

1 Minutes of Town Board Meeting held by the  
2 Town Board of the Town of Riverhead at Wading  
3 River Congregational Church, North Country Road,  
4 Wading River, New York, on July 16, 2002 at 7:00  
5 p.m.

6 PRESENT:

7 Robert Kozakiewicz,	Supervisor
8 Edward Densieski,	Councilman
9 James Lull,	Councilman
10 Barbara Blass,	Councilwoman
11 Rose Sanders,	Councilwoman

12  
13 ALSO PRESENT:

14 Melissa White	Deputy Town Clerk
15 Dawn Thomas, Esq.	Town Attorney

16  
17 Supervisor Kozakiewicz called the meeting  
18 to order at 7:00 p.m.

19 SUPERVISOR KOZAKIEWICZ: If I can  
20 have everyone's attention. It is 7:00. I would  
21 like to call tonight's board meeting to order.  
22 Would anybody like to lead the Pledge of  
23 Allegiance? Howie?

24 (The Pledge of Allegiance was recited, led  
25 by Howie.)

1 SUPERVISOR KOZAKIEWICZ: Before  
2 we get into the meat of tonight's meeting, I  
3 would like to state the obvious. We have a  
4 transcriber with us. Peggy Schiefer, who will be  
5 keeping tabs on what everyone says at tonight's  
6 hearing and during the public hearings. Because  
7 it is very difficult to transcribe two people  
8 talking at the same time, I ask you to speak  
9 clearly, state your name, state your address and  
10 as I said, one at a time, please.

11 We enjoy coming out to Wading River. Our  
12 transcribing equipment is not working up to snuff  
13 and that's why we have Peggy with us tonight.

14 Can you folks hear us? I don't think the  
15 microphone is working. You can hear us? Great.  
16 Okay.

17 Is there a motion to approve the Town Board  
18 minutes of July 2, 2002?

19 COUNCILMAN LULL: So moved.

20 SUPERVISOR KOZAKIEWICZ: Moved by  
21 Councilman Lull.

22 COUNCILWOMAN SANDERS: I second  
23 it.

24 SUPERVISOR KOZAKIEWICZ: Seconded  
25 by Councilwoman Sanders. Vote, please.

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

3 MS. WHITE: The minutes are  
4 adopted.

5 SUPERVISOR KOZAKIEWICZ: Reports,  
6 please.

7 MS. WHITE: None to  
8 speak of at the moment.

9 SUPERVISOR KOZAKIEWICZ:  
10 Applications, please.

11 APPLICATIONS:

12 Shows & Exhibition Permits:

13 Martha Clara Vineyards LLC July  
14 28, 2002 12 to 7 p.m.- Live  
15 music festival and antiques.

16  
17 Darkside Productions- Haunted  
18 House-starting date September  
19 27th.

20  
21 East End Art Council- July 27,  
22 2002- Martha Clara Vineyard Wine  
23 Press Concert Series.

24  
25 Cancos Tile Corp.- July 17th to

1 the 23rd - 9 to 5 p.m. sale.

2

3 Parade Permits:

4

5 Little Flower Union Free School-

6 10/26/02 - 9 to 11 a.m.

7 Mary Ellen Braunreuther- Block

8 Party- July 6, 2002.

9 Site Plan:

10 31 Main Road, Riverhead-

11 Construction of medical office

12 building.

13

14 Roanoke Shopping Plaza-

15 replacement of existing mansard

16 finishes.

17 SUPERVISOR KOZAKIEWICZ: Thank

18 you. Correspondence, please.

19

20 CORRESPONDENCE:

21 Jeffrey Seeman: Re: Comment on resolution #647

22 Amendment to Chapter 62.

23

24 Doris Scudder: Letter of appreciation to John

25 Reeve and Carolyn Hogan of the

1 Sanitation Department.

2 SUPERVISOR KOZAKIEWICZ: Thank  
3 you. Any committee reports?

4 COUNCILWOMAN SANDERS: I would  
5 like to make a comment on the <sup>Recreation</sup> Advisory Committee.  
6 I know they've been working very recently,  
7 spending time at the Calverton site to plot out  
8 the area that's been designated as the recreation  
9 area or the park area that's going to be  
10 developed. I know that they would appreciate very  
11 much anyone's input from the area, or anyone in  
12 Riverhead who has any interest in making  
13 comments about what they'd like to see at the  
14 park.

15 So if you have any comments, I think that  
16 they would appreciate you putting something in  
17 writing. Please address it to the Recreation  
18 Advisory Committee Chairpeople, and send it off  
19 to Town Hall, and we'll make sure that the  
20 chairperson of the committee gets your  
21 information and your suggestions.

