

Minutes of a regular Town Board meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, on Tuesday, July 2, 2002, at 7:00 p.m.

Present:

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

Also Present:

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

Supervisor Kozakiewicz called the meeting to order at 7:04 p.m.

Supervisor Kozakiewicz: "I think that clock is fast but let the record reflect the time of 7:04 p.m. Call this public- it's exact time? Okay, very good. Because, well, Vince, since you spoke up, you want to lead us in the Pledge of Allegiance?"

The Pledge of Allegiance was recited, led by Vince Tria.

Supervisor Kozakiewicz: "Now, I- also know before we're going to approve the minutes, that we have a special treat. We're going to have a rendition of God Bless America. Would you please- should we stand back up and I think do this the right way, right?"

Harriet: "Well, can everybody hear me?"

Supervisor Kozakiewicz: "Yes."

Harriet: "Okay, God Bless America."

(God Bless America was sung by Harriet)

Supervisor Kozakiewicz: "Thank you. Harriet was here via the Senior Center and thank you so much Harriet. Now, I- "

Councilman Lull: "Mr. Supervisor, before we start, I take just a second. Over the last week we have lost two former Councilmen, one

term Councilman Tony Regula (phonetic), who passed on last week, and multi-term Councilman Frannie Menendez (phonetic). And just want to make note of the passing of Tony and Doc."

Supervisor Kozakiewicz: "Thank you. All right. To the business at hand. There- I had circulated a memo which I hope the Board has had a chance to review regarding changes proposed to the minutes of June 4, 2002 and June 18, 2002. With those changes and I would ask if there's a motion to approve those minutes as well as the Special Board meeting minutes of June 12th- June 11th and June 12th."

Councilman Lull: "So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilwoman Sanders: "And seconded."

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

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

Barbara Grattan: "And you all should have the changes."

Supervisor Kozakiewicz: "Barbara, Reports, please."

REPORTS:

Receiver of Taxes	Total taxes collected to date, \$71,050,072.95
Town Clerk	Monthly report for June, 2002
Building Department	Monthly report for June, 2002
Juvenile Aid Bureau	Monthly report for May, 2002
Police Department	Monthly report for April
Recreation Department	Monthly report for April

Barbara Grattan: "That concludes Reports."

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

APPLICATIONS:

- Shows & Exhibition Permit Samsonite at Tanger - a tent sale
- Radio Shack - tent sale, July 4th through the 7th
- ABC Carpet and Home - tent sale, July 19th to the 21st
- Definite Weave - tent sale, July 19th to the 28th
- Timothy Hill Children's Ranch circus, July 29th and 30th
- World of Life Ministries - street fair, July 27th

Barbara Grattan: "That concludes Applications."

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

CORRESPONDENCE:

- Nester Kramer Subject: Sunken Ponds regarding the sand mining
- Petition 41 names requesting new signs be placed on Cedar and Locust Roads
- Ayne Warner Letter of resignation as an aide in the Senior Center

Barbara Grattan: "That concludes Correspondence."

Supervisor Kozakiewicz: "All right. Any Committee reports?"

Councilman Lull: "Yes, Mr. Supervisor. Riverhead Town, Brookhaven Town and the ASPCA have a joint venture up at the Suffolk County Fair. They have an air-conditioned pet adoption mobile. That's a real nice project put together by our department and Brookhaven and if you need a nice pet it would be a good place to get

one.

Also, from the Superintendent of the Water Department, Riverhead is keeping up with the demand even in the hot temperatures, but Gary asked that we all do conserve and remind the people that if you are going to irrigate, you're better off to irrigate at night because up to 75% of the daytime irrigation is lost to evaporation. So if you could conserve a little bit, but we are keeping up with the demands."

Supervisor Kozakiewicz: "Any other Committee reports? If not, the time being 7:09 p.m., Barbara, would you read the affidavit of publishing and posting for tonight's first public hearing?"

Public hearing opened: 7:09 p.m.

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on July 2, 2002 at 7:00 p.m. regarding the consideration of the purchase of development rights of agricultural lands owned by Alan and Teresa Zilnicki located south of Reeves Avenue and east of Osborne Avenue."

Supervisor Kozakiewicz: "I think with that, I'm going to ask Julie Wesnofski from Peconic Land Trust to come forward. Do you need a- "

Councilman Densieski: "I'll get it, Bob."

Julie Wesnofski: "The property under consideration for purchase of development rights is owned by Alan and Teresa Zilnicki. It's on the south side of Reeves Avenue and it's the property located in the middle shown in yellow. As you can see it's virtually surrounded by property shown in green which are properties that are already protected.

It's 13.4 acres and the Zilnickis have agreed to a purchase price of \$24,000 an acre. This is supported by an appraisal done by Patrick Given Associates (phonetic) dated April, 2002. The appraisal lists a price of \$24,000 to \$27,000 an acre. The Zilnickis have voluntarily agreed to accept the \$24,000 an acre price tag and this is a situation known as a bargain and sale. The appraisal, you know, shows a value of up to \$27,000 an acre. They're accepting 24 so the difference between the fair market value and what they're accepting is a charitable gift they can use to offset ordinary income taxes or capital gains taxes.

In this case, the purchase price of the entire property to the Town will be about \$321,000 and with the bargain and sale, it saves the town about \$47,000.

It's in production as a potato farm and that's what they plan to continue using it for in the future."

Supervisor Kozakiewicz: "Is there anybody else who would like to address the Board either for or against the proposed acquisition of the land owned by Alan and Teresa Zilnicki as described?"

Okay. Not seeing anybody indicate a desire to do so, close this public hearing, the time being 7:12 p.m.

Public Hearing closed: 7:12 p.m

Public Hearing opened: 7:12 p.m.

Supervisor Kozakiewicz: "The time still being 7:12 p.m., we open the second public hearing. Barbara, would you read the affidavits of publishing and posting regarding same?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on July 2, 2002 at 7:05 p.m. regarding the consideration of the purchase of development rights of 28.9 acres of agricultural lands owned by Robin Gibbs located south on Edwards Avenue, Calverton, at \$35,000 per acre."

Supervisor Kozakiewicz: "Robin Gibbs- I'm going to ask Julie Wesnofski to come up again."

Julie Wesnofski: "Unfortunately, I don't have a map showing this parcel. It's a beautiful horse farm located on Edwards Avenue. The 28.9 acres is part of a larger 42 acre parcel. One acre is being left out for future residential development, and we have left out of the sale of development rights the area where the structures are placed. So we have a total of 28.9 acres.

It's industrially zoned land so the appraisal is in at \$35,000 an acre. The appraisal was done by Steven Schuster (phonetic) in October of 2001 and Ms. Gibbs has accepted the \$35,000 an acre price tag. The total price is about \$1,000,000 and it's a great purchase."

Supervisor Kozakiewicz: "Thank you. Is there anybody else who would like to address this- yes, Mr. Haizlip. While you're stepping up, I think your question may be trying to pinpoint where the property is. This is on the west side of Edwards Avenue. It's south of the property that was built by Federal Express. As you travel southerly past Federal Express, and you look to your right, there's a horse farm, stables and such. This is that parcel."

Steve Haizlip: "Oh, the part that's- oh, Steve Haizlip of Calverton. The part that's sort of sloped and sunk down?"

Supervisor Kozakiewicz: "Right."

Steve Haizlip: "Well, the only- didn't the young lady say something about 29 acres and want to keep one acre out for housing? I didn't think there was any more housing allowed because it's commercial and industrial. Because when I tried to get my brother-in-law's (inaudible) divided for that, no way, Jose. So what do you say here? It's okay?"

Supervisor Kozakiewicz: "I think whatever the zoning prohibits or permits is going to be the end line on that. If the zoning is- I think it's Industrial A and you may be actually right on that point, that it does not allow for a residential use to be established."

Steve Haizlip: "Right."

Supervisor Kozakiewicz: "So, that's correct."

Steve Haizlip: "Okay."

Supervisor Kozakiewicz: "Anybody else who would like to address the Board either for or against this acquisition of lands? Hand in the back."

Joan Griffin: "Good evening. Joan Griffin. That piece of property is 28.9 acres?"

Supervisor Kozakiewicz: "It's actually about 40 acres. The parcel that's being conveyed to which the agricultural easement will remain is approximately 28.9. There are some buildings on the property which are going to be excluded from the development rights sale."

Joan Griffin: "Okay. And that means the town owns the property

if this goes through, or- "

Supervisor Kozakiewicz: "The underlying fee which is the agricultural aspect would still be owned by Robin Gibbs. We would take an easement, if you will, that prohibits the development rights from being used on that portion."

Joan Griffin: "Okay. Thank you."

Supervisor Kozakiewicz: "You're welcome. Anybody else who would like to address- George?"

George Schmelzer: "I don't understand this thinking. You sound like a bunch of commies or Socialists. You're going back to the Middle Ages when a king owns everything. Would you like to farm, any of you? You want to preserve the farm, who's going to farm it?"

Supervisor Kozakiewicz: "Mrs. Gibbs is going to- Ms. Gibbs is going to farm it."

George Schmelzer: "Oh, yeah?"

Supervisor Kozakiewicz: "Yup."

George Schmelzer: "And raise what? You do that, you've got a proposition for the whole- spend \$30 million on this nonsense? All the farm is gone, no potato dealers, no fertilizer factories, no machinery dealers, no ducks, no duck feed mills. What's this crazy thinking? You're going to keep people out of the town. Suppose everybody in the town and in the country wanted to keep people out? What would you do? Shoot them? Tell the federal government to cut out the immigration then. Do something useful. Really. This is crazy. The world must be laughing at us, really. We'll be laughing at ourselves pretty soon. Never heard of anything, such nonsensical. That's it."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board? That being the case, declare the public hearing closed, the time of 7:17 p.m. having arrived."

Public Hearing closed: 7:17 p.m.

Public Hearing opened: 7:17 p.m.

Supervisor Kozakiewicz: "The time still being 7:17 p.m., open-declare open the third public hearing and ask Barbara, if you would read the affidavits of publishing and posting regarding same."

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on July 2, 2002, at 7:05 p.m. regarding the consideration of the acceptance of a donation to the Town of Riverhead of property of approximately 2.45 acres located on Main Road, Aquebogue, owned by Martin Bass."

Barbara Blass: "Just to clarify that on the Agenda- "

Supervisor Kozakiewicz: "It should be 2.45 acres, right?"

Barbara Blass: "Yes."

Supervisor Kozakiewicz: "It's not 245. A donation of 245 acres would be tremendous. But it's 2.45. Julie, do you have anything on this one? Your name and address for the record."

Julie Wesnofski: "I'm Julie Wesnofski, Peconic Land Trust, and I'm glad you clarified that point. It is exactly 2.45 acres. It's located on the south side of Main Road about- where the intersection of Church Lane and Main Road is. And it's- there's quite a bit of wetlands on the parcel. It serves as a natural recharge area for runoff from Church Lane and Mr. Bass has graciously agreed to donate the parcel in fee to the town."

Supervisor Kozakiewicz: "Okay. Anybody who would like to address the Board with respect to Mrs.-- Mr. Bass' offer to donate his parcel south of the Main Road in Aquebogue to the Town, that parcel being 2.45 acres in size. Not seeing anybody indicate a willingness to speak- before I could get it out. Go ahead, 2.45."

Councilman Densieski: "It's a misprint."

Supervisor Kozakiewicz: "2.45- there should have been a decimal point."

Councilwoman Sanders: "Wishful thinking."

Barbara Grattan: "I typed it wrong, George."

George Schmelzer: "What will the town do with the land, sell it?"

Councilman Densieski: "Good question."

George Schmelzer: "Might be investing if you sell it."

Supervisor Kozakiewicz: "Well, I think the reason we're here, well, we can use it just as a natural recharge area. We can use it to preserve, we can sell it if we wish to do so. We have options, yes."

George Schmelzer: "Is it next to the bay?"

Supervisor Kozakiewicz: "No. No. This is adjacent to the Main Road, south of 25 in Aquebogue."

Councilman Lull: "It's next to the cemetery, George."

George Schmelzer: "Well, it's well nourished then."

Councilman Lull: "Absolutely."

George Schmelzer: "Yeah. So you can make an addition to the cemetery and, especially for politicians maybe. Okay. Thank you."

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

Councilman Densieski: "George is in a good mood night."

Supervisor Kozakiewicz: "Yeah. I can see spunky. The time being 7:20, declare the public hearing closed."

Public Hearing closed: 7:20 p.m.

Public Hearing opened: 7:20 p.m.

Supervisor Kozakiewicz: "All right. What do we have next, Barbara?"

Barbara Grattan: "No turn on red. Edwards Avenue."

Supervisor Kozakiewicz: "Okay. Yes. The time still being

7:20, open up our next public hearing which is the no turn on red. Barbara, would you read the affidavits of publishing and posting- "

Councilman Lull: "Thank you, Julie."

Supervisor Kozakiewicz: "-- please?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on July 2, 2002, at 7:10 p.m. regarding the consideration of a proposed local law to amend Chapter 101 of the Town Code Entitled Vehicles and Traffic, Article IV - Traffic Control Signals, Section 101.9.1 No Turn on Red. Edwards Avenue and Sound Avenue. South Jamesport Avenue and North Railroad Street. South Jamesport Avenue and South Railroad Street."

Supervisor Kozakiewicz: "Just I think maybe we better be clear because these are obviously two different locations. The Edwards Avenue and Sound Avenue locations, the proposal is to establish a no turn on red at a signal that's presently being installed at that intersection of Edwards and Sound."

The other location is on Railroad Avenue, North Railroad Avenue and South Railroad Avenue, which is at the intersection of South Jamesport Avenue in Jamesport. And due to the obstruction of the rail- the bridge itself, it has been proposed that there be no right on that light at that particular intersection.

Anybody who would like to address the Board with respect to the changes to the Vehicle and Traffic Law Chapter 101 which would establish these no turn on red lights- or no red on right turns at the lights while the red - at these particular locations?"

Councilman Lull: "Bob, one step more. In taking a look at these two locations on South Jamesport Avenue and on Edwards Avenue and understanding that it's the no turn on red would be invaluable there, we looked for the no turn on red section in the sign code- in the Vehicle and Traffic code in our town code and it doesn't exist. So what we're- this public hearing is to establish that part of the town code that 10.9.1 and then add these two to it."

There are other no turn on red signs around the town and in the next few weeks, we'll add those to this, to the code as well."

Supervisor Kozakiewicz: "Okay. Hopefully, we haven't lost

everybody. Is there anybody who would like to address the Board either for or against the change as outlined, which would be to add a no turn on red to the Vehicle and Traffic Law and establish a no turn on red at those locations discussed? Steve Haizlip?"

Steve Haizlip: "Steve Haizlip of Calverton. In view of the accidents that's occurred at Sound Avenue and Edwards, I would say that this would be a good thing because it seems like everyone is eager to make a turn and get going and try to beat the other guy. This way they're going to have to at least stop for a few seconds and that would probably prevent an accident."

