Councilman Cardinale: "Shall we read it in? Okay. It says the third amendment that the inlet of the drain located within the road bed of Sound Avenue be modified to the satisfaction of the Highway Superintendent and allow the efficient draining of storm water. Thank you."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded as amended."

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

Supervisor Kozakiewicz: "There was some discussion from the neighbors as to this piece of property. I spoke to one of the neighbors, Mrs. Gatz, who was happy with the changes that were being incorporated into this site plan and she looks forward- she never indicated she wanted to not allow the business to occur, she just has some issues with it. But since we've addressed them, let's go forward. Yes."

Barbara Grattan: "The resolution is adopted."

Okay, we have now bills. It's going to be 576."

Councilman Kent: "So moved."

Councilman Cardinale: "Seconded."

Councilman Densieski: "We've got another one."

Councilman Kent: "Yeah, but you've got to do that- "

Supervisor Kozakiewicz: "Yeah, we've got to do bills. Let's do bills first."

Barbara Grattan: "It's going to be 576 and who's offering it?"

Councilman Kent: "I will."

Supervisor Kozakiewicz: "Councilman Kent."

Councilman Cardinale: "Seconded."

Barbara Grattan: "Cardinale."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Cardinale, yes; Densieski, yes; Kent, yes; Kozakiewicz, yes. Bills are paid."

Resolution #577

Councilman Kent: "I'd like to offer Resolution 577 which terminates the contract with Terry Contracting & Materials, Inc. for the Cliff Road West drainage improvement project."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Kent: "So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded-- I was writing. Couldn't do move and seconded and write at the same time."

The Vote: "Densieski."

Councilman Cardinale: "I have a question for Dawn. Dawn, in the final paragraph of your letter you said based upon your company's failure to perform the contract, the town elects to terminate. I assume we intend to hold him accountable for any losses? Not simply terminate the contract."

Dawn Thomas: "The contract specifies how (inaudible)."

Councilman Cardinale: "Okay, so you're comfortable- "

Dawn Thomas: "I could add that in the letter. That was just a draft for you to see what we were planning on- "

Councilman Cardinale: "I didn't know because it says pursuant to paragraph 29. I hadn't seen that. But let's make it clear that we wish not only to terminate the contract, but hold them accountable for our losses because from what I learned from our engineer, he ought to

be held accountable for this one because he has been neither cooperative nor efficient. I would vote yes."

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

Barbara Grattan: "Does anybody have a copy of that resolution (inaudible)?"

Councilman Kent: "I have one here you can have."

Barbara Grattan: "Okay."

Councilman Kent: "I'd like to also bring a tabled resolution up for consideration."

Supervisor Kozakiewicz: "Is there a second to bring it up?"

Councilman Kent: "Resolution 532, I'll just say what it is. It's the recreation capital improvement project budget adjustment for the Hulse Landing Road beach access ramp."

Councilman Cardinale: "Second to bring it off the table."

Supervisor Kozakiewicz: "Moved and seconded to bring off the table."

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

Councilman Kent: "I'd like to move the resolution 532 which is the recreation capital improvement project budget adjustment for Hulse Landing Road beach access ramp moving \$18,000 from Rec fees. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Unanimous decision by the Rec Committee. So I'm going to vote yes."

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

yes. The resolution is adopted."

Supervisor Kozakiewicz: "Any further motions? Motion to adjourn."

Councilman Densieski: "Motion to adjourn."

Councilman Cardinale: "Motion to adjourn."

Meeting adjourned: 5:36 p.m.

*Barbara Gattan*  
*your Clerk*