22 SUPERVISOR KOZAKIEWICZ: Any  
23 other Committee reports? If not, the time being  
24 7:05 -- actually it's 7:06, we would ask the  
25 Deputy Town Clerk to read the affidavit of

1 publishing and posting for tonight's first public  
2 meeting

3 Public hearing opened: 7:06 p.m.

4 MS. WHITE: Affidavit of  
5 publishing and posting for a public hearing to be  
6 held at the Riverhead Town Hall located at 210  
7 Howell Avenue, Riverhead, New York on July 16,  
8 2002 at 7:05, consideration of the acceptance of  
9 a donation to the Town of Riverhead of property  
10 of approximately 2.5 acres, located on Main Road,  
11 Aquebogue, owned by Martin Bass.

12 SUPERVISOR KOZAKIEWICZ: This is  
13 a rerun sort of. We had, I guess, a dry run on  
14 this at the last Town Board meeting and it's been  
15 published and posted again.

16 Mr. Martin Bass, the owner of the land  
17 south of Route 25 in Aquebogue, is east of the  
18 cemetery in Aquebogue. He has offered to donate  
19 that particular parcel to the Town of Riverhead,  
20 and the public hearing is to hear from anybody  
21 who would like to say either "Go for it", or  
22 "Don't go for it"; the reasons why we should  
23 consider it. That's what tonight's public  
24 hearing is for, to hear from interested  
25 individuals that we should act upon the offer of

1 donation by Mr. Bass.

2 Is there anybody who would like to address  
3 the board, either for or against this proposal?  
4 Steve Haizlip.

5 STEVE HAIZLIP: Steve Haizlip,  
6 from Edward's Avenue in Calverton. My question on  
7 this land is, this particular parcel -- I drove  
8 by there but I'm currently hurrying along, you  
9 know, and I'm not observing it very close. But  
10 since you mentioned it's in the cemetery there  
11 and that old post office is in the swamp so to  
12 speak, they wouldn't let them have a restaurant  
13 there because of the cesspool. So now, I'm  
14 getting down to the basic question, can that land  
15 be developed later on or used, or is it just  
16 going to lay there as an open lot?

17 SUPERVISOR KOZAKIEWICZ: My  
18 understanding is there were four lots created as  
19 part of a minor subdivision, and that there is a  
20 buildable area on a particular lot. However, I  
21 should point out that much of it is wet or  
22 marshy, that's true. Saying that, what is your  
23 opinion as to the Town's acceptance of the  
24 donation from Mr. Bass?

25 STEVE HAIZLIP: Well, my opinion

1 is, if we can't use it and it's just going to lay  
2 there, it will be a white elephant.

3 SUPERVISOR KOZAKIEWICZ: I think  
4 he can improve it. Improvements could be made on  
5 it. It's not that it's entirely unable to be  
6 developed. My understanding is that it could be  
7 used for development, however constrained it  
8 would be due to the marshy area. I just want to  
9 make that clear. There is an envelope area that  
10 was known. I think it was on an old map, where a  
11 building or a structure could be located.

12 MR. HAIZLIP: Well, my reason  
13 for speaking, we already got 34 percent of the  
14 land off of the tax roll, and we keep on taking  
15 this land, it's going to be off the tax roll. If  
16 you can't develop it and get income from the  
17 Town, then I'm not in favor of it.

18 SUPERVISOR KOZAKIEWICZ: Thank  
19 you. Is there anyone else that would like to  
20 address the Board either for or against this  
21 particular subject matter, the acceptance of the  
22 donation from Mr. Bass? I'm not seeing anyone  
23 indicating their desire to speak.

24 I declare the public hearing closed, the  
25 time being 7:12 p.m.

1 Public Hearing closed: 7:12 p.m.

2  
3 Public Hearing opened: 7:12 p.m.

4 SUPERVISOR KOZAKIEWICZ: The time  
5 still being 7:12, I would ask the Deputy Town  
6 Clerk to read the affidavit of publishing and  
7 posting for the second public hearing.

8 MS. WHITE: Affidavit of  
9 publishing and posting for a public hearing to be  
10 held at Wading River Congregational Church, North  
11 Country Road, Wading River, New York, on July 16,  
12 2002 at 7:10 p.m. Application of Mountain Brook  
13 Homes at Roanoke Landing LLC for exemption from  
14 Chapter of the Town Code entitled  
15 "Moratorium".

16 SUPERVISOR KOZAKIEWICZ: Thank  
17 you, Melissa. I don't know if there is anyone  
18 from Mountain Brook Homes to speak on their  
19 behalf --

20 MR. BARNOSKY: Yes, there  
21 is Mr. Supervisor. May I approach?

22 SUPERVISOR KOZAKIEWICZ: Yes,  
23 please. State your name and address for the  
24 record.

25 MR. BARNOSKY: Eugene Barnosky,

1 from the law firm of Lamb & Barnosky, Melville,  
2 New York, representing Mountain Brook Homes at  
3 Roanoke Landing LLC.