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

John Griffin: "Yeah, John Griffin, Baiting Hollow. I just want to clarify. This is going to be north on Edwards as you're making a right to head east on Sound. Not heading east on Sound to make a right or south on Edwards?"

Supervisor Kozakiewicz: "It is going to be on Edwards from both directions, north and south, prohibiting- I mean, yes, north and-sitting on Edwards Avenue, either facing north or facing south, prohibiting a right turn onto Sound Avenue."

John Griffin: "Okay. So, not off of Sound onto Edwards?"

Supervisor Kozakiewicz: "No. No."

John Griffin: "Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else? Okay. That being the case, the time of 7:25 p.m. having arrived, declare the public hearing closed."

Public Hearing closed: 7:25 p.m.

Public Hearing opened: 7:25 p.m.

Supervisor Kozakiewicz: "The time still being 7:25 p.m., Barbara, would you read the affidavits of publishing and posting for- aren't we there yet? No, we're not there yet."

Barbara Grattan: "For which?"

Supervisor Kozakiewicz: "Oh, yes, we are. 7:20. Okay. For the next public hearing."

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on July 2, 2002, at 7:20 p.m. regarding the consideration of a local law to amend Chapter 108 entitled Zoning, Article XXV, Recreational District, Section 108-125 Uses."

Supervisor Kozakiewicz: "This one is fairly succinct. It's adding an additional special permitted use to 108-125 which is the Recreational Zoning District text. And what it would allow for in that particular Zoning District would be a fifth use entitled Country Inns which we define as a 50 room- up to a 50 room inn. This would allow these type of uses to be established via a special permit application to the Town Board within a Recreational Use District. So this would be an addition to the code."

Is there anybody who would like to address the Board with respect to this proposed change to Chapter 108, and in particular Chapter 108, Section 108-125? Hand in the back. Yes, Eve Kaplan."

Eve Kaplan: "Actually I just had a request that this hearing and the hearing on the amendment on Chapter 62, Excavations, be held open for one week for written comment."

Supervisor Kozakiewicz: "Okay."

Eve Kaplan: "Thanks."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board? Dick O'Dea?"

Dick O'Dea: "Dick O'Dea, (phonetic) speaking as a Planning Board member. The Planning Board has in October, 2000, as a request of the Town Board, sent a resolution. A number of items were in there that we discussed quite lengthy. I would like the opportunity also for this public hearing to be kept open to at least the month of July."

We have a meeting July 9 and probably a work session that we- I would like the Planning Board- the new Planning Board, we have two new members, etc., to discuss this situation. Not just the- "

Supervisor Kozakiewicz: "How much time are you looking for? Are you looking through right to the end of July?"

Dick O'Dea: "The first meeting in August, or August 1, something like."

Supervisor Kozakiewicz: "What is the final Thursday of the month in July? We can keep it open until that Thursday or Friday."

Dick O'Dea: "The 26th? Don't have it with me."

Councilwoman Sanders: "Thursday is the 26th."

Supervisor Kozakiewicz: "Thursday, the 26th? Is that adequate time?"

Dick O'Dea: "We would probably meet that date."

Supervisor Kozakiewicz: "So would you want it to be- "

Dick O'Dea: "Prior to your August meeting."

Supervisor Kozakiewicz: "Okay. So you want us- "

Dick O'Dea: "August 1 maybe. I don't know what August 1 is."

Supervisor Kozakiewicz: "Okay. I don't know what the date is. What's August 1?"

Dawn Thomas: "It's not our meeting- it's the following week."

Councilman Lull: "August 6th is our first meeting."

Supervisor Kozakiewicz: "So, we can keep it open through and including July 31st, I guess, which would be to the last day of July."

Dick O'Dea: "Okay. For the public's information- "

Supervisor Kozakiewicz: "Sure."

Dick O'Dea: "-- we don't meet this Thursday. It's July 4th. We meet July 9, the Planning Board, and then two weeks work session. So, thank you."

Supervisor Kozakiewicz: "That would be fine. Thank you."

Anybody else who- yes, Sid Bail."

Sid Bail: "Sid Bail, President of the Wading River Civic. I'm- I don't have position one way or another on this but I was wondering, I have some questions in my mind.

What is the rationale for adding the country inn to recreation zone? Are hotels permitted? Are motels permitted? You know, what's the thought behind this? If anyone can comment on the Board?"

Supervisor Kozakiewicz: "Well, usually we're here to hear the comments of the public and that's the idea of the public hearing. I think that- "

Sid Bail: "Do we have to- "

Supervisor Kozakiewicz: "No. No. I think that part of the idea is that the recreational use and the inn may go hand in hand for example with the attractiveness of the tourist type of industry. In the recreational zoning uses there might be an accessory use or an adjacent use or a use that ties in which would be the country inn concept. And that was, I think, the reason it came about, that we saw some interest. There's been some thoughts to the possibility that this may be able to further the stay of individuals coming out to take advantage of the tourism industry and in particular those recreational use districts."

Sid Bail: "And the recreational zone is basically just on the Calverton property, is that correct?"

Supervisor Kozakiewicz: "No, no, no. This is not. This would include other parcels as well. For example, the Fox Hill Country Club property, I think is presently zoned recreational. The (inaudible) Traditional Links- I'm trying to think of what else, it went right out of my head. The Entenmann parcel was recreational for the condominiums that were proposed north of Cherry Creek. So a number of parcels could fit within the definition, Sid."

Sid Bail: "Okay, thank you."

Supervisor Kozakiewicz: "You're welcome. Anybody else? Yes, Steve Haizlip, I saw your hand up."

Steve Haizlip: "Sid answered- asked the question and I got the answer. So I'll (inaudible)."

Supervisor Kozakiewicz: "Okay, anybody else? If not, we'll declare it closed for purposes of today but we'll keep it open for written comment through and including July 31, 2002, end of business."

Public Hearing closed but left open
until July 31, 2002 for written comment

Public Hearing opened: 7:31 p.m.

Supervisor Kozakiewicz: "And next, the time still- the time being 7:31 p.m., Barbara, would you read the affidavits of publishing and posting for our last public hearing."

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on July 2, 2002, at 7:25 p.m. regarding the consideration of a proposed local law to amend Chapter 62 of the Town Code entitled Excavations."

Supervisor Kozakiewicz: "Dawn, I don't know if you want to address this. This is a couple changes that are being proposed to this particular Chapter. First and foremost based upon the comments from Eve Kaplan, we will keep it open at least for a week to receive written comment. Unless somebody says that they need more time, we'll take that under consideration."

This provides for some additional fees for excavated material that's removed and also eliminates a little bit of a perplexing issue for us where if an applicant on a piece of property receives a DEC mine land reclamation permit as part of a process, they've been able to argue that they're not required to pay the town a soil removal fee. It's the thought of the town or the hope of the town that anybody who's removing soil from a particular piece of property be required to pay that fee and this is taking away a small loophole if you will that has allowed that to take place in the past.

Anybody who would like to address the Board either for or against the proposed change? Yes, Ann Miloski. And, Steve, I'll have you next."

Steve Haizlip: "Okay."

Ann Miloski: "My name is Ann Miloski, Calverton. And with this

Excavations, I hope that in your local law you tighten it up so that if they are taking soil, that they can only take a certain amount so it doesn't end up being a sand mine. I mean, and I think you know where I'm talking about. And I hope you really do tighten it up because I know the town would get a fee but by taking a fee, we'll have sand mines all over the place if you don't make a point of how much they can excavate on the land. Thank you."

Supervisor Kozakiewicz: "Thank you. Steve Haizlip- "

Dawn Thomas: "Ann, just to clarify. This deals with just the excavation permit. The use is governed by the zoning code and that use is banned in the town. So this deals with excavations in connection with subdivisions, legal site plans, commercial development, and that kind of excavation."

Ann Miloski: (Inaudible- from the audience."

Dawn Thomas: "That would be a function of our site plan review. That's a separate issue. This would deal with once you have a site plan approval, you have a certain amount of yardage you're allowed to take as estimated by an engineer. They would come to the Building Department with that estimate, get a permit, pay the fee, and then they would be allowed to excavate whatever was permitted through that site plan."

Ann Miloski: (Inaudible - from the audience."

Steve Haizlip: "It's not being put on the tape. Come on, Ann, it's got to go on the tape."

Ann Miloski: "Who will be enforcing this once the town allows this?"

Dawn Thomas: "Well, code enforcement would follow up on any excavation that didn't have- or was reported to us that did not have a permit and the Building Department would issue the permits for excavation based on an approved site plan."

Councilwoman Blass: "We are actually considering if I may add the inclusion of a requirement for a monitor on site, something we were talking about possibly amending the ordinance to provide for a monitor to do just that, paid for by the applicant as one way of tightening up-- as you called it these activities."

Ann Miloski: "I think that would be very smart to do something like that because I know we have one area in Calverton that was allowed to excavate and they're really going to town with taking soil out of there. And I think with the monitor it would help, and, plus, if you're getting money from the town, you'll be getting more money. Thank you."

Supervisor Kozakiewicz: "Thank you."

Steve Haizlip: "Steve Haizlip of Calverton. Ann sort of hit on what I'm going to ask or comment on. That trade show, when I checked and all the excavation was going on, I checked with the Building Department and I was informed they have an excavation permit. Now, the question is, is an excavation permit required to be posted on the main- on the road facing the project, or is it considered a non-building site at the time and it's only excavation and they don't have to comply? And, lastly, where did they come up with this here nitty gritty word that one word differentiates the other one? Sand and topsoil? And let them get away scott free. Boy, that is amazing to me. I mean soil is soil, whether it's sand or topsoil."

Supervisor Kozakiewicz: "Well, the question of the posting of the sign, I think, is governed by Chapter 62 and I don't recall off the top of my head whether it requires a posting of the property. Certainly for a building permit there's no question that the property must be posted. That's governed by Chapter 108 and Chapter 52. Can we get back to you on that one, Steve, as far as the posting issue? Because off the top of my head, I don't want to tell you one thing and be wrong?"

Steve Haizlip: "Yeah."

Supervisor Kozakiewicz: "Okay?"

Steve Haizlip: "And I go past 84 quite often and (inaudible) but I haven't seen nothing posted anywhere near the road where the public can see it. And it says conspicuous. So does that mean each guy that's interested has to pull over there, park, get out and look around? No. It should be on the road. As you go, you can see it. Oh, they're authorized, you see what I mean?"

Supervisor Kozakiewicz: "Right. Thank you, Steve. Anybody else who would like to address- yes, Rolph Kestling."

Rolph Kestling: "Rolph Kestling, Wading River. It seems to me

a couple of weeks ago I spoke about the trade show. Back then, you told me they had filed a site plan. Is that correct?"

Supervisor Kozakiewicz: "We actually had an- we accepted their site plan bond last Town Board meeting. That's correct."

Rolph Kestling: "Well, there is a site plan and it is going to be a trade show and there's no- "

Supervisor Kozakiewicz: "Yeah. We approved the site plan for this one probably six months ago. Yes."

Rolph Kestling: "Thank you."

Supervisor Kozakiewicz: You're welcome. Anybody else? Yes, George. I'm afraid to ask."

George Schmelzer: "You said you charge them to protect the land- the soil. How much are you going to charge them a yard?"

Supervisor Kozakiewicz: "I think the proposal is to increase the fee from \$.50 to \$3.00 a cubic yard."

George Schmelzer: "Well, then how about somebody that fills in a useless hole, are you going to pay them \$3.00 a yard, too, for making the soil better?"

Supervisor Kozakiewicz: "Nope."

George Schmelzer: "Why not?"

Supervisor Kozakiewicz: "Because they have to do- they have to fill up the useless hole anyway."

George Schmelzer: "It's only a one-way street, huh?"

Supervisor Kozakiewicz: "Absolutely."

George Schmelzer: "That's what I figure."

Supervisor Kozakiewicz: "Thank you."

George Schmelzer: "Thank you."

Supervisor Kozakiewicz: "Anybody else who would like to address

the Board? All right, if not, I declare the- this portion closed and, of course, recognizing the request from Eve Kaplan, will keep the written comment open for one week which would be the- July 9th, close of July 9th business."

Public Hearing closed but left open
for written comment to July 9, 2002

Supervisor Kozakiewicz: "At this point, it's time to comment on resolutions. I do have one card that is addressing, that's John Galla."

John Galla: "Thank you. John Galla, resident and taxpayer of Riverhead in the Hamlet of Wading River. I want to apologize to this austere Board for being in casual attire."

Councilman Densieski: "It's okay."

John Galla: "I'll be brief. I'd like to thank this Board for taking up the business that began with a simple petition yesterday and for those in the audience that may not know about this, it might be in the papers. I started a petition yesterday regarding One Nation Under God and I know that there's an awful lot of pressing issues in front of the Town of Riverhead far more important than this obviously, so, again, I'll be brief.

But I want to thank the Town Board for taking up from this petition, by the way we're up to about 50 names. I said I don't know if we'll get 5,000. We have 50 and it's a nice blend of Democrats and Republicans and Independents. So like I said yesterday, I don't think this is a- patriotism doesn't belong to any particular party.

But one line in this states we also petition the American elected-- every American elected entity of government to take up the business of passing a resolution and/or law which will forever preserve and protect the Pledge of Allegiance and the inclusion of one nation under God. And I understand that you ladies and gentlemen are going to be taking up that issue tonight. I'm here to voice the support of myself, my family, as well as some 50 people on petitions. We're still gathering signatures.

As I mentioned yesterday, www.one.nation.under.god.info will be on line within a week or two where people, not only from the Town of

Riverhead, but anywhere in America or worldwide, I guess, on the web, can register their opinion on the issue in the affirmative with the thought being that not only can the Town of Riverhead but all the towns on Long Island, perhaps across America, state legislators, Senators, to take that to the Supreme Court where we're looking for eventually down the road and I'm not a constitutional (inaudible, but perhaps a constitutional amendment for once and for all to protect some of the things that we hold dear as Americans.

And with that, I'll let you tend to your more important business, but I think this is important. I don't know if I have the permission from this Board, I don't know if it's proper to do so at Town Board, I do have copies of the petition. We can't leave them at the Town Hall?"

Supervisor Kozakiewicz: "No."

John Galla: "I understand. Thank you, but I had to ask."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board with respect to resolutions and resolutions only? Yes, Mr. Odell Evans."

Odell Evans: "Odell Evans, Riverhead. I've got a question on Resolution 717. Does this mean that from Sound Avenue to Northville Turnpike-- that the 45 miles per hour from Northville Turnpike to Route 58 will be 35?"

Supervisor Kozakiewicz: "If that's one mile from Sound Avenue to Northville Turnpike, the answer is yes."