4 I think the proposed map is against the  
5 wall in the rear of the room. My client owns  
6 42.27 acres of land on the north side of Sound  
7 Avenue, approximately 200 feet west of Dolphin  
8 Way, and east of Roanoke Avenue. The property  
9 stretches north and south of Sound Avenue to the  
10 Long Island Sound. The site is currently zoned as  
11 Agricultural A, approximately four acres fronting  
12 on Sound Avenue with the balance of the parcel  
13 zoned Residential C.

14 My clients became interested in this  
15 property in 1999, when they learned that a  
16 previous application of SCHEMBRI homes  
17 for a 63 lot residential subdivision had been  
18 withdrawn after considerable comments by the  
19 neighbors. We entered into a contract to purchase  
20 this property on August 25, 2000. Thereafter, we  
21 had several informal meetings with the Planning  
22 Department and the Planning Board, in which the  
23 message was clearly conveyed to us and that of  
24 the surrounding residential community, that the  
25 Planning Department and of course, the Civic

1 Groups, were interested in a much lower yield.  
2 We conceded to these requests and filed a sketch  
3 map showing that we could attain a 65 lot  
4 subdivision. But after these informal meetings,  
5 we met with the Civic Groups at the Riverhead  
6 Library, we filed a map for a 32 lot  
7 subdivision.

8 In addition, that subdivision provided 53  
9 percent of the area would be uncleared. We  
10 provided considerable buffering. We recasted the  
11 map to address all of the neighbors concerns. Two  
12 cul-de-sacs, one accessed from Sound Avenue and  
13 one from Louise Court. We acceded to the Town's  
14 request, there is a significant setback from  
15 Sound Avenue consisting of a natural drainage  
16 area and open space to preserve the farm corridor  
17 appearance in this area of Sound Avenue.

18 On February 15, 2001, we filed our sketch  
19 plan for 32 lots with the Planning Board. With  
20 that application we enclosed an Environmental  
21 Assessment Form, a full Environmental Assessment  
22 Form with a narrative prepared by Coastal  
23 Environment Corporation, in which we addressed in  
24 a forty or fifty page study of that expert, all  
25 of the environmental aspects of the proposal.

1           We appeared on February 15, 2001 at a work  
2 session of the Planning Board. On March 12th, we  
3 submitted additional information requested at  
4 that meeting regarding steep slopes. On June 7,  
5 2001, we appeared before the Planning Board  
6 pursuant to Public Notice, and presented our  
7 reduced density sketch showing lots ranging in  
8 size from 40,000 square feet to 119,000 square  
9 feet. With the two largest lots occupying  
10 frontage on the Long Island Sound. One roadway  
11 from Sound Avenue services 16 lots, and the other  
12 from Louise Court services 15 lots. One lot has  
13 access to Waterview Court.

14           The Engineering Department, in its memo  
15 dated April 25, 2001, indicated that the sketch  
16 plan provided for roadways and drainage systems  
17 conforming with the Town Code. Since the Public  
18 Hearing held on June 7th at 7 p.m., we repeatedly  
19 requested a hearing on preliminary approval be  
20 scheduled.

21           We closed on the property on August 9,  
22 2001, and our client is now paying interest on a  
23 purchased money mortgage. On September 6, 2001,  
24 the Planning Board passed a resolution approving  
25 the subdivision yield map and resolving that the

1 applicant submit an alternative reduced density  
2 sketch plan showing the 32 lots, showing the  
3 recharge basin on the entire frontage on Sound  
4 Avenue, and minimum residential lot areas of  
5 30,000 square feet, and showing the two  
6 cul-de-sacs, one coming from Sound Avenue and one  
7 from Louise Court.

8 Pursuant to this resolution dated September  
9 18, 2001, we submitted on October 11, 2001, the  
10 plans fully conforming with the Planning Board's  
11 requests. Despite requests since that time for  
12 preliminary hearing, no hearing has since ever  
13 been scheduled on preliminary approval.

14 Members of the Board, you have before you  
15 the six page comprehensive written application  
16 requesting exemption from Chapter 109 of your  
17 code. This request for exemption was sent to you  
18 on March 12, 2002. In our written application, we  
19 addressed all the criteria set forth in your  
20 local law. We likewise, on that same date,  
21 pursuant to the local law and our interpretation  
22 of the local law, requested the Planning  
23 Department to continue processing this  
24 application during the moratorium. That request  
25 has apparently been denied. Thereafter, we have

1 sent letters requesting this hearing and  
2 requesting the processing of our application.

3 So, we are here before you tonight because  
4 your local law provides exemptions and release  
5 from the moratorium. A moratorium is a very  
6 drastic action by a municipality. It affects the  
7 property rights of thousands of property owners.  
8 A moratorium casts a very large net. It catches  
9 big fish and small fish. Parcels that are  
10 concerned to the alternate plans of the Town and  
11 parcels that are not. Parcels that are  
12 contradictory to the purpose of a moratorium and  
13 the comprehensive planning, and parcels that are  
14 not. I submit to you that we are small fish  
15 caught in a very large net.

16 First of all, we have already reduced our  
17 permit yield in half, at the request of the  
18 neighbors and the Planning Department. There is  
19 no question, and the Planning Department  
20 memorandum confirmed this, that our development  
21 is compatible with the scheme of developments in  
22 the area. The entire running area is Residential  
23 C. Indeed, I think 90 percent of our lots are  
24 larger than 90 percent of the adjacent lots.  
25 Restricted clearing to 50 percent. We provided

1 buffering. We have done everything that the  
2 Planning Department, Planning Board and the  
3 neighbors have requested. We would further be  
4 prepared, as a condition of your granting this  
5 application tonight, to purchase transfer  
6 development rights, pine barren's credits,  
7 farmer's credits, etc., to allow a 32 lot  
8 subdivision.

9 We could have sought an exclusion rather  
10 than an exemption under the local law prior to  
11 June 11th, and sought to preserve 70 percent of  
12 the property and seek to crowd as many half acre  
13 lots as we could on 30 percent of the property on  
14 the Long Island Sound. However, we know that is  
15 not good planning, it's not what the neighbors  
16 want, it's not what the Town wants. Accordingly,  
17 we would ask you to grant this application that  
18 is before you, and relief to which we are  
19 entitled, because we've satisfied all the  
20 criteria of the local law. Thank you.

21 SUPERVISOR KOZAKIEWICZ: Thank  
22 you. Would anybody else like to address the  
23 Board with respect to this public hearing?

24 MS. KAPLAN: Eve Kaplan,  
25 Riverhead coordinator of the North Fork

1 Environmental Council.

2 There was a question as to if we wanted to  
3 speak to the nature of extensions of the  
4 moratorium, whether it would be necessary to  
5 speak at all three of these hearing that are to  
6 be held right now?

7 SUPERVISOR KOZAKIEWICZ: I think  
8 that each one has to be treated differently. I'm  
9 not sure if I understand your question. The  
10 exemption criteria is spelled out in local law,  
11 and each applicant is required to demonstrate  
12 that they meet the criteria of that local law. I  
13 think each one stands, therefore, on its own  
14 merits, and each one, therefore, requires a  
15 discussion in return. I don't know if they can  
16 be resolved in one.

17 MS. KAPLAN: Okay. I'm going to  
18 speak one, and I'll ask that you keep in mind my  
19 comments for the other public hearings. I prefer  
20 not to repeat myself, and I'm sure everyone else  
21 prefers that as well.

22 Maybe you're not aware of this, but today  
23 in Southold the Blue Ribbon Commission on  
24 farmland preservation officially presented their  
25 findings to the Town Board. Actually, I just

1       came from that meeting. Some of the people here  
2       might have been there, and it was standing room  
3       only. It was filled with people, residents of  
4       Southold, who came to talk to the Town Board  
5       about their fears for the future of the Town.

6               The growth that they were seeing,  
7       particularly July 4th weekend, when the roads  
8       were packed, people couldn't even make turns to  
9       get to their houses. And some of their hopes that  
10       this Commission that has been working so hard to  
11       plan for the future of Southold, would act now to  
12       implement some of these changes.

13               Last year, you might remember at this  
14       meeting in Wading River, it was a similar  
15       situation. The room was packed with residents who  
16       were here calling for planning, and until we have  
17       that planning, they were calling for a moratorium  
18       to hold us over and to avoid undermining the way  
19       of life that we have now, until we can get this  
20       plan into place.

21               Recently, you all voted to renew the  
22       moratorium and just last month, and that's  
23       certainly something that's very important. I  
24       would like read a passage from the local law  
25       which says, -- as the gentleman representing the

1 project mentioned, there are exclusions and there  
2 are exemptions. And exclusions meet what some  
3 people believe will be the future plans to be  
4 implemented in parts of the town which are 70  
5 percent open space and 30 percent cluster.  
6 Exclusions are the following -- or exemptions,  
7 sorry. It says, " A grant of an exemption to an  
8 applicant's application, here under, shall  
9 receive a determination of unreasonable hardship  
10 upon the property owner which is unique for the  
11 property owner, and a finding that the grant of  
12 an exemption will be in harmony with and will be  
13 consistent with the recommendations of the  
14 comprehensive plan update."

15 We don't have a comprehensive plan update  
16 yet. So I'm not sure how it's possible to know  
17 whether any of these proposed exemptions are in  
18 harmony with those future plans, that I know you  
19 all believe are important for the future of our  
20 town also, since you voted to put the development  
21 on hold until we have those plans.

22 As far as a unique hardship, no one is  
23 happy that land owners have to wait to do what  
24 they want with their property, what is their  
25 right to do with their property. However, the

1 majority of the people in the Town, I believe,  
2 have shown with their votes that it's important  
3 to wait a brief time to get these plans. And  
4 that's not an undue hardship. In fact, the  
5 Supreme Court ruled recently that it's not a  
6 taking, and again, not an undue hardship. It's  
7 just part of the planning process.