Councilman Densieski: (Inaudible)

Councilman Lull: "Yeah, just calling for a public hearing. But it's Doctor's Path. At this point, Doctor's Path is 55 miles per hour the entire length. There is no markings on Doctor's Path, so it's 55 miles an hour all the way. As you turn off Sound Avenue, which is 45, the speed limit would continue at 45 until just north of the apartments. From there on, down to Route 58, it would be 35."

Odell Evans: "Oh, okay. I misread it."

Councilman Lull: "Okay?"

Supervisor Kozakiewicz: "And just for clarification. This is

an authorization to make a request to the state. The state establishes speed limits, not the municipality. We don't have a public hearing on this. I don't want anybody to be confused that we're going to be taking up the issue and having a public hearing later to hear from the people as to whether it should be a 45 and then a 35. We make the request to the state. They come out they do an analysis and then they respond by either saying yes, the request is justified, and, therefore, we're establishing at the state level by posting it in the New York State Code of Rules and Regulations the applicable speed limits. Or they say no, we don't feel there's enough justification for it at this time and we pass. So this goes to the state. This is not going to require any further public hearing."

Odell Evans: "But you make the recommendation?"

Supervisor Kozakiewicz: "We make the recommendation. This is authorizing that request to be made."

Councilman Lull: "The recommendation- it was the recommendation of the Traffic Committee that's- and I have a strong feeling that whatever the state decides, they're not going to decide that 55 miles an hour is safe."

Odell Evans: "I understand that."

Councilman Lull: "Okay."

Odell Evans: "But Tall Oaks is all 30 miles an hour."

Councilman Lull: "Pardon?"

Odell Evans: "Tall Oaks is all 30 miles an hour throughout that residential- "

Councilman Lull: "Yup."

Odell Evans: "And also Northville Turnpike is 40 miles an hour from Doctor's Path all the way to Ostrander."

Councilman Lull: "Yes."

Odell Evans: "So it would be 35 miles an hour from- "

Supervisor Kozakiewicz: "Once the residential uses start, that's correct."

Odell Evans: "Okay."

Supervisor Kozakiewicz: "That's the proposal."

Councilman Lull: "Once we get to neighborhoods we reduce it."

Odell Evans: "This will be- I'm not- repeat that now?"

Councilman Lull: "Once- once you get to neighborhoods-- traveling south, once you get to neighborhoods, starting with the apartment building- the apartment buildings, then the speed is reduced."

Odell Evans: "To 35?"

Councilman Lull: "Thirty-five. Yes."

Odell Evans: "Okay, thank you."

Supervisor Kozakiewicz: "Thank you. Mr. Evans. Anybody else who would like to address the Board with respect to resolutions? Yes, Steve Haizlip."

Steve Haizlip: "Steve Haizlip of Calverton. I have two here, 710, authorize submission of application to New York State DOT, Department of Transportation regarding an industrial access program. Could you explain that a little bit?"

Supervisor Kozakiewicz: "Very simply. This is an application to New York State Department of Transportation asking that we be included in their industrial access program to reestablish the rail service, the spur that comes into the Grumman property."

Steve Haizlip: "Good enough. All right. 742. This is awarding a bid for repainting of Pulaski Street tank, Riverhead Water Department. Wasn't a public hearing on a complete revamping of the Water Department and there was a subject brought up about the cost of repainting or replacing the tank and it was cheaper to repaint. Now, there was no- in that refurbishing bid there was nothing in there to paint the tank at the time. It's only coming up now?"

Councilman Lull: "Steve, that was- "

Steve Haizlip: "Do you understand what I mean, Jim?"

Councilman Lull: "Steve, that public hearing was for the bond to do the work. Then we did the bid and we didn't like the bid we got so we're doing it again."

Steve Haizlip: "Got you, Jim."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to- yes, Sid Bail, please. We're awarding the bid."

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

Supervisor Kozakiewicz: "Right."

Sid Bail: "I have a question about Resolution 736, amending the site plan of the Bank of Smithtown in the Wading River Plaza. In what respect was the site plan amended?"

Supervisor Kozakiewicz: "The- it's to allow for the Bank of Smithtown to locate in a section of that particular complex."

Sid Bail: "That's- "

Supervisor Kozakiewicz: "That's what the amendment is."

Sid Bail: "-- the sum and substance?"

Supervisor Kozakiewicz: "Right."

Sid Bail: "Okay."

Supervisor Kozakiewicz: "And it's also, just so that you know, there's a condition put in there- condition 15, that no building permit shall issue prior to the replacement of the parking area light fixture bulbs as agreed upon between the property owner and the town."

Sid Bail: "Thank you."

Supervisor Kozakiewicz: "All right. Mrs. Litka."

Toni Litka: "Toni Litka, Jamesport. 715 Resolution. Could you explain this Chapter 96 to me?"

Supervisor Kozakiewicz: "Yes. Very simply, we have a weeds, rubbish section where a lot of times we try to gain compliance from property owners to go out and cut the grass, remove debris, and

generally clean up their property. Where we're unable to gain compliance, we then adopt a resolution identifying the property, property owner as we know that particular owner to be and the tax map parcel. We then send them a notice that unless they take care of the repairs, we will either undertake it by using our own department or an outside contractor and charge that cost to their tax bill."

Toni Litka: "We have a piece of property in Mesta Vista. There was supposed to be a group home put on it and then they said somebody went bankrupt. One of the neighbor next door, I guess you are aware of the letters that he sent in, and they finally did come in and cut but they only cut it on the end of their property and the neighbor's because the weeds were going over on his property. But the weeds are this high and the town doesn't even do their share where they have to cut off five foot, they do a very- remember my thing (inaudible) job? They do a very bad job and then the weeds are up to the curb, up to the- from the pavement up to the curb. They never do anything and it's a shame because everybody in the development, there's around 50 homes, everybody keeps it up. It's a pleasure to ride there until you get to this one parcel. Any more news on that group home there?"

Supervisor Kozakiewicz: "Nothing further I've heard. No."

Toni Litka: "Well, will you continue to send them things, notices about cutting the whole piece of property and it's a big one. I think it's at least an acre, maybe over an acre. But it's a shame."

Supervisor Kozakiewicz: "Right."

Toni Litka: "I'd appreciate it."

Supervisor Kozakiewicz: "Thank you."

Toni Litka: "Thank you."

Supervisor Kozakiewicz: "You're welcome. Anybody else who would like to address the Board with respect to resolutions, resolutions only? Nobody? If not, then we will take up resolutions and once we conclude with resolutions, we'll open it up for open comment period."

Resolution #686

Councilman Lull: "Get started here. Moving right along. 686 approves the application of the Word of Life Ministries for a church

related street fair. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "I wanted to ask- can I comment? The other applications that we have, have a Whereas clause for Whereas a certificate of insurance has been received naming the town as an additional insured and this one does not. Can we add that Whereas?"

Barbara Grattan: "They do have that. They do have a certificate of insurance. That I know."

Councilwoman Sanders: "I'm sure they do, but if you look at the resolution right behind it, 687, 688, all reference that certificate of insurance right in the resolution. Can we add that Whereas? Whereas the certificate of insurance has been received naming the- "

Supervisor Kozakiewicz: "Why don't we- rather than do that, why don't we just take the third Whereas which states the Town Attorney of the Town of Riverhead has reviewed all documents regarding said application, take the period, make it a comma, including the certificate of insurance naming the Town of Riverhead as an additional insured. Is that acceptable?"

Councilwoman Sanders: "That's fine."

Supervisor Kozakiewicz: "Okay. All right. Do you have that, Barbara?"

Barbara Grattan: "Yes."

Supervisor Kozakiewicz: "Okay. Vote, please."

The Vote: "Sanders."

Councilwoman Sanders: "Yes, as amended."

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

Councilman Densieski: "I believe this application is- also includes the handing out of packets of food and things and while I do

feel this is a worthy cause, I don't believe that the riverfront is a good place for the handing out of food for the needy. I think it's more for positive tourist attractions. I'm sure this is a worthy cause and I'd like to support it somewhere else, but I don't think I can support it and I vote no."

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

Resolution #687

Councilman Densieski: "Approves application of Radio Shack. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #688

Councilwoman Blass: "This application- or this resolution approves the application of ABC Carpet & Home for conducting a tent sale at Tanger II. So moved."

Councilman Lull: "Thank you, Councilman Blass. Yes. So moved."

Supervisor Kozakiewicz: "I tried to look for this today and this one got by me. Moved and seconded."

Councilwoman Blass: "Notice I didn't make an issue. I didn't make the issue."

Supervisor Kozakiewicz: "All right. Vote, please."

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

Resolution #689

Councilwoman Blass: "This resolution approves the application of Samsonite Company, again, for a tent sale to be held at Tanger I

Outlet Center. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded. And I had a small change to make to this one because the first paragraph we talked about between the hours of 9:00 a.m. and 9:00 p.m. and we don't describe what days and looking at the application, I think it was meant to be Wednesday, the Thursday, the Friday, the Saturday, and then the following Monday, the only exception being the hours of 10 to 8 on Sunday. So with- can we make that amendment so that's clear, the time of 9 to 9 is on Wednesday, Thursday, Friday, Saturday and Monday and if we can insert that? Any objection?"

Councilwoman Sanders: "Monday?"

Supervisor Kozakiewicz: "Monday? No, it's Thursday, Friday- I mean Wednesday, Thursday, Friday, Saturday and Monday. The only day that would be- the event runs from Wednesday through the following Monday."

Councilwoman Sanders: "Okay."

Supervisor Kozakiewicz: "All right?"

Councilwoman Sanders: "Yes."

Supervisor Kozakiewicz: "Vote, please."

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

Resolution #690

Councilman Lull: "Approves the application of Infinite Weave, Inc. at Tanger for a tent sale. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #691

Councilman Densieski: "Approves application of Jesus Is Lord Church for Mary Totten. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "I'd like to make that same recommendation with this resolution. We can amend it as you recommended, Bob."

Supervisor Kozakiewicz: "Okay, so the third Whereas, we're going to put the comment--"

Councilwoman Sanders: "Including the certificate of insurance."

Supervisor Kozakiewicz: "All right."

Councilwoman Sanders: "Yes."

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

Resolution #692

Councilwoman Sanders: "Comment before the vote. Before I- "

Supervisor Kozakiewicz: "Before you move it?"

Councilwoman Sanders: "Before I move it. No?"

Supervisor Kozakiewicz: "Or you can make a comment during the vote."

Councilwoman Sanders: "Okay. Well it has to do with the title of it. The title is for a park attendant- "

Supervisor Kozakiewicz: "Right."

Councilwoman Sanders: "And the Resolve identifies a seasonal recreational aide."

Supervisor Kozakiewicz: "Okay, so what you want to do is- "

Councilwoman Sanders: "So are we appointing a park attendant?"

Supervisor Kozakiewicz: "-- move it but you want to change the title to read seasonal recreation aide."

Councilwoman Sanders: "The title of the resolution or the title of the- can't move it if the title of the resolution is incorrect. So I'd rather verify that and then- yes, is everybody in agreement? I don't know what it is. I don't know whether- which one is correct, the resolution- the title in the resolution or the title in- "

Supervisor Kozakiewicz: "It's seasonal rec aide."

Councilwoman Blass: "It's seasonal recreation aide."

Supervisor Kozakiewicz: "Right."

Councilwoman Blass: "And the title then would probably be- "

Councilwoman Sanders: "The title of the resolution then has to (inaudible) on which ratifies the appointment of a part time seasonal rec aide. Yes?"

Supervisor Kozakiewicz: "Okay. Moved- is there a second?"

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Vote, please."

The Vote: "Sanders."

Councilwoman Sanders: "Sorry. The hourly wage then has to be changed to \$7.50. Rec aides start at \$7.50; park attendants start at \$7.00."

Supervisor Kozakiewicz: "I couldn't tell you. I couldn't tell you."

Councilwoman Sanders: "We had decided that it was a part time seasonal recreation aide and if it's a part time rec aide, their starting salary is \$7.50. Okay?"

Barbara Grattan: "All right."

Councilwoman Sanders: "I have it right here. I know. Rec aide is \$7.50."

Supervisor Kozakiewicz: "Yeah, the next one is going to be the same issue and unfortunately with the inconsistency but these people are working so we'll go to \$7.50. Okay? Vote please."

The Vote: "Sanders."

Supervisor Kozakiewicz: "Give them a \$.50 raise. Where are we in the vote?"

(Some inaudible discussion)

Councilwoman Sanders: "Yes."

The Vote: "Blass, yes; Densieski."

Councilman Densieski: "Question. Is this going to be bid out next year, Bob, or- "

Supervisor Kozakiewicz: "I think we will have that discussion because there are issues with the Health Department on this."

Councilman Densieski: "Okay, then I'll vote yes."

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

Resolution #693

Councilwoman Blass: "This resolution appoints a part time seasonal park attendant for the concession stand to the Riverhead Recreation Department and I move it with the correction of the prior resolution changing the title to reflect a part time seasonal recreation aide and the salary, hourly rate to be \$7.50 per hour. I move it with those amendments."

Councilman Lull: "And I'll second."

Supervisor Kozakiewicz: "Moved and seconded with those amendments. Vote, please."

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

Councilman Densieski: "The person is Anna McKay. Yes."

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

Resolution #694, 695, 696

Councilman Densieski: "Appoints John O'Donoghue as a fill in lifeguard to the Riverhead Recreation Department. So moved."

Councilwoman Sanders: "Do you want to do the next one, Ed? There are several."

Barbara Grattan: "There are several here we've got for you."

Councilman Densieski: "Okay. I'd also like to move 695, which is James Lyons; 696, which is Tom Cordzella."

Councilwoman Sanders: "That's it for lifeguards."

Councilman Densieski: "I will move those, please."

Supervisor Kozakiewicz: "Move those three- is there a second?"

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "All right. Vote, please on those three."

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

Resolution #697

Councilwoman Sanders: "Ratifies appointment of a part time seasonal rec aide for the skatepark to the Riverhead Recreation Department. I'd like to again correct that hourly wage. If it's a rec aide then the hourly wage is \$7.50 an hour and it shouldn't be effective June 30th. It should be effective July 2nd."

Supervisor Kozakiewicz: "Unless he's been employed already. If he's been employed already- "

Councilman Densieski: "It says ratifies."

Councilman Lull: "It says ratify."

Supervisor Kozakiewicz: "Ratify, so."

Councilman Lull: "He might be already employed."

Councilwoman Sanders: "Okay."

Barbara Grattan: "So you're going to leave June 30th?"

Supervisor Kozakiewicz: "Yup. All right. Moved and seconded, correct?"

Councilman Densieski: "No. It hasn't been moved."

Supervisor Kozakiewicz: "It hasn't been moved."

Councilwoman Sanders: "Correct the hourly rate to \$7.50."

Barbara Grattan: "Yes."

Supervisor Kozakiewicz: "All right."