8           So I certainly understand that's it's not a  
9 comfortable position to be in when you have a  
10 proposed development. However, I think by  
11 granting exemptions, you open the door for any  
12 project, any land owner to come in with their  
13 proposal and say that they also have an undue  
14 hardship. Because it's not pleasant to be trying  
15 to do a project when the Town has a moratorium.  
16 But that's the unfortunate situation we're in,  
17 because we don't have a master plan, because  
18 we've been waiting almost four years for one. And  
19 so we're hoping we'll get some farmland  
20 preservation action soon.

21           So please show us that you believe in  
22 maintaining the future of Riverhead and that  
23 we're worth it. And please don't grant exemptions  
24 to this important measure that you voted for that  
25 will help preserve the Riverhead that we know and

1 we love. Thank you.

2 SUPERVISOR KOZAKIEWICZ: Thank  
3 you. Is there anyone else that would like to  
4 address the Board. Yes?

5 MS. SEROINSKY: (phonetic) Anna  
6 Seroinsky, Wading River. I'm going to speak to  
7 you as a resident and as a layman, not as a  
8 professional or an environmentalist, etc.

9 As I go up and down Sound Avenue or 25, or  
10 whatever, for the past year, I look at that and  
11 whoever is in my car, whether it's my sister or  
12 another member of my family, and I say, "My God,  
13 there's another development. Oh, my goodness." We  
14 go down another half a mile, a mile, another  
15 development. I thought there was a moratorium?  
16 What happened? Well, somebody will say "Well,  
17 this person was exempt", or "This developer was  
18 exempt, or this project was excluded."

19 My concern is this -- by the way, I  
20 commend the Board for renewing the moratorium and  
21 I was quite relieved. But my concern is this,  
22 that once the plan is put into effect, there will  
23 be no one, no developer to be part of the plan,  
24 because in my layman's eyes, they were all  
25 excluded or exempt from the moratorium.

1 I am asking you to please slow down these  
2 exemptions, slow down these exclusions.  
3 Emphasize what you voted for, and that is the  
4 moratorium, until a plan, a viable plan, is put  
5 into effect for hopefully, at least 30 percent of  
6 the developers, if that many. And I'm asking you  
7 that as a resident who cares about her home,  
8 about her town and about her county. Thank you.

9 SUPERVISOR KOZAKIEWICZ: Thank  
10 you. Would anybody else like to speak? Yes, the  
11 hand in the back.

12 MS. LEWIS: Jill Lewis, Long  
13 Island Pine Barren Society. I'm just here to  
14 echo some of the sediments that Eve had presented  
15 to you earlier.

16 It is our concern that exemptions are  
17 coming forward without people having the final  
18 master plan update. We're concerned that the  
19 Planning Department and the Planning Board will  
20 be spending their time processing some of the  
21 exemption applications, when they should be  
22 focusing their time on the master plan update.  
23 We're hoping that the Planning Department and the  
24 Planning Board will be focusing so that we can  
25 complete the master plan update before the

1 moratorium expires.

2 We're not sure, but we're worried that  
3 granting exemptions also set precedence for other  
4 applications that may come forward. It seems to  
5 me that in reviewing the criteria, it doesn't say  
6 that they have to meet all of the five criteria,  
7 but we're worried that if you grant one that  
8 meets four and not all five, does that leave the  
9 door open for anyone else that comes along to  
10 say, "But I've met four of these", and grant it  
11 to someone else?

12 Like I said, we would like to see the  
13 master plan update move forward without a lot of  
14 time being spent by you or the Planning Board or  
15 the Planning Department on applications for  
16 exemptions that don't meet the exclusion  
17 criteria. Thank you.

18 SUPERVISOR KOZAKIEWICZ: Thank  
19 you. Is there anybody else who would like to  
20 address the Board? Yes?

21 MR. BAIL (phonetic) Sid Bail,  
22 president of Wading River Civic Association.

23 I would like to echo Jill Lewis' thoughts,  
24 etc. Maybe some of you saw the editorial in  
25 Newsday about a week ago about the moratorium,

1 commending the Town of Riverhead for having the  
2 foresight for extending the moratorium. We're  
3 not used to be commended by Newsday. But they  
4 made the point that during this time they would  
5 like to see -- one of their suggestions, the  
6 Planning Department beefed up. They talked about  
7 the addition of having a couple of people to do  
8 the important work as Jill and Eve Kaplan were  
9 talking about, in preparation for the master plan  
10 update. And I guess my thought is that one of the  
11 concerns is that this is just the beginning of  
12 many hearings. You know, we going to have three  
13 the next meeting or four the next meeting,  
14 exclusions exemptions, and is the Planning  
15 Department going to be focusing in more on that  
16 then the completion of the master plan update?