Councilman Densieski: "Okay. I'll second for Matthew Aug."

Supervisor Kozakiewicz: "Okay. Moved and seconded with the change."

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

Resolution #698

Councilman Densieski: "Appoints Adnenne Walter as a part time seasonal recreational aide to the Riverhead Recreation Department. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Same change."

Councilwoman Sanders: "Yes."

Councilwoman Blass: "Yes."

Supervisor Kozakiewicz: "\$7.00 to \$7.50. Moved and second with the change to \$7.50."

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

Resolution #699

Councilwoman Blass: "This resolution ratifies the appointment of a summer recreation aide Level I to the Riverhead Recreation Department and I think this hourly rate is correct. I will move it as proposed."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #700

Councilman Lull: "Appoints Greg Stawski as a scorekeeper to the Riverhead Recreation Department. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #701

Councilwoman Sanders: "Appoints a park attendant I to the Riverhead Recreation Department. So moved."

Councilman Densieski: "I'll second for Anthony Messina."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "We should be finished approving and appointing park attendants and rec aides I would hope by sometime in August or September. So moved. Yes."

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

Resolution #702

Councilman Densieski: "Appoints seasonal laborers in the Buildings and Grounds Department. I see Jermaine Holmes- "

Councilman Lull: "It's not laborers. It's the same as last year's resolution. It's one."

Councilman Densieski: "Okay. So it should be laborer. Okay."

Supervisor Kozakiewicz: "Correct."

Councilman Densieski: "Okay. Jermaine Holmes. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #703

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

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #704

Councilwoman Blass: "This resolution appoints a part time driver/messenger, that person being Linda O'Kula. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #705

Councilman Densieski: "Appoints a recreation aide for a projectionist for the Business Improvement District. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Comment. If this is- I'm not quite sure we have-- recreation aide is not a projectionist and how many hours has been budgeted for this person, how many hours at night will they be working? Our rec aides make \$7.50 an hour. This rec aide projectionist will be making \$40.00 an hour and I just have some questions as to how many hours we've budgeted- "

Councilman Densieski: "I believe that includes all the equipment and everything, Rose."

Councilwoman Sanders: "It doesn't- "

Supervisor Kozakiewicz: "Yeah, this- "

Councilwoman Blass: "It doesn't read that way."

Supervisor Kozakiewicz: "Yeah, this, well, there's a memo that was attached to this that goes hand in hand with Resolution 726, I think it is, which establishes a budgetary change to the bid. The budget amount just to answer that question is proposing for \$2,000 for this use or for this person as well as a fringe benefit which is in social security of \$160. The memo indicates that in previous years we've had other organizations do the movies. The BID management has asked that we appoint a seasonal projectionist. This was passed through Jack Hansen. He ran it through civil service and what they're doing is they're going to employ a projectionist who works for Suffolk Community College using their equipment supplied by the college is

what the memorandum indicates to us. Any other discussion? Vote, please."

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

Councilman Densieski: "This used to be last year the free Wednesday night movies, now the free Thursday night movies. It was one of the nicest events held by the town. It was on the grass of East End Arts and every week you had a different movie and it was a really fun family evening. I hope everybody can go this year. As a matter of fact this Thursday they're playing Jurassic Park. The kids will love it and there's a different movie. It will be in the paper or you can call the BID or the town and we'll gladly tell you what the schedule is. With that said, I'm going to vote yes."

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

Councilman Lull: "Yes. They've got a wonderful set up of movies for this year. Yes."

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

Resolution #706

Barbara Grattan: "Resolution #706, Councilwoman Blass."

(Some inaudible discussion among the Board members)

Supervisor Kozakiewicz: "Someone else want to move it?"

Councilman Densieski: "Yeah, I'll move it. I'd like to move Resolution #706 amending employment status of Deputy Town Attorney. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded. Any discussion?"

Councilwoman Sanders: "Discussion."

Supervisor Kozakiewicz: "Discussion?"

Councilwoman Sanders: "I was going to suggest that possibly we table the resolution because there's still- there's some questions

that were not and issues that were not resolved in reference to holidays and sick time. And for a part time- for part time employment. In trying to identify and resolve this, we were supposed to have, I thought, some further discussion to get some information as to how we can have and accrue at a part time rate and get full holidays. So, well, sick time benefits as well, part time employment I would think in my opinion should relate to part time accruals and in this case it doesn't.

And I was hoping that we would be able to have some discussion to resolve that particular item. So I was going to recommend and hopefully get support that we table it so that we can discuss it, resolve it, and then vote on it."

Councilwoman Blass: "Mr. Supervisor, I, too, have some concerns not necessarily related to the sick time or the vacation time because I believe they were part of the negotiated package of a prior Town Board. But that prior Board was silent as to holidays and that was the area of concern that I had and, again, because it was silent I didn't know whether it was an omission or because it could not have been satisfactorily negotiated.

So I was going to offer either to table to zero in specifically on that aspect of this change in status or to perhaps make a motion to amend to allow for 60% of the holidays if he's working 60%-- the individual is working 60% of a work week, then perhaps he should only be entitled to 60% of the paid holidays for the duration of the year which would amount to eight.

And I would be amendable to that but with that specific aspect of the change in status, I would agree with Councilwoman Sanders in a motion to table unless that amendment could be made."

Supervisor Kozakiewicz: "That one issue was (inaudible)."

(Some inaudible discussion among the Board members.)

Councilman Lull: "It was understood- "

Councilwoman Blass: "It was my understanding that it was silent as to holidays."

Councilman Lull: "It was silent as to holidays but the understanding on the Board was- I remember the issue correctly. The understanding on the Board was the Town Hall was closed during those

days, his job was closed during those days. I mean if it happened to fall on those days, it falls on those days."

Councilwoman Blass: "And if it doesn't?"

Councilwoman Sanders: "If the individual has less hours to where no established days are identified, then it's very difficult to determine whether that holiday was part of a flex period or whether it wasn't. I'm just trying to identify- not the individual, I'm talking about how it is that we come to the decision as to what that individual is entitled to based on the fact that flex schedule is a great thing to have, but you can't have somebody flexing and then have them entitled to a holiday that may have fallen outside of the time that they flexed and then he would be entitled to four days pay as opposed to three days pay."

Supervisor Kozakiewicz: "We talked about this a little bit at work session and it was left a little bit open. I think we're, you know, we're kind of- we're almost treating an attorney in a professional, like a laborer, and I hate to say it that way because (inaudible), and I sense that we're getting our (inaudible) and I almost feel embarrassed talking about it like this. The situation is one where he has been extremely beneficial and he also as pointed out in that work session covers the Zoning Board of Appeals hearings which was not previously addressed and has also appeared not only before the Zoning Board of Appeals but has been the counsel whenever they've been challenged in Article 78 proceedings."

I think that given the role that he's been assigned, that the effort to clarify the resolution by this particular resolution 706, is a fair thing to do so once and for all, all the difference of opinion as to how accruals are occurring can finally be resolved and that we can treat the individual in question professional.

I understand the desire to table this and on one hand I know that I'd like to try and have a uniform support on this one because I think it would be fair to this particular individual to have a 5-0 vote. At the same time, we've been talking about this for a while and I'd like to get the matter rectified. So, with that being said, any other discussion?"

Councilman Densieski: "We have a motion?"

Supervisor Kozakiewicz: "Yeah, there's a motion to table. Right. So there's a motion on the floor to table and second. Vote."

The Vote (to table): "Sanders, yes; Blass, yes, to table; Densieski, no, to table; Lull, no; Kozakiewicz."

Supervisor Kozakiewicz: "I hate to do this because it seems like side against side and I don't like doing that but I think I said my reasons why I'd like to get this resolved and unfortunately vote no to table."

Barbara Grattan: "Okay, the resolution is not tabled."

Supervisor Kozakiewicz: "Is there a motion to move the resolution?"

Councilman Densieski: "It was moved and seconded already."

Supervisor Kozakiewicz: "Moved and seconded. Okay."

Barbara Grattan: "Densiesk and Lull."

Supervisor Kozakiewicz: "Okay."

Barbara Grattan: "And now we're going to vote on that."

The Vote: "Sanders."

Councilwoman Sanders: "Well, it is unfortunate that we couldn't agree to table this so that would afford us to have some more opportunity again. I am not pointing out to a particular individual. It's just the process and how we come to decide who gets what holidays and not and I can't support someone who is employed on a part time basis receiving all of the holidays and the same benefits that a full time employee would also receive. So it is unfortunate but I feel strongly about that and it does come down to, I guess, the financial aspect of it and I have to vote no."

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

Councilwoman Blass: "I'm going to abstain on this vote and I would like to clarify one thing. I've been questioning the terms of someone's employment may not necessarily be an appropriate public discussion but it is no way to characterize, I think it was unfair to characterize that he's being treated as anything other than a professional individual and he is a professional individual and approachable and does a very, very fine job."

I would just like to have had the opportunity to have negotiated that aspect of his contract. I will abstain."

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

Councilman Densieski: "Yeah. I think the issues has been around at least a couple weeks. I think there was enough time if you had the time to spend on it. If you ever had to hire an attorney, they're big bucks to hire them. We're trying to clarify what the Board agreed to in 2001 and the Town Attorney's office is still understaffed and if we take back what we agreed to, we- I think we have a chance of losing a couple of real good attorneys who really earn their keep.

I know one case just recently that Scott worked on in particular that- it was a lot more than his salary and vacation and sick time altogether. Outside counsel costs us at least \$150 an hour, at least. I'm sure none of those attorneys double bill us, of course.

Both attorneys regularly work more than they're supposed to. They work, once they get to the maximum hours, they don't get paid anymore. But they still put in time like a lot of us do, like this whole Board does, but more time than they have to at no compensation. One of those attorneys has 10 years of experience. Now that can get very costly. And the other is a young aggressive whipper snapper who is going to be a great attorney who has already earned his weight around here as far as I'm concerned.

I think it would be fiscally irresponsible to gamble with losing these two people. I'd like to thank my colleagues because I think their heart is in the right place. They're trying to be frugal and I agree with that, I try to be the same. But I think in this case we're being penny-wise and dollar foolish.

I don't- it's very hard to get a good attorney at any price and I hate to say this in front of Dawn but we have three bargains here so I'm going to support them and I'm going to vote yes. This guy, Scott, is a bulldog and I'm glad he's on my side."

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

Councilman Lull: "Are you going to tell Sean tomorrow he's a whipper snapper? Yes. I believe as Ed mentioned, we have three people working in that department right now that when we hired, we gave every indication that what we were going to do is what we're

doing right here. And so we're just simply seconding what's already been done. Yes."

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

Supervisor Kozakiewicz: "I've made some of my comments on the record before. With respect to the vacation and sick time, I would just like to point out that the number of vacation days was arrived at by taking what the full time employee would have earned and then, in fact, taking a percentage thereof, 60% or there about, to arrive at that number. So the vacation equivalent was arrived at that way.

The sick time, we have basically been going at a higher sick time rate for a full timer as well, and there was some concession in that regard and as pointed out by prior comment, these figures were described in prior resolutions of July and April of 2001.

I want to, again, point out that this particular individual has been an extreme asset to the Zoning Board of Appeals, not only by being present during the hearings in order to provide advice in that setting, but also as litigation counsel in those instances where an applicant before the Zoning Board of Appeals has not been happy with the outcome they've received and to date I think all of the cases have resulted in successful representation to the Zoning Board of Appeals.

I vote yes."

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

Resolution #707

Councilman Lull: "Changes the employment status of Deputy Town Attorney, Sean M. Walter. So moved."

Councilman Densieski: "I'd like to second that motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Yes. And I'd like to point out that the inclusion if you will of the responsibilities as acquisition of development rights attorney if you will being added to Mr. Walter's responsibilities is really something that I think will be an asset to our preservation program. He will be assuming that role as an

advocate for our preservation program and that I believe is what's supplementing the- this full time status. And I think that's a great thing. I- my vote is yes."

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

Councilman Densieski: "Yes. As Barbara pointed out, this person is going to be working half time trying to preserve farmland and that's something that the Agricultural Advisory Committee has recommended a full time person, but we have to start somewhere so I support it.

And also one way you get an attorney that you couldn't normally afford is to give him benefits so that's my other reason for supporting these gentlemen. Yes."

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

Supervisor Kozakiewicz: "The- as pointed out by Councilwoman Blass, the resolution will allow or provides for at least half of the hours to be devoted to the acquisition of development rights, something that we've been criticized and I've been criticized for it not doing in the past.

I think this is something that we need to do in order to concentrate on making these deals happen quickly, timely, and efficiently so that the program can be a success and, hopefully, it will be a success and I support this resolution. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #708

Councilman Densieski: "Accepts performance bonds of Mid Road Properties, LLC (land clearing). So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #709

Councilwoman Blass: "This resolution authorizes the release of performance bond of Pond View Associates LLC, also known as Saddle Lakes Phase I. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "I had the pleasure of going to their grand opening as did most of the Board and I'd like to say they did a great job up there. So I'm going to vote yes."

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

Resolution #710

Councilman Lull: "Authorizes the submission of application to the New York State DOT regarding industrial access program. The Supervisor explained this a few minutes ago. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "I'd like to commend the CDA for putting this together. I think it's great. I think it's going to be great for Riverhead and I'd like- I look forward to seeing it implemented. So, yes."

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

Resolution #711

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

Councilman Densieski: "Mr. Supervisor, I'd like to make a

motion that we table this for more discussion. I think we're affecting a lot more people than we actually thought. I know there's a lot of farmers and there's a lot of other people that use that. Would it be time sensitive if we table this to discuss further at a work session or is there a - "

Councilman Lull: "Ed, yeah, I'm not sure it would be really time sensitive. What I really object to and have objections from the- from residents up there, is the number of Crown Sanitation trucks and Grimes (phonetic) trucks from the landfill that are taking Mill Road.

Understand that this sign will say- it will say what the weight limit is but it will also except local deliveries. So it won't have an impact- "

Councilman Densieski: "Well, wouldn't Crown and Grimes be local delivery though?"

Councilman Lull: "No, no. (Inaudible) would meet on the street. That was done because the new building that's going on at the corner, that will be going on at the corner, and because of Foxwood, the building going on there."

Supervisor Kozakiewicz: "There's a motion- is there a second to table?"

Councilwoman Blass: "Yes, to table. Second."

Supervisor Kozakiewicz: "Okay. Motion and second to table. Vote, please."

The Vote: "Sanders."

Councilwoman Sanders: "To table, no."

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

Councilwoman Blass: "Yes, to table."

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

Supervisor Kozakiewicz: "You never know how the vote is going to turn out. No."

Barbara Grattan: "Oh, dear. One, two, three. Three no's and

two yes's."

Supervisor Kozakiewicz: "It's not tabled. So was it moved and seconded- I don't think it was. Correct. So- "

Councilwoman Sanders: "I did move it."