17 Another thing, we don't have even a draft  
18 of the master plan update, and we were supposed  
19 to have that by, I believe, June. So I would be  
20 reluctant, and I realize this is a serious  
21 matter, as the attorney representing the  
22 applicant has made, but the update of the master  
23 plan is a serious matter. This is our last chance  
24 to get it right, and if Riverhead doesn't get it  
25 right, Riverhead will be quite a different

1 community. And quite different than the  
2 aspirations that most people have expressed for  
3 the Town of Riverhead. Thank you very much.

4 SUPERVISOR KOZAKIEWICZ: Thank  
5 you, Sid.

6 COUNCILMAN LULL: Just to  
7 respond very quickly, we will be in a position  
8 very soon to be interviewing for an additional  
9 member of our planning staff, and very soon we  
10 will also be voting as to whether or not we wish  
11 to extend the Planning Board from five members to  
12 seven members to allow for more on-site visits.  
13 So we are taking that seriously. We have all long  
14 been taking that seriously. We've been trying to  
15 find somebody for the Planning Department. It's  
16 not been easy over the last couple of years.  
17 Hopefully, we'll get it taken care of in the next  
18 few weeks.

19 Ed just reminded me, we just added a member  
20 of our Town Attorney's staff to do strictly  
21 C.P.F.business, to handle all of the community  
22 preservation projects.

23 MR. DUNN: My name is Matt Dunn.  
24 I'm a resident of Wading River. Thank you for  
25 giving me the opportunity to speak here. I would

1 like to say -- actually I stood up here one  
2 night during the debate for the moratorium, and  
3 the only reason I came up, not that I was  
4 planning on it, was because there was a whole big  
5 discussion about the maps, about the maps were  
6 inaccurate, and a whole big thing about the maps  
7 being wrong. So we need to get that straight,  
8 like, a hundred percent. That should be done  
9 immediately. In fact, if we're over a month late  
10 on a draft, that should be done. That should be  
11 viewable on-line, we should be able to go on-line  
12 to see the maps. All maps should be straight.

13 I would like to say that I would like to be  
14 more like the East End, because if Riverhead  
15 doesn't do the right thing, we're going to end up  
16 like Brookhaven. We want to know when you cross  
17 over the line you've now entered the East End,  
18 and that starts at the Riverhead line, which is  
19 right up the road. Thank you very much.

20 SUPERVISOR KOZAKIEWICZ: Thank  
21 you, Matt. Would anyone else like to speak?

22 MR. SALTINI: (phonetic) Thank  
23 you. I'm Ray Saltini, president of the Greater  
24 Jamesport Civic Association. I would like to  
25 encourage the Board to consider the application

1 for exemptions, and then to decline any  
2 exemptions based upon the merits of the planning  
3 arguments that you heard here this evening.

4 We mean to bring no additional hardship to  
5 any developer, but we think that the  
6 considerations for slowing the development  
7 process in Riverhead Town far outweighs any  
8 issues with this particular application.

9 Although we haven't heard the other two  
10 presentations, we will listen to each of those  
11 public hearings. But in particular for this one,  
12 we would urge the Board to not grant this  
13 exemption. Thank you.

14 SUPERVISOR KOZAKIEWICZ: Thank  
15 you. Is there anyone else who would like to  
16 address the Board with reference to this  
17 application?

18 MR. BARNOSKY: May I make a few  
19 comments?

20 SUPERVISOR KOZAKIEWICZ: Yes.

21 MR. BARNOSKY: I will be very  
22 brief, but I want to attempt to address the  
23 legitimate concerns of the neighbors and  
24 residents of the Town. I understand, with  
25 respect to those comments. As the last gentleman

1 pointed out, this Board cannot have a blanket  
2 denial of exemptions. Having adopted the local  
3 law and having set forth specific criteria within  
4 that local law, regardless of whether it is  
5 constitutional or unconstitutional, you are bound  
6 to follow those criteria. So the suggestion that  
7 all exemptions should be denied, I think should  
8 be rejected by this Board, as the last gentleman  
9 pointed out.

10 Secondly, I just want to say, the written  
11 materials, we did, of course, attempt to address  
12 the master plan, the moratorium studies, etc. But  
13 this is somewhat of a moving target. At the time  
14 I submitted this application, I think all we had  
15 on-line is the document dated November 27, 2000,  
16 prepared by Land Ethics, Inc. We studied that  
17 document. We attempted to address all its  
18 concerns. I think we have addressed all those  
19 concerns. The proposal before you in this map  
20 shows a lot development of 50 percent or less on  
21 the site's potential yield. We have 50 percent  
22 clearing. We have preservation of nearly 28  
23 acres of existing vegetation. There is no golf  
24 course, no further development, etc. These are  
25 the criteria for the concerns outlined at the

1 time we made application of the Town's own  
2 experts.

3 What the Town's experts may do in the  
4 future and what the draft plan may contain, is  
5 anybody's guess. But I suggest to you though,  
6 that an applicant not be penalized for complying  
7 fully with every document that is on record with  
8 the Town at the time he or she makes application.  
9 We have, again, complied with every request made  
10 by the Planning Department and the neighbors. So  
11 if you have a fully conforming plan in front of  
12 you that otherwise complies with your five  
13 criteria, those are the types of exemptions that  
14 should be granted exemptions in your discretion.  
15 Thank you.