Supervisor Kozakiewicz: "You did move it? Okay."

Councilwoman Sanders: "Yes, I did move it."

Supervisor Kozakiewicz: "Was there a second?"

Councilwoman Sanders: "And then- "

Supervisor Kozakiewicz: "And then there was discussion. Is there a second to Councilwoman Sanders' motion? Is there a second?"

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Question, if I may. Can I just- "

Supervisor Kozakiewicz: "Discussion."

Councilwoman Blass: "Discussion. Yes. How then do the trucks that are doing the work at the landfill reclamation project and Crown Sanitation, specifically, how are they affected?"

Councilman Lull: "The- "

Supervisor Kozakiewicz: "Osborne."

Councilman Lull: "-- yeah."

Supervisor Kozakiewicz: "They'll have to use Osborne."

Councilman Lull: "The request for this comes from the Highway Superintendent and the Police Department and it is Mark's feeling that Osborne is much better constructed to handle that with the fewer hills and the marked intersection which is probably going to be signalized very soon. So that it's- Osborne is much safer. The turn-- also that

the turn that the trucks are using from going onto Mill Road and off of Mill Road and Osborne has caused some near misses especially when they're coming north and they're not full and they're bouncing all over the road."

Supervisor Kozakiewicz: "Any other discussion? All right. Okay. I think we were up to- "

Barbara Grattan: "We were with Barbara."

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

Councilwoman Blass: "I'll vote yes."

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

Councilman Densieski: "I usually take Jim's word because he's on the Traffic Committee and he said the Police Department and the Highway Superintendent. I usually take all their word. But this time I think we might be rushing. I think we're going to affect more people than we think. I think we're now going to affect instead of the people on Mill Road, we're now going to affect the people on Osborne."

So I think- I don't think this issue is just move it down the other road and it's going to go away. So I'm going to vote no."

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

Resolution #712

Councilman Lull: "Authorize- authorization to retire fixed assets. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Comment. Can I just ask a question? When the equipment is discarded, what happens to it? Is it truly discarded or is it distributed to- "

Councilman Densieski: "They used to go to Jack's yard sale. That's what I was told, but I'm not sure."

Supervisor Kozakiewicz: "Discarded. It's discarded."

Councilman Densieski: "It's discarded. Okay."

Councilwoman Sanders: "Could any consideration be given to donating any portion of the equipment to non-profit agencies who might be able to further use the equipment?"

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

Councilwoman Sanders: "Would that be considered?"

Supervisor Kozakiewicz: "Sure."

Councilwoman Sanders: "Okay. Thank you."

Supervisor Kozakiewicz: "Any other discussion? If not, we have the vote."

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

Councilman Densieski: "Yes. I hope Rose is going to handle that. I'll support her in that. Yes."

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

Councilman Lull: "These nine mouses, they are- yes."

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

Resolution #713

Councilwoman Blass: "This resolution is an authorization to retire fixed assets. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #714

Councilman Densieski: "Authorizes the Town Supervisor to submit an application for participation in the certified local government program of the New York State Office of Parks, Recreation and Historic Preservation. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #715

Councilwoman Sanders: "Authorizes the Town of Riverhead to remove rubbish, debris and the cutting of grass and weeds from property pursuant to Chapter 96 entitled Trash, Rubbish and Refuse Disposal of the Riverhead Town Code. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Yes. And that property is 18 Fanning Boulevard in Riverhead."

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

Resolution #716

Councilwoman Blass: "This resolution authorizes the Supervisor to execute an agreement between the Town of Riverhead and Health Research, Inc. for the administration of a grant that will provide funds for the installation of smoke detectors in homes within the town. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "The amount of the grant that was received was in the sum of \$20,000 and it's a great project. Yes."

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

Councilman Densieski: "Yes. It's simple. Smoke detectors saves lives. Yes."

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

Resolution #717

Councilman Densieski: "Authorizes the Supervisor to request the state for a speed zone change. So moved."

Councilman Lull: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "I think Councilman Lull is going to comment on the location of this. Yes."

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

Councilman Lull: "Actually when Mr. Evans came up before, we did have this discussion but these are speed limits on Doctor's Path which at the present time has no speed limits at all. We petitioned the state for a study. Yes."

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

Resolution #718

Councilman Lull: "General fund budget adjustment. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Lull: "I just want to comment on one if everybody doesn't mind. One of the appropriations which is-- one of the transfers is appropriation from fund balance to JAB Equipment. That project is a training device which is used in some cases to train public safety dispatchers but when used with a second phone, it's a suitcase phone device, when used with a second phone, it can be used to train children as to how to make a 911 call and we are purchasing this through the JAB and will be using it in the schools in the district over the next couple of years to see how things go. But it's a way of getting kids used to making 911 calls if they need to. Yes."

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

Resolution #719

Councilwoman Sanders: "748 Osborne Avenue, Chapter 96 capital project budget adoption. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #720

Councilwoman Blass: "This is a Chapter 96 budget adoption for property at 731 ½ West Main Street. So moved."

Councilman Lull: "Second."

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

Resolution #721

Councilman Lull: "Is a Chapter 54 capital project budget adoption for 417 through 475 West Main Street. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #722

Councilman Densieski: "Is a Princess Laundry sewer capital project budget adoption. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #723

Councilwoman Blass: "This is a budget adoption- adjustment for the Highway Department. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #724

Councilwoman Sanders: "Municipal garage building improvement budget adjustment. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #725

Councilman Lull: "This is a reuse- refuse, sorry, and garbage district budget adjustment to cover the STOP program and Councilman

Densieski will tell you when that's going to be. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Thanks, Jim. You made me look bad. I don't know the date off the top of my head. I'm sorry. I'll report it at another meeting."

Barbara Grattan: "Did you vote?"

Councilman Densieski: "Yes."

Barbara Grattan: "Thank you."

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

Supervisor Kozakiewicz: "I think it's October 18th. Yes."

Barbara Grattan: "The resolution is adopted."

Councilman Densieski: "Yours was unintentional. Yours was unintentional, Jim."

Resolution #726

Councilman Densieski: "I'm sorry. Business Improvement District budget adjustment. So moved."

Councilwoman Blass: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #727

Councilwoman Blass: "This is a budget adoption for Community Development Block Grant. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #728

Councilwoman Sanders: "The Youth Court Scholarship Fund budget adjustment. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #729

Councilman Densieski: "Authorizes the Town Clerk to publish and post for a public hearing to consider the application of Hound's Gate Condominium for an exemption pursuant to Riverhead Town Code Section 109-007. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Yes. And I'd just like to point out that that hearing is on the 16th of July and it's at Wading River. For everybody's benefit, our next Town Board meeting is in Wading River. Yes."

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

Supervisor Kozakiewicz: "Yes. The only thing I would say is on the public notice we have an additional on 11 acres of land we describe it twice. Oh, okay. All right. Yes."

Barbara Grattan: "You vote yes."

Resolution #730

Councilman Lull: "Authorizes the Town Clerk to publish and post for a public hearing to consider the application of Mountain Brook Homes at Roanoke Landing, LLC for an exemption pursuant to Riverhead Town Code Section 109-007. So moved. The public hearing is 16th day of July at Wading River."

Councilwoman Sanders: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "I've been advised by the Town Attorney to abstain."

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

Resolution #731

Councilman Lull: "Authorizes the Town Clerk to publish and post for a public hearing to consider the application of Country Trails Long Island Tech Developing Corp. for an exemption pursuant to Riverhead Town Code Section 109-007. That public hearing on July 16th as well at Wading River. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #732

Councilman Densieski: "Authorizes the Town Clerk to publish and post a public notice to consider the purchase of development rights of a parcel of land located in the Town of Riverhead known as Benny Gatz. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "900 to go. Yes."

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

Supervisor Kozakiewicz: "Actually we might be past that mark. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #733

Councilman Densieski: "Re-refers special permit petition of J. Douglas and Agnes Stark, Glenwood Oaks, to Planning Board and authorizes the Town Clerk to publish and post notice of public hearing. So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Lull: "Re-refers."

Resolution #734

Councilman Densieski: "Authorizes the Town Clerk to publish and post a public hearing notice to consider the demolition of buildings owned by William Jenkins pursuant to the Chapter 54 of the Code of the Town of Riverhead entitled Unsafe Buildings and Collapsed Structures. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Yes. And the premises 731 ½ West Main Street. Yes."

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

Resolution #735

Councilman Lull: "Authorizes the Supervisor to execute HOME rehabilitation agreement with Suffolk County for additional home improvement program funds. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #736

Councilwoman Blass: "This resolution amends the site plan of Wading River Plaza for Bank of Smithtown branch. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #737

Councilman Densieski: "Approves the site plan of the Riverhead Charter School. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "I have a question. Who prepared the document?"

Supervisor Kozakiewicz: "Planning."

Councilwoman Sanders: "Planning?"

Supervisor Kozakiewicz: "Yup."

Councilwoman Sanders: "I think he's here. Is he here?"

Supervisor Kozakiewicz: "Yes, he is."

Councilwoman Sanders: "All the concerns that the Fire Marshal had, his review of the site plan application back on March 13, 2002, were all his concerns addressed in this resolution?"

Rick Hanley: "Not in the resolution but in the plan itself, his concerns have been graphically depicted on the plan and also the Board should be aware that the Charter School has to meet the special provisions of the New York State Building Code for Schools. There's no relief from that."

Councilwoman Sanders: "Okay."

Rick Hanley: "Okay."

Councilwoman Sanders: "So you're- "

Rick Hanley: "Yes. I'm comfortable with that. You should be aware that there are numerous conditions on this approval as well embodied in the resolution which have to do with site planning issues. That we talked about."

Supervisor Kozakiewicz: "Any other discussion?"

Councilwoman Blass: "I have a question. Yeah, I do have a question as well. Is a building permit required for a temporary facility?"

Rick Hanley: "There is a building permit required for temporary classrooms. There is also a certificate of compliance required prior to occupancy. So I have fashioned some of these conditions based on building permit and others based upon a certificate of compliance."

Councilwoman Blass: "Then my specific question becomes when the temporaries receive their certificate of compliance which will allow them to open I assume in September- "

Rick Hanley: "Yes."

Councilwoman Blass: "-- will all of the other improvements that

are required- "

Rick Hanley: "For the access- "

Councilwoman Blass: "For access."

Rick Hanley: "Yes."

Councilwoman Blass: "And everything else."

Rick Hanley: "Yes. Yes."

Councilwoman Blass: "Be in place even though we're talking about no building permit shall be issued, those would be for the balance of the site?"

Rick Hanley: "Correct. What I've done there is said that no certificate of compliance is issued without the improvement of that access driveway which would meant the state work permit would have to be approved. The access driveway would have to be curbed and finished as well as that parking area prior to that occupancy. Otherwise there's just not way for those buses to get to the site."

Councilwoman Blass: "Okay."

Rick Hanley: "So we were pretty strict about that one."

Councilwoman Blass: "Just as long as we are confident that all of the safety measures will be in place."

Rick Hanley: "Yes."

Councilwoman Blass: "Okay."

Rick Hanley: "Just for your edification, Barbara, the Building Department will require a safety officer on the site as part of the certificate of compliance, given the fact that there will be ongoing construction at the same time as the occupancy. So I think we've got this one covered."

Supervisor Kozakiewicz: "More discussion?"

Councilwoman Sanders: "One more question. Someone brought to my attention the school zone signs are not there now- "

Rick Hanley: "Yes. They are on the work permit for the DOT. All the standard signage is part of that curb cut approval and actually shown on the drawings. So I didn't add that in the resolution."

Councilwoman Sanders: "Thank you."

Rick Hanley: "Yes."

Supervisor Kozakiewicz: "Any other discussion? If not, vote."

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

Resolution #738

Councilwoman Blass: "This resolution classifies action and declares lead agency on a special permit of T-Jay's Transmission and refers petition to the Planning Board. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Yeah. I have personal knowledge of the owner and he's a good businessman. I'm glad to support him. Yes."

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

Supervisor Kozakiewicz: "It's probably one of those rare Industrial B pieces. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #739

Councilwoman Sanders: "Ratifies the authorization of the Town Clerk to repost and republish a notice of bidders for East End Arts Council site handicapped accessibility modifications. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #740

Councilwoman Sanders: "Authorizes the Town Clerk to advertise for bids for construction of Plant 11 general construction and mechanical work for the Riverhead Water District. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #741

Councilwoman Sanders: "Awards bid for corrosion control chemical. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "And that award was to CalciQuest, Inc. Yes."

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

Resolution #742

Councilman Lull: "For Steve, a change to what I said before as far as awarding the bid for repainting of the Pulaski Street tank which is what this resolution did. We did find a bidder, sorry. This approves the- this awards the bid for repainting of the tank. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Yeah, I'd just like to take a moment, I'm sorry, Barbara."

Barbara Grattan: "That's okay."

Councilman Densieski: "I'd like to take a moment to thank Gary and his crew for keeping the water coming in these hot times. Over the last couple years or so we've had to put new wells and fix some things up but it's paid off now that we need the water so I'd like to thank you guys, Gary, and your whole crew. With that said, I'll vote yes."

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

Councilman Lull: "I think you even sold some last year, didn't you? Yes."

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

Resolution #743

Councilman Densieski: "Awards bid for Extension #56 for Sunken Pond Estates Section #2 for the Riverhead Water District. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "I was actually going to make a suggestion that in light of the fact that we have some ongoing issues with this particular development that perhaps we shouldn't be authorizing any further work even though the particular Water District issue hasn't- or extension of the Water District is not one of the areas that we have a problem with. But in light of everything else that's going on, until those other issues are successfully resolved, it was going to be my intention to actually table this resolution. But I guess I passed that point now, didn't I?"

Supervisor Kozakiewicz: "Well- "

Dawn Thomas: "I do know that there (inaudible)-- "

Supervisor Kozakiewicz: "Young and Young."

Dawn Thomas: "Young and Young submitted the final excavation calculation and thank you to whoever fixed my mike."

Councilwoman Blass: "I guess that was Ed."

Dawn Thomas: "They were in yesterday to the Building Department. I haven't reviewed it. It's for Leroy to review. So that- I knew that had been an open issue when we discussed it at work session. That's now been done."

Councilwoman Blass: "And the issue securing those open drainage areas during construction, I guess is not something that- "

Dawn Thomas: "That I haven't- "

Supervisor Kozakiewicz: "Well, I think we need to take that up but that wouldn't be- "

Councilwoman Blass: "I know- I guess- I didn't really- I know it's not particular to this request. This is awarding a bid for a Water District extension. I understand that there's no direct nexus between that and the issues. I guess in general what I'm saying is maybe we should not be considering furthering any work at a site where we know we have outstanding matters and if we could table this for two weeks to verify that those other issues are indeed resolved, then that would be- I mean I would be- "

Supervisor Kozakiewicz: "We're in the middle of a vote. Right?"

Councilwoman Blass: "We're in the middle of a vote. Okay."

Supervisor Kozakiewicz: "Yeah. That's the problem, we already started the vote with Rose."

Councilwoman Blass: "Okay. And I- that's okay, I should-- that's all right. I'm going to abstain."

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

Councilman Densieski: "I'm going to vote yes to award a bid for

water extension."

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

Councilman Lull: "Yeah. I think that- two things, Rose, I mean, Barbara. First of all I think this is not something which is any expense to the town. Obviously he's paying for it.

The second thing is I don't want to take the chance of him being ready for the water and not having the water ready for him, and us ending up with a suit that way. So, noble idea, but I don't think- yes."

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

Supervisor Kozakiewicz: "Yeah. I also want to say it's a good idea that perhaps we at points when we have some concerns about the way a project is going, we just put the brakes on. Also, just to be fair, there were discussions with respect to whether, in fact, there was or was not an issue here and part of that was the certification which we received from Young & Young which will help clarify that situation.

Enforcement would be an issue as well. And we have to really think about if we're going to come down on them, maybe to hire more people. I vote yes for the resolution."

Barbara Grattan: "Okay, resolution is adopted."

Resolution #744

Councilman Densieski: "A resolution authorizing the issuance of an additional \$5,000 serial bonds of the Town of Riverhead, Suffolk County, New York to pay the additional costs of the reconstruction of the roof of the highway barn administrative office building on Osborne Avenue and for said Town of Riverhead. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "I've been here about two and a half years and I've seen this bond resolution probably about 100 times.

Yes."

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

Councilman Lull: "Is this going to be the end? Yes."

Councilman Densieski: "I hope so."

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

Supervisor Kozakiewicz: "It's actually been about 98 times.
Yes."

Barbara Grattan: "That resolution is adopted."

Resolution #745

Councilman Densieski: "Approves amended elevations of Robert Patchell for the Bayview Motel. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Blass: "Discussion."

Supervisor Kozakiewicz: "Discussion."

Councilwoman Blass: "Did you want- okay. I think I'd be the first person to admit the fact that this applicant has done a wonderful job in renovating what was an eyesore in a community and has devoted an awful lot of his resources, time, money and energy to improving that corner and I'm sure it will be a fine use eventually.

I take exception, however, to bending the rules and I think we're bending the rules here and I'm not so sure that any other restaurant in town would be allowed to open without demonstrating that they have parking and I think all you have to do is read through this resolution that where in the title it talks about amending an elevation and the body of the resolution talks about approving a site plan. This particular applicant has no site plan from the town that I'm aware of. I asked to see an approved site plan and one was never provided.

I'm not certain why we have what appears to be a double standard here and I have grave concerns about approving any use, in this case it's clearly a change in use. It was a prior boardinghouse, that in and of itself according to the site plan section of the code requires a site plan approval, site plan application submitted and we are continuing to bit by bit approve a deck that was not appropriate or not applied for and a plan was initialed.

Well, I think this is a back door attempt to get a use opened without demonstrating that they can comply with all the conditions that are required of a site plan. And Councilwoman Sanders and I have had several discussions about this and I apologize, Rose, if I took any of your comments, but I am not even sure that they have a permit that allows for this particular use on the site.

Again, I take nothing away from the applicant. He's done a wonderful job but I think if we have rules and unless they're demonstrated that they don't work anymore and that we have, you know, we need to change them, then we need to change them. But until such time as we do that, then I believe the rules should apply to everyone and I don't see it in this case."

Supervisor Kozakiewicz: "Any other discussion?"

Councilwoman Sanders: "I just want to add to that, that the last discussion- it was unfortunate that the last discussion that we did have we were commenting on several issues that still needed to be addressed. One was the fact that we were looking at something that didn't have a corresponding site plan to it, and I think more importantly, was we were trying to resolve the issue of parking and I thought that applicant was to come back and address the Town Board regarding that very same subject and that never happened. Now we are being asked to approve something that we're still waiting information from the applicant on and I don't support that."

Supervisor Kozakiewicz: "I would like to recognize Rick- Rick Hanley of the Planning Department, Planning Director. Maybe he can respond to some of the comments that have been made."

Rick Hanley: "Thank you. The resolution was intended to amend a previous resolution which approved elevation drawings and if the language is unclear, maybe we could clarify it. It was not intended to amend the site plan approval. It was merely intended to amend the approval of elevation drawings on this building. I think a previous Board made a decision that given the pre-existing non-conforming

nature of the building and what was to happen there, that they would approve elevation drawings, which was out of the ordinary, but they chose to do that.

So the resolution number that's in the body of that resolution merely approved elevation drawings."

Councilwoman Sanders: "Would they only approve an elevation drawing without a site plan?"

Rick Hanley: "No. No. But this one was unique in that there was a pre-existing non-conforming use that existed there and I don't remember every nuance of the discussion a number of years ago, but the previous Board made the decision that in order to allow this reconstruction to occur in a timely fashion, they chose to approve elevation drawings. So that's just the history as I remember it.

There was also a site plan approval for a deck which I did not- I did not reference or recite because it was merely for a deck. It had nothing to do with any of the other site issues of parking and all the things that you've brought up. So."

Councilwoman Blass: "So are you suggesting that then the first Resolve clause, for example, that reads that in the matter of the site plan application of Robert Patchell, that that is indeed incorrect because we do not have a site plan application?"

Rick Hanley: "I don't believe we do. I don't believe we do."

Councilwoman Blass: "And as- "

Rick Hanley: "It would be just an amended elevation drawings."

Councilwoman Blass: "Okay. And if I can ask you then, in your professional opinion, have you ever recommended to this Board or to a prior Town Board an approval of a restaurant use that cannot demonstrate parking?"

Rick Hanley: "I don't know that we've said anything about restaurant use here."

Councilwoman Blass: "What is the- what is the use of the- "

Supervisor Kozakiewicz: "I would make the following comment in response. The question was put to Mr. Hanley whether he would

recommend- I don't know if he recommended it, but as pointed out by Resolution #842 of 1999, the Town Board, at that point in time, did take that action. By approving the elevations they did, in fact, act to approve the use and I guess a number of factors were taking into consideration, the prior non-conforming use- "

Rick Hanley: "Right."

Supervisor Kozakiewicz: "-- the fact that the existing building was not coming down and a new footprint being placed- I don't know what their reasons were. But as pointed out in the body of this particular resolution, it points out that, in fact, that did occur. I wasn't here. None of us were here to find out what the thinking was but I presume that as indicated based upon special conditions of the building, it's- "

Rick Hanley: "Yeah, I think it was- "

Councilwoman Blass: "Special conditions of the building is one thing but how do you park? If there's a prohibition to park on the street and they cannot show a plan where they can park on site, then I can't- and this resolution- "

Supervisor Kozakiewicz: "We're never going to get to a vote. I think that rather than belabor, let's- "

Rick Hanley: "I just want to clarify what I wrote, so."

Supervisor Kozakiewicz: "Yeah."

Rick Hanley: "I had no site plan application in front of me. If the owner for the property would go to the Building Department to try to get a use permit for a restaurant, I don't know what they would do. They might issue it given the fact that there is a pre-existing non-conforming or pre-existing restaurant use there. So."

Councilwoman Sanders: "I believe the applicant had agreed that the parking requirements could be managed on the site and I believe the last request was, well, show it to us, and I don't believe that we were ever given that information that I'm aware of unless it came in and we didn't see it."

But, again, my question is would, is this normal- in the normal sequence of events would we approve amended elevations for anything without having a site plan?"

Rick Hanley: "The answer is probably not but this is an extremely unique case because this is the only case that I know of where a Board has approved nothing but elevation drawings on a building and they did that to facilitate the redevelopment of an eyesore within the community. That's my recollection of the history."

Supervisor Kozakiewicz: "All right."

Councilwoman Blass: "So would- because I think there's amendments then to this resolution because it referred to a site plan application."

Supervisor Kozakiewicz: "With this then- well, then- at this point, I think, we go to the vote."

Rick Hanley: "Yeah, that's why I came to the microphone."

Supervisor Kozakiewicz: "And make those changes. Mr. Saltini, no. I'd like to get this resolved and then if- I offered to have a comment on resolutions earlier on. This was in the packet and we're now taking it up as a Board."

Barbara Grattan: "Can we call the vote now?"

Supervisor Kozakiewicz: "Well, I think it's been discussion. I'm not even sure. Has this been moved and seconded or not? I've lost track. All right. It's been moved and seconded."

Councilwoman Sanders: "It's been moved and seconded? Being that we didn't vote, can there be a motion to table, being that there is no vote?"

Supervisor Kozakiewicz: "You can make a motion to table."

Councilwoman Blass: "I second that motion."

Supervisor Kozakiewicz: "Moved and seconded to table."

The Vote: "Sanders."

Councilwoman Sanders: "Yes, to table."

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

Councilwoman Blass: "Yes, to table."

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

Supervisor Kozakiewicz: "Vote- motion- the vote on the motion- the underlying motion which was to move the resolution, Resolution #745."

Barbara Grattan: "Councilman Densieski, are you going to move that?"

Supervisor Kozakiewicz: "He did. And it's been seconded and then there was the ensuing discussion."

Barbara Grattan: "Okay, so now we're calling the vote."

The Vote: "Sanders, no; Blass, no; Densieski."

Councilman Densieski: "I don't know what the mind set of the Board was in 1999 because I wasn't here but I think we have, well, it's too late now, but I think they had a choice then of keeping a derelict boardinghouse or having the guy spend over \$500,000 or \$600,000 to renovate it. And I went inside there, every single room, and it is beautiful. Everything about it is beautiful. And if I have a choice of keeping a derelict boardinghouse in a beautiful community like South Jamesport or taking a beautiful facility that may not have enough parking but it's already there on the property, I'm going to choose the latter. I think it's a great improvement to the community.

It was definitely an eyesore. Like I said, I don't know what the mind set of the Board was in '99, but the building was pre-existing. It was on that lot and it's now beautiful so what I think I'm going to do is support the gentleman who spent all the money to revitalize it and I'm going to vote yes."

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

Councilman Lull: "And I'm not sure that the Board make the right decision and I was the only one who was here when it was done. I'm not so sure that the Board made the right decision at that time but everything that you said was what the Board said. And that is, we have a derelict building. We have a building which is a reconstruction. We have a use which is a reuse and that was the reason for going strictly to the elevations. So I'll vote yes in support."

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

Supervisor Kozakiewicz: "We really get into these debates, don't we? I understand the concerns raised by Barbara and Rose with respect to this particular resolution. As I see it, in 1999 the Board was asked to take an action. They did so. Rather than go through a formal site plan process, based upon the reasons set forth by Mr. Hanley and the conditions that were taking place at that time, they elected to approve elevation drawings.

What happened then was that this particular property owner went out, spent a tremendous amount of money, built it, and found that he had to come back to make some changes. Here we are at this stage and, well, you've done that, you relied upon a 1999 action and we're considering pulling the plug and making you kind of going back full circle again and start again.

I don't know if the Board's decision back in 1999 is correct which means that, you know, there's some question about whether it should be furthered. But given the particular economic circumstances, given the fact that it's been completed and it's ready to be opened, I vote yes."

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

Resolution #746

Barbara Grattan: "Okay, and now we've got Resolution 746."

Supervisor Kozakiewicz: "746. Is there a-- this is offered by acclamation of the Town Board. All right."

Resolution #747

Barbara Grattan: "747, Bills."

Councilman Densieski: "Could we at least read it to the public?"

Supervisor Kozakiewicz: "Yeah, I think that would- go ahead."

Councilman Densieski: "Okay. Do you want me to read it?"

Supervisor Kozakiewicz: "Go ahead."

Councilman Densieski: "Okay. 746, is a Sense Resolution. It says in Support of One Nation Under God. And it's a Sense Resolution that we're sending to various political agencies to support the concept of One Nation Under God."

Councilwoman Blass: "Motion by acclamation."

Supervisor Kozakiewicz: "Motion by acclamation. All in favor?"

(Collective response): "Aye."

Supervisor Kozakiewicz: "Okay."

Barbara Grattan: "Okay, now it's Bills, 747."

Supervisor Kozakiewicz: "Yes. Motion to pay bills?"

Councilman Lull: "Yes."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Lull: "I mean so moved. Sorry."

Supervisor Kozakiewicz: "Is there a second?"

Councilwoman Blass: "Yes. Yes, to pay bills."

Supervisor Kozakiewicz: "Motion and second to pay bills."

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

Barbara Grattan: "Now we have those tabled resolutions."

Supervisor Kozakiewicz: "627 and 628, correct."

Barbara Grattan: "Okay. Who wants to bring it off the table? Resolution #627. Councilman Lull?"

Supervisor Kozakiewicz: "Is there any objection to taking both of them off the table at the same time?"

Councilman Densieski: "I'd like to take off Resolution 627 and 628 off the table. So moved."

Councilman Lull: "I'll second that."

Supervisor Kozakiewicz: "Moved and seconded to take off the table, both 627 and 628 and just for the public, this is a applications that were on June 11th meeting that had been tabled."

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

Supervisor Kozakiewicz: "And is there a motion to move these resolutions?"

Councilwoman Sanders: "Both of them?"

Supervisor Kozakiewicz: "Either one or both. Maybe you want- "

Councilman Lull: "I'll move 627."

Supervisor Kozakiewicz: "Okay."

Councilman Densieski: "Second 627."

Supervisor Kozakiewicz: "Moved and seconded 627 which is entitled excludes subdivision of Farmer's Fields from local law #16 of 2001."

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

Councilwoman Blass: "Yes. May I comment, please, quickly. I will be quick. There's not an ounce of me that supports either one of these subdivisions as drawn. As a member of the Planning Board, I think you probably already know that we had reviewed these and had come to what we thought was a reasonable plan for each of these sites. But that's not what this vote is about unfortunately.

This vote has to do with whether these particular plans as submitted complied with specific exclusions criteria from a local law and it's unfortunate that if we did not consider these under the local law, we would be sued and if we did consider them and vote them down, we would also be sued. So, again, I'm- I said I'd be brief. This is- it's not possible for me to be brief. Okay.

Unfortunately I have to vote yes."

The Vote (Cont'd.): "Densieski, no."

Barbara Grattan: "You said no?"

Councilman Densieski: "No."

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

Resolution #628

Supervisor Kozakiewicz: "Is there a motion? It was taken off the table. So motion to move 628?"

Councilman Lull: "Move 628 which excludes the subdivision of Mansey Construction."

Councilwoman Blass: "And seconded."

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

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Yes. What I failed to say the first time, I'll say this time. I have faith in the Planning Board. These are brand new applications and will be considered as brand new applications at the Planning Board level. And I have faith that they are going to do the right thing under their SEQRA review. And that's where I place my trust at this point. Unfortunately having to vote yes to exclude them from the moratorium."