16 SUPERVISOR KOZAKIEWICZ: Thank  
17 you. Would anyone else like to comment or address  
18 the Board with regard to this application? There  
19 were some other comments about exemption  
20 requests. I'm not familiar with any others other  
21 than what's on for tonight's public hearing. I  
22 have not seen any other exemption requests come  
23 in, just for a point of clarification.

24 As also pointed out by Counsel, the local  
25 law that was enacted by the Board and then

1 extended by the Board, does provide in that local  
2 law, an exemption clause or section and although  
3 we hear your comments and we appreciate your  
4 comments, we can't ignore what's there, and what  
5 the local law provides, we must do. In saying  
6 that we'll close this public hearing, unless  
7 anyone else wishes to speak. The time being 7:40  
8 p.m.

9 Public Hearing closed: 7:40 p.m.

10  

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11 Public Hearing opened: 7:40 p.m.

12 SUPERVISOR KOZAKIEWICZ: The time  
13 still being 7:40 p.m. I would ask the Deputy  
14 Clerk to read the affidavit for publishing and  
15 posting for tonight's third public hearing.

16 MS. WHITE: Affidavit for public  
17 hearing posting for public hearing to be held at  
18 Wading River Congregational Church, North Country  
19 Road, Wading River, New York, on July 16, 2002 at  
20 7:15 p.m. Re: The application of Country Trails  
21 for exemption from Chapter 109 of the Town Code  
22 entitled "Moratorium".

23 SUPERVISOR KOZAKIEWICZ: Thank  
24 you, Melissa. Is there anybody who would like to  
25 speak? Yes, Mr. Danowski.

1                   MR. DANOWSKI: My name is Pete  
2 Danowski. I do represent people who are present  
3 tonight. Mr. Prost (phonetic) is here. The  
4 Country Trail subdivision, also known as Country  
5 Point, to confuse matters, Also known as Long  
6 Island Tech Development, Inc.

7                   I watched my fellow attorney make the last  
8 presentation in a very organized fashion and it  
9 covered the facts. I've actually submitted a  
10 letter that's on file with the Town Clerk. I've  
11 supplied copies of the maps, one of which is on  
12 the wall now. And I have sort of layman's type  
13 of language in addressing this issue as well.

14                  I think this Board originally, using Eve's  
15 words, sought to preserve farmland in the Town,,  
16 to preserve agricultural farmland. I think that  
17 was the gist of the discussion, prior to the Town  
18 adopting their first moratorium legislation. And  
19 I think clearly they looked at the maps in the  
20 Town and they thought they had correctly  
21 described where agriculture was taking place in  
22 the Town, and they proposed the first moratorium  
23 language that would have covered and grandfather  
24 those who were very along away with the process.  
25 Meaning, that people that have spent a great deal

1 of time money and energy in processing an  
2 application. And typically, on a subdivision that  
3 meant someone that had gone and filed an  
4 application. Someone had paid the fees, paid for  
5 the engineering, paid for the surveying and going  
6 through three alternate sketches with the  
7 Planning Board, had listened to engineering  
8 comments, had responded back to those comments.  
9 And had public hearings, had then gone through a  
10 preliminary map, done a road and drainage plan,  
11 done further engineering, been through public  
12 hearing and been through the Health Department.  
13 And gone through a process with the Health  
14 Department. Spent the money there and had come  
15 through and gotten a preliminary map approval.  
16 All they had to do then was submit the final  
17 plat, which was actually less information than  
18 the final road and drainage plan to be approved.

19 There was a certain, I think, discussion  
20 about the fairness of that to grandfather those  
21 with preliminary plat or map approval that had  
22 been through the bulk of the process. And there  
23 was some thought, whether you think fair or  
24 unfair, as to the general purpose behind the  
25 moratorium was to protect active farmland. So

1 when people saw the farmer on his tractor, they  
2 wanted to continue to see the farmer on his  
3 tractor. And there was hope throughout the Town,  
4 I think, including every member of this Board,  
5 that there would be acquisitions of farmland with  
6 full market value paid to the farmer owner. In  
7 many instances, that fair market value just  
8 wasn't approached. Some of that is now taking  
9 place and I'm a supporter of that. And I have  
10 clients that are willing to sell development  
11 rights and have rights sold.

12 I say all of that because I have a client  
13 who has a piece that's completely wooded. It has  
14 not been farmed. And I'll tell you what, the  
15 suggestion through the planning process is what?  
16 Don't knock down too many trees. So the worst  
17 thing you want to have is a farmer come on to  
18 this land, clear cut it and farm it. So there's  
19 no goal to be reached by suggesting on this  
20 parcel that we should protect it for farmland.  
21 And that's clearly the distinction with this  
22 application that you have to point out and  
23 recognize.