The Vote (Cont'd.): "Densieski, no; Lull."

Councilman Lull: "Eddie is not being very eloquent tonight on these two. But he is essentially agreeing with Barbara and I have the same kind of agreement. I'm not happy at all with these two. However, we are- once we pass these, they go onto the Planning Board and what comes out of the Planning Board is not going to look anything like these, the ones we're approving here now."

Supervisor Kozakiewicz: "We hope."

Councilman Lull: "Yes. And I agree with Barbara. I have faith in the Planning Board. Yes."

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

Supervisor Kozakiewicz: "Okay. I open it up for public comment. Anybody who would like to address the Board? Ray Saltini."

Ray Saltini: "Thank you very much. I have a couple of questions. Can I ask, what is the timetable with regard to the litigation recently approved around Center Street, number one. And number two, what is the timetable regarding pursuing the acquisition of the parcels east and west of South Jamesport Avenue, south of Front Street in South Jamesport? And finally what is the usual procedure when an owner or developer violates a stop work order?"

Supervisor Kozakiewicz: "Well, the last question is too general, I think, to give a specific answer to. The middle one as far as the acquisition is concerned is dependent upon the receipt of appraisals back. They have been ordered and pending the receipt of those appraisals back, that process will continue."

With respect to the first, we have to have a survey done first. Upon the completion of the survey and the title work from Mr. Haas, then the papers can be drafted."

Ray Saltini: "I understand what the milestones are and what the process points are. My question is what the timetable was."

Supervisor Kozakiewicz: "I can't commit to a timetable because Mr. Ingegno needs a couple of weeks to complete his survey, if not a month. He may tell us two weeks, then it turns into a month, and then we're going to be in this debate, well, jeez, you said two weeks. How come it's now three and a half? It's dependent upon those things taking place. We can't commence the suit until we have the documentation first."

Ray Saltini: "Regarding Center Street- "

Supervisor Kozakiewicz: "That's right."

Ray Saltini: "And regarding the other two parcels on Miamogue Point?"

Supervisor Kozakiewicz: "We need those appraisals."

Ray Saltini: "And the timetable on that?"

Supervisor Kozakiewicz: "They've been ordered for a while, so I would have to think that within two weeks, three weeks, we should have

those appraisals back."

Councilwoman Blass: "They've been generally running four to six weeks I think and I know we ordered them at the last meeting."

Supervisor Kozakiewicz: "Right. Right."

Ray Saltini: "And has there been discussion around a timetable for next steps when those appraisals are received?"

Supervisor Kozakiewicz: "The appraisals will be reviewed, offers will be made to the property owners. That's the process."

Ray Saltini: "Again, and not- and not to be belligerent."

Supervisor Kozakiewicz: "Well, I think you're asking us to describe information and go into detail of stuff that's obviously difficult to discuss."

Ray Saltini: "Certainly. Certainly. I know I acknowledge that."

Supervisor Kozakiewicz: "We're effecting a process here. It's- I don't- and I don't mean to be a wise guy but I don't know how to answer your question directly because there's timetables here that we don't have control over, appraisal time periods, surveying time periods, etc. And I'm not going to commit to a time."

Ray Saltini: "If I may rephrase the question. Are there goals that the Supervisor and the Board would hope to establish around a time frames? In other words, when would you like to have? What are your goals?"

Supervisor Kozakiewicz: "Of course, yesterday I would have liked to have the appraisals back. Yes. Good point."

Ray Saltini: "I think you see where I'm going with all due respect. Are- the interests that we're trying to pursue here- is that this issue is addressed in a timely fashion."

Councilman Densieski: "I think we- right, I think we know you're interest. But I don't think it's smart to put the Supervisor in a political- "

Supervisor Kozakiewicz: "Well, it's not a political issue."

It's a question of negotiating- "

Ray Saltini: "How is it political?"

Supervisor Kozakiewicz: "It's not political and I think what it is- "

Councilman Densieski: "Not political, I'm sorry, legal."

Supervisor Kozakiewicz: "-- negotiation process. There's a process here and you're asking us to commit to a certain process which is- I don't know how to- you know, it's like saying, okay, how do I approach you to ask for the price of your house, you know."

Ray Saltini: "Thank you."

Councilwoman Blass: "Would it be fair to say that once we receive the information, however, we're not going to sit on it?"

Supervisor Kozakiewicz: "That's correct."

Councilwoman Blass: "We're going to take it immediately to the next step."

Supervisor Kozakiewicz: "That's correct. There will be a next step to that. Yes."

Councilwoman Blass: "And- "

Supervisor Kozakiewicz: "That's fair to say."

Ray Saltini: "Thank you."

Councilwoman Blass: "-- we can make sure that it stays in a forward motion."

Supervisor Kozakiewicz: "Moving. It will continue- there will be progress- motion. Yes."

Ray Saltini: "Thank you."

Supervisor Kozakiewicz: "You're welcome. Anybody else who would like to- yes."

Marjory Jingles: "I guess I should tell you who I am. I'm

Marjory Jingles. I live at Cottage 1 and 2- I own, pardon me, Cottage 1 and 2, Campground Circle in Jamesport. That's where I live right now. In the wintertime I live in Berwin (phonetic), Pennsylvania. And I wanted to speak to- something related to what Mr. Saltini was just talking about.

I can't promise to be brief, but I'll be as brief as I can. I've been coming here since I was born. My mother started coming here when she was 11. My grandfather bought- first he rented a cottage in the Circle and then he bought the cottage. My father bought a cottage. My grandfather bought his cottage in 1956 and my father bought a cottage in 1962.

It takes five or six hours for us to get here. That ain't easy sometimes. Other relatives of mine come from New Jersey, upstate New York, Connecticut, South Carolina, Maryland and Texas. They come to the same place they've come all their lives. My great uncles and two great uncles are their grandparents.

A number of years ago, I noticed the wisdom in protecting the farmlands around here and protecting the nature of this wonderful place that we so much like to come to. The beaches also, they are so beautiful. I don't know whether you know, I didn't know until I moved to Pennsylvania, I said I will find a beach. Jersey shore, no. Maryland, no. Delaware, no. Chesapeake Bay is beautiful but it made me homesick for Jamesport. I've been to Rhode Island looking at beaches. Just happened to be there. They were not very nice at all.

They're just not as good as what we've got here. All of this. They are just wonderful, wonderful beaches. This is why we come here and the lovely atmosphere that we have here. The bay is better than what it used to be. I like to see the little things running around again. It's nice. They also tickle your toes sometimes but that's part of what goes on.

We're outsiders but we're not outsiders. We have communities that we go to at home to. We have our own concerns there. We have community activities, church activities. We know that this goes on here. I hear it at this meeting. I was at a meeting a few years ago.

To go back to what I was originally starting to- we go mainly to Miamogue Point and that's why I say it refers to what Mr. Saltini was talking about. I remember the old hotel on the beach, on the corner there, it was gorgeous. I noticed the people who were all dressed up, came down, changed in the bath house on the way, and then jumped way

down the steps to the beach.

We pay taxes here. We're glad to pay taxes here. We don't have a vote. Now, in 1776 they fought a revolution for that. We're not going to do that. There's no way we can do this. We'd like our taxes to go for what needs to be done. I know you have to take care of your children. You don't have to take care of our children, they go to school someplace else. We pay taxes to take care of them someplace else.

We understand there is money to purchase open land. We're concerned about what's going on at Miamogue Point, Center Street. I use- I use Center Street. I parked there today and I said if anybody comes and talks to me, I'm not quite sure what I'm going to say but I'm going to stand up for myself. I can see that the Center Street is paved. It's a street as far as I'm concerned. Until something else says at least says that you no longer own Center Street as a taxpayer, I'm going to try to use Center Street, nicely, I hope.

I would like to see Miamogue Point kept as it is and the access at Center Street kept as a township property, so it protects people and it doesn't keep us from using what is justly ours. The wonderful beaches are our right to what- and our right to get there, to the beaches. Thank you very much."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board? Anybody else first? Joan Griffin. I'm going to save you for last, George, how's that? If you want to come up next, you can come up next, and I'll take Mr. Griffin after you."

Joan Griffin: "Good evening. Joan Griffin, Baiting Hollow. I understand that you changed the format of the meetings to help move them along by doing the public hearings, then questions on the resolutions, then voting, was it?"

Supervisor Kozakiewicz: "Correct."

Joan Griffin: "And then this portion where it's open to the public."

Supervisor Kozakiewicz: "Right."

Joan Griffin: "Tonight you lost somewhere between six and 12 people that might want to speak tonight about whatever issue they want to speak about. Since June 4th when you started this new procedure,

the vote took place from 9:30 to 10:00 p.m., Tuesday, the 18th, it was an afternoon meeting, took place from 3:23 to about 4:00 and tonight from 7:50 to 9:05. Now, we work and get up in the morning. If we could have started speaking at 7:50 after the resolutions were talked about and then you could do your voting- "

Supervisor Kozakiewicz: "I had a sense this was going to happen."

Joan Griffin: "I know. Because like I said, we work, we're volunteer citizens coming here to speak our opinion about whatever subject, but you are elected officials, you're paid to be here and to listen to us and it seems you don't want to listen to us making us wait until 10:00 p.m. sometimes or- "

Supervisor Kozakiewicz: "It was just an effort to try and see if we can get the meetings to flow a little bit."

Joan Griffin: "And they are find if you can just rearrange the speaking pattern, that the vote comes after the public gets to speak so we can go home and get up for our jobs."

Councilman Lull: "Joan, if I can answer that because I, again, have been here longer than anybody else. This is not the first time we've done this. When Mr. Vilella was Supervisor, this is the way it was and- "

Supervisor Kozakiewicz: "That's correct."

Councilman Lull: "And we ran it for two years that way and it was successful, not successful. You know, people didn't like it; people did like it. When the present Supervisor came in, he wanted to change it to make sure we had the discussions earlier and the votes later. What happened is that people who were interested in the actual meeting, which is the votes, not the discussion, the discussion is not part of our meeting. The vote is part of our meeting. And people who were interested in the actual meeting part of the meeting started to leave before their topics came up. That was more significant to us."

However, your objection is noted, I'm sure, by the Board members and I'm sure it's something we'll talk about. Again, I imagine this is about the fourth or fifth time that the Board has changed back and forth for these- in these ways. So, we will talk about it again."

Joan Griffin: "Okay. Because like I mentioned, we do get up

and work in the morning and some of us travel into Nassau County and even though you come back here to do your jobs or in the area, whatever, you're not traveling the distance and getting up at 5:00 in the morning like we are. Thank you."

Supervisor Kozakiewicz: "Thank you. I have a card which I'm going to take up first. That's Steve Haizlip. I'm sorry, Steve. I didn't see that you had slipped up a card. Steve."

Steve Haizlip: "Steve Haizlip of Calverton. I want to ask, how many of you ever heard of Louella Parsons? Louella Parsons was a reporter in Hollywood and her theme was she didn't make the news, she only reported the news. So while listening to the airways last Wednesday, I understand that you have joined with Mr. Gaffney and Mr. Grucci that as Mr. Truman's philosophy, if you can't take the heat, get out of the kitchen. Well, Mr. Grucci's aide, Mike, however you pronounce it, name, and Mr. Gaffney, they can't take the heat but they're not getting out of the kitchen."

Now, today I just happened to be in town, went down Main Street, and I see all these beautiful flowers and bells ringing. I guess that was for Doc Mendez, a good sendoff. And Doc as far as I know, he had no (inaudible). He was a good man. But now when it comes to Joe's checkout time, and if I'm around and that happens, I'm going to yell.

Now, on Roanoke Avenue, I went there one Saturday to a yard sale. You couldn't pull in the people's yard, so you had to pull off to the side as far as you could. I hit a drain that is deep as a well almost and it scraped up the car underneath. I had to take it to Wells and get it checked out. I got a hold of Mr. Bartha; he's fixing those drains pretty soon and getting them up to street level. That's where they belong.

Now, this here house that I reported by Mr. Elwood's equipment and lawnmower shop up on West Main Street, there's been people talking about eyesores in the town, especially Barbara. Now, there's an eyesore and I reported it. Has any action been taken, anyone visited?"

Supervisor Kozakiewicz: "I think it's a 72H property and it's also a Chapter 54 or a Chapter 96 that we're looking at. I think it's both. There's a question of taxes, nonpayment of taxes by the property owner, so there might be an acquisition as well."

Steve Haizlip: "I don't know about that, Bob. What I'm

concerned with- "

Supervisor Kozakiewicz: "The information was passed to the Building Department and the code enforcement."

Steve Haizlip: "Yeah. I mean it is bushy all around and trees and everything. It's like 400 West Main Street. I had to keep yelling to get all the growth out from around the walls to keep the varmints out and the snakes from laying in there. And don't think they don't lay against the walls where there's vegetation growing. All right. Thank you."

Supervisor Kozakiewicz: "Thank you. George."

George Schmelzer: "Have you thought about the dangerous situation at Edwards Avenue approaching River Road in Calverton?"

Supervisor Kozakiewicz: "Your comments from last meeting, yes."

George Schmelzer: "I have to do it this way. If I make a- from River Road make a left turn onto Edwards Avenue, I have to- for safety, wait 'til there's no cars coming north because if you look north, I make a turn, a second later a big truck or a car coming down and if somebody's coming from the south, north, you're in a squeeze. So what I do sometimes, I go on the northbound lane a few feet, then go over slowly. It's very dangerous. A couple weeks ago, I think the police put a gadget on River Road east of the crossing, when you approach it- "

Supervisor Kozakiewicz: "Speed."

George Schmelzer: "It tells you how fast you're going."

Supervisor Kozakiewicz: "That's correct."

George Schmelzer: "And put one there and I believe the speed limit from the track south to River Road should be 30 for safety. Because it's an accident waiting to happen there."

Councilman Densieski: "You're right, George."

George Schmelzer: "Really, really. You want to know where an old well is, 70 foot deep, Rick? I don't know if it's filled in or not but if it is it should put something on top to keep it as being historic. That sharp bend on Youngs Avenue where Steve Pulaski used

to live, he had a well there, a bricked up well, I don't know how the hell they ever built it in colonial times- "

Supervisor Kozakiewicz: "Which sharp bend? The very last one as you are heading west?"

George Schmelzer: "The first one when you're heading west, I guess."

Supervisor Kozakiewicz: "Okay."

George Schmelzer: "It's the last one when you're heading east. I can show it to you but I hope they didn't fill it in. If they didn't they should put something on top to preserve it. It's 70 foot deep, it's scary. How they built that years ago? But they did. It's something interesting from colonial times, I think it is. It's- you look at it with a big mirror, the sunlight can shine down there, it's really scary. Yeah. So, I don't know.

I heard recently California passed a law they want cars to expel less CO2. I think they're nuts. We all exhale carbon dioxide and if a car exhaled a little oxygen, the valves would burn up and the car wouldn't last a half hour. You have to have CO2, even CO to preserve the valves. And they talked about this cell, electric cells, burning hydrogen. Won't need oil- get the hydrogen, oil. They're crazy. The whole nation is getting crazy. Really. Yeah.

So if you don't like high weeds in somebody's yard, look at it this way. The weeds are plant life and it takes- it puts oxygen back in the air, takes carbon dioxide out of the air. Anything green is helpful. Really."

Supervisor Kozakiewicz: "Thank you, George."

Councilman Lull: "George, is that why you wear green?"

George Schmelzer: "Huh?"

Councilman Lull: "Is that why you wear green?"

George Schmelzer: "Why I'm waving?"

Supervisor Kozakiewicz: "No. Is that why you wear green? Because it's helpful."

Councilman Lull: "It's very helpful in here. We appreciate you."

George Schmelzer: "Yeah. I could hide myself in the woods sometimes better. But- "

Supervisor Kozakiewicz: "Thank you, George."

George Schmelzer: "-- I can't walk good in the woods anymore. I might fall down because of the damn lyme disease took everything out of my legs. I've got no pain, but no strength. At least it didn't hit me in the head and then I'd be useless."

Supervisor Kozakiewicz: "Thank you, George."

George Schmelzer: "Of course, I wouldn't be able to complain to you then, see."

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

George Schmelzer: "Okay, thank you."

Supervisor Kozakiewicz: "You're welcome. John Griffin."

John Griffin: "I'm John Griffin, Baiting Hollow. Just two quick questions. One, when my better half was up here, you said that the reason for changing the meetings was to expedite the meetings themselves, make them move along quicker."

Supervisor Kozakiewicz: "Yup."

John Griffin: "I'm sitting back there and I'm going, how are you going to do that? The public hearings aren't going to change. They're going to stay the same. The vote's not going to change. That's going to stay the same no matter where you put it in the meeting. The only thing that's going to change is the public comment, the open public comment. Okay? And I think you see where that changes. You will save time there, you are losing half the audience, and that in itself- "

Supervisor Kozakiewicz: "I think we lose half the audience the other way, too."

John Griffin: "I don't think so. I've sat on this side- "

Supervisor Kozakiewicz: "Can I ask a question of you, Mr. Griffin?"

John Griffin: "Sure."

Supervisor Kozakiewicz: "When Mr. Villella did this, did you ever come up and register a complaint or question- "

John Griffin: "I wasn't that involved until my wife got involved."

Supervisor Kozakiewicz: "So the answer is no. Correct?"

John Griffin: "The answer is no. I was not involved then."

Supervisor Kozakiewicz: "I just wanted to ask the question of you."

John Griffin: "Yes. That's fair."

Supervisor Kozakiewicz: "Okay."

John Griffin: "Okay. But, I'm just saying that it seems to me that if you changed it when you came in, that was a very good thing to do and I don't think changing it back is the right thing to do."

Supervisor Kozakiewicz: "Okay. Appreciate it."

John Griffin: "The other thing was the Suffolk Cement sand mining, there is an application to the DEC to reactivate- not to reactivate but to extend the permit of their mining. Has that come to the Town Board at all? Has anybody heard anything? There's only 15 days, I believe it's only 15 days left of written comment to the DEC so something has got to be done soon here."

Supervisor Kozakiewicz: "I know that when this originally was being proposed, a plan was pulled out that showed a mapped request filed with the town in 1960 or 1964 so it was clearly established as a prior non-conforming use back then. And as far as the actual application from DEC in the letter that they request back from the town to clarify, I have not seen that letter. No."

John Griffin: "Okay. I called the- Dawn, I called you at your office and asked you about this. You had mentioned that if the- since it is not allowed in the town of Riverhead and if it had not been

mined within a year, that they would have to come back to the Town Board. Is that accurate or is it the fact that the mining permit would have had to expire for a year?"

Dawn Thomas: "I think the pre-existing non-conforming- the zoning use is the only thing that the town has jurisdiction over. The mining permit that the DEC issues is a separate matter altogether. If they had a pre-existing non-conforming use and they continued that use whether it be, you know, every day or periodically throughout that time period, that would maintain that pre-existing non-conforming use.

I looked into the file after you called me and I spoke to Sean Walter in my office who had a lot more information. He had spoken to Leroy during the time that I was out and I had established, I believe, I think you can call him and get a little more detailed information, that it had, in fact, been used over that period of time and that the town really couldn't subject them to new zoning if it had, in fact, been rezoned."

John Griffin: "Okay. So, so the town doesn't get involved in it, which is okay. Because- "

Dawn Thomas: "No, not- "

Supervisor Kozakiewicz: "We have to. The DEC has to send a letter to the town. Under the mine land reclamation permit process, they have to get a letter that says it's an allowed use and whatever that allowed use is, if it's there it's a pre-existing non-conforming use. That's the way it would be allowed."

Dawn Thomas: "And we can comment. We can provide comment to the DEC but we don't have control over their determination ultimately."

Supervisor Kozakiewicz: "Right."

John Griffin: "But that letter is already gone to the DEC stating that the town's position is that it is a pre-existing non-conforming use, therefore, the Town Board has no control over it. I've seen it. And I'm not in dispute of it. I just want to be clear on what the town's relation- you know, what the town's responsibility is. Because if the land hadn't been sand mined for at least seven years that I know of, that was the question that I was having. If it hadn't been mined for a year, do they have to come back and reapply to the town or if it was the mining permit that expired for the year, do

they have to come back?"

Dawn Thomas: "If the use was abandoned which I think your facts were different from the facts that were presented to us and I think the facts as the town understood them, then it would- they would lose the non-conforming use, if the use was abandoned."

John Griffin: "Okay. How would we find out if the use was abandoned? Because I live right down the block and I've never seen it being used other than by four wheelers."

Supervisor Kozakiewicz: "I think the question is one that we need to get- can we get back to you? Because I know this- I'm sure there was evidence presented to the Building Department which showed some sort of operation taking place. If they went in one day a year, took out a scoop of sand, they continue a prior non-conforming use."

I don't know what the facts are. I'm going to be very honest with you. I don't know if that's what they presented to the town, whether they presented an affidavit stating that they had preserved the prior non-conforming use, sworn to by someone who said that that had occurred. So we'll look into that and we'll give you a definitive answer."

John Griffin: "I just- I'm just- "

Supervisor Kozakiewicz: "Because I know you're- based upon the way you present the facts, the answer is no, the prior non-conforming use would be lost. However, if the facts are different, the non-conforming use- "

John Griffin: "Okay. Like I say, I'm not there every day. I don't know if somebody is walking there with a teaspoon and taking out some sand."

Supervisor Kozakiewicz: "Right. Right. I'm just using that as the farthest- yes. Yes, sir."

(Unidentified): "Baiting Hollow. Gentlemen, my question is this. I was watching pictures of the beautiful Crown Recycling facility newly landscaped outside in the road. And my question to you is this going to take place contingent upon approval of (inaudible) or regardless?"

Supervisor Kozakiewicz: "I think that what they show out there

is in connection with their change of zone and their special permit."

(Unidentified): "Thank you."

Supervisor Kozakiewicz: "Sir?"

Tom Losanda (phonetic): "Tom Losanda, Baiting Hollow. In regards to the Crown issue and everything, what's the status on that? Where are we at?"

Supervisor Kozakiewicz: "There was a further meeting which I know that your advocates, Mr. Lavallo, I think and Mr. Shauger (phonetic) were here. And that was- "

Tom Losanda: "You mean my neighbors?"

Supervisor Kozakiewicz: "Yeah, but they've been sort of leading the charge."

Tom Losanda: "Okay."

Supervisor Kozakiewicz: "They've come in and they've agreed that they would report back to the neighbors after those meetings. There was information shared as far as the industrial zoning properties as well as town properties in order to pursue alternative sites. And that meeting took place on the 19th- is that correct- or the 26th- 26th of June."

Tom Losanda: "Okay. And what was- "

Supervisor Kozakiewicz: "There was going to be another meeting set up to follow up on that and I don't recall the date. To continue the discussions, to look at the alternative sites and to see if they would work."

Tom Losanda: "I noticed you know pictures outside also and that's all contingent on if they get this rezoning and everything?"

Supervisor Kozakiewicz: "They are showing a depiction of what they envision the site to look like when they finish with and do the build out. That's correct. That's what those projected photos are and those computer generated photos."

Tom Losanda: "Okay. You know that tells me a lot about how they're operating and that's more the reason why I am against Crown

rezoning. I mean that's totally uncalled for. They should have done that in the beginning when they put those berms up and everything and we wouldn't have had those animal holes and those photographs that I presented to the Town Board a few months back and everything. If they had done that in the beginning, you know, we might not have had the same feeling towards Crown, you know, on what they're planning to do and having the rezoning, you know.

But they pushed themselves I feel a bit too far. You know. And nothing is going to make me, you know, change how I feel towards them and what they plan on doing if they get the rezoning. You know. It's going to be very detrimental to the whole community and plus all the new homes that are being built in the area. So when will we know for sure that this is going to be approved- "

Supervisor Kozakiewicz: "Well, it's still in the DEIS. We have a draft environmental impact statement which is being reviewed by our consultants. The comments have to issue from them. Then they'll be required to prepare and file a final environmental impact statement. Once that's finally accepted, we'll be in a position to move forward and vote on the change of zone and the special permit."

Tom Losanda: "Is there any kind of a target date- "

Supervisor Kozakiewicz: "I, it's the same kind of comment before. I mean, I don't know how to answer that and say well, this is the definite date it's going to occur. It could be three months; it could be six months. It could be a year."

Councilwoman Blass: "Mr. Supervisor, if I could just add one comment. One of the responsibilities now in this SEQRA process is to evaluate some of these alternatives that we are trying to identify along with members of the neighboring community. So we did come up with a list of industrially zoned properties that the town owns and other sites as well.

If there is a site that is identified, it would have to be included and evaluated during the SEQRA process and I know the representative from Dvirka & Bartilucci was out here the other day and I know he is actively working on the project and is being given this additional information from this group and when- if and when we can identify an appropriate alternate site, it will have to emerge and be evaluated through the SEQRA process and there is no definite time period at this point between the time we accept the DEIS and a final gets adopted by this Board."

Supervisor Kozakiewicz: "I think the point that needs to be made is that rather than just simply say no to any consideration of alternative sites, the Town has said, well, we'll consider properties that the town has in its possession that may be properties we can switch with Crown to allow a facility to be developed and Crown has come to the table saying they're willing to consider that and the individuals from your neighborhood, Bob and Steve, have been part of those discussions."

Tom Losanda: "Now, does this switch from (inaudible) does it have to be in the Town of Riverhead or can it be outside of the Town of Riverhead?"

Supervisor Kozakiewicz: "Well, in order for the Town of Riverhead to sell or swap them a parcel, we don't have anything outside of the Town of Riverhead."

Tom Losanda: "No. No. I understand that."

Supervisor Kozakiewicz: "So I mean at this point the- "

Tom Losanda: "There are other industrial parts of land in Riverhead and outside of Riverhead, okay, that are owned by Riverhead. I mean like if I was to own a piece of- industrial piece of property- "

Supervisor Kozakiewicz: "I think the premise that we've been operating on with Mr. Shauger and Mr. Lavallo who have been talking to the group and representing the group is that they have essentially said that they would work with the town to find town properties. What you're saying, I think to us, is that don't listen to what Steve and Bob Lavallo have been telling you. Okay. Okay. I just want to make sure we're not doing something wrong by listening to them and considering other sites."

Tom Losanda: "I was asking the question, does it have to be property that the Town of Riverhead owns?"

Supervisor Kozakiewicz: "Under SEQRA, they have to- as part of a SEQRA document examine reasonable alternatives. So to answer your question, I guess we can't say to them, okay, examine every other industrial site in the state of New York, the eastern seaboard, the state of Washington, the state of Oregon. We can't do that. So I guess as part of the SEQRA document, we can only ask them to examine reasonable alternatives."

Tom Losanda: "Okay."

Councilman Lull: "He was asking (inaudible)."

Supervisor Kozakiewicz: "Oh. Is your question about whether it can be privately owned property in Riverhead or outside the town? Oh, okay, yeah, that can be done, too, sir. Okay. I misunderstood the question. Okay. Anybody else who would like to address the Board? Ann Miloski, please."

Ann Miloski: "My name is Ann Miloski. I live in Calverton. And I see that you're working with them on alternative sites and I think that we should be a part of knowing what these alternative sites are because they might be in areas that might interfere with the people in our neighborhoods."

Supervisor Kozakiewicz: "Well, at this point that's speculative- "

Ann Miloski: "Besides you're working with one group, I think you better include some other people into that group. Thank you."

Supervisor Kozakiewicz: "Thank you. Just a comment. If we were to take that concept to its extreme, we would have to invite every civic group from the Town of Riverhead to the table because there's a possibility that we might locate it within their jurisdiction and I know, I know. At this point we're not even exploring properties that would impact. So rather than make it, I think, cumbersome. Yes, sir, you had your hand up."

Lawrence Rehm: "Yes. Lawrence Rehm, Baiting Hollow. One observation I've been making about our Highway Department. Do we have a highway supervisor?"

Supervisor Kozakiewicz: "Highway Superintendent."

Lawrence Rehm: "Superintendent. I don't even know if he was standing next to me, what this man would look like."

Councilman Densieski: "He was on the Town Board for four years, Mark Kwasna."

Lawrence Rehm: "Okay. The observation I've been making is no one seems to take down or care about the flags that are flown there. The American flag or the Town of Riverhead flag. They're draped

around the pole. They are like wet rags in the rain. No one- go there on a Sunday, they're flying. No one ever seems to take- I bet you if he went to take these down, the rope would break on him. I don't think he's taken them down since. I think it's awful, disgusting how he treats these flags. Those flags are flying there 365 days a year in the rain and everything else. If you go there now, the Riverhead flag is just draped around the pole. I bet you if he went up there, he couldn't even get it down. I think he should be taught etiquette and proper and to lower them when the weather is bad and take them in even on the weekend."

Councilman Densieski: "We'll pass that on."

Lawrence Rehm: "Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the- George, you had your chance. Mr. Saltini, you had a chance. Anybody else who would like to address the Board? Unless it's something- I mean, we- what's that? No, no, no one else has come up twice. Anyone else who would like to address the Board? I'll talk to you about it after the meeting, George. All right? I promise you."

Councilman Densieski: "Motion to adjourn."

Supervisor Kozakiewicz: "I- five minute rule. Five minute rule. Anybody else who hasn't had a chance to address the Board? Okay, motion to adjourn?"

Councilman Densieski: "Motion to adjourn."

Supervisor Kozakiewicz: "Thank you."

Meeting adjourned: 9:45 p.m.

Barbara Guttan
Town Clerk