24 This client came in several years ago and  
25 began the process. They have preliminary plat

1 approval. They have Health Department approval.  
2 They've applied for and had public hearings and  
3 were gained a resolution and an order extending  
4 public water. They'll have to pay a great deal of  
5 money for an extension of the public water pipe  
6 on a road, despite the fact that water pipe won't  
7 supply water to this subdivision that already has  
8 a public water pipe on the other road, but this  
9 is an extra benefit for the Town's water  
10 district, so the client is agreeing to do that.  
11 By way of locating the property, it is near high  
12 density uses fully supported by the Town over the  
13 last several years.

14 It began with a mobile home park community  
15 that's next to the property, Oakland Ridge  
16 Community, a mobile home park. An adjacent parcel  
17 is also on both sides of the road as you look  
18 down Mill Road and Osborne. Also there is the  
19 Town's own affordable housing project a few years  
20 back called Silver Lining originally. The Town  
21 itself wanted to have an affordable housing  
22 project, and they located it nearby. There's a  
23 recent Riverhead Landing apartment complex on  
24 Mill Road supported by the Town Board after  
25 public hearing and voted on and approved. There

1 are projects on Middle Road, of density. And  
2 this is adjacent to a filed subdivision map,  
3 Osborn Meadows on Constable Drive that's an  
4 adjacent parcel.

5 So what I'm saying is that when you look at  
6 individual exemption applications, first ask  
7 yourself the question in fairness, how long in  
8 the process had the client been filing  
9 applications, paying fees, being considered, and  
10 what approvals does he have? The final map on  
11 this application could have been signed by the  
12 Planning Board prior to the moratorium. It was  
13 delivered prior to the adopted date, it wasn't  
14 acted on. I will say, candidly, the moratorium  
15 was acted on very soon after that. That was the  
16 first of the two moratoriums that passed.

17 So this is a wooded parcel next to a high  
18 density project previously approved by the Town's  
19 various agencies. The Riverhead Town Planning  
20 Board went through a slope analysis, went through  
21 a process where they requested and obtained a  
22 vegetation retention buffer to buffer off the  
23 houses from the streets.

24 The Riverhead Town Planning Board, after  
25 engineering reports and analyzing the reports

1 also issued a negative declaration for including  
2 the see through process. So all of this has been  
3 done on a wooded project that was never meant to  
4 be included in any moratorium language. And if  
5 you're to believe the arguments that have been  
6 used here, if you don't have a draft master plan  
7 on file with the Town Clerk, how can you blame  
8 that on the individual applicants appearing for  
9 an exemption? Blame the Town, but don't blame the  
10 applicants. And I don't think the specific  
11 language of the draft master plan talks about  
12 comprehensive planning studies, specifically in  
13 Roman Numeral 5, with the recommendations of  
14 comprehensive planning studies. Those studies  
15 will also incorporate language that talks about  
16 the Town to provide housing. There's a need to  
17 provide housing if many of the people in this  
18 room have children graduating from college, or  
19 have jobs, young people, it's difficult to find  
20 housing in the Town. So there's a need recognized  
21 in your draft documents concerning master  
22 planning.

23 So my application in writing covers the  
24 criteria. If you really take a look at the  
25 process, how long the client's been in it, how

1 much money has been paid, the agreements binding  
2 themselves to the Town, and look at a completely  
3 wooded parcel. Thank you.

4 SUPERVISOR KOZAKIEWICZ: Thank  
5 you. Is there anyone else that would like to  
6 address the Board? Yes, the hand in the back.  
7 Jill Lewis.

8 MS. LEWIS: Jill Lewis. I  
9 represent the Long Island Pine Barren Society.  
10 I'm not too familiar with that application, so  
11 it's not clear to me if it meets current zoning,  
12 never mind the recommendations on the master  
13 plan. With all due respect to Mr. Danowski, it's  
14 not certain if the master plan's purpose is just  
15 to protect farmland. It's my understanding that  
16 it protects woodland areas as well as farmland,  
17 and hopefully to reduce density in the Town of  
18 Riverhead, lower taxes, and maintain the same  
19 quality of life that we know and love.

20 So I was just wondering -- I also have to  
21 ask the question, I don't know if you can answer,  
22 the Town Board, you speak of hardship, and I'm  
23 wondering what the criteria of hardships are, and  
24 who determines that, and who reviews that and how  
25 will that be addressed?

1 SUPERVISOR KOZAKIEWICZ: The  
2 zoning issue is that of Agricultural A parcel  
3 zone, about 28.2 acres, and the petitioner is  
4 looking to create 26 lots.

5 MS. LEWIS: What is the set  
6 asides generally for that type of a development?

7 SUPERVISOR KOZAKIEWICZ: When  
8 you say "set aside," are you talking about the  
9 road?

10 MS. LEWIS: Yes.

11 SUPERVISOR KOZAKIEWICZ: There is  
12 a general rule. I guess this fronts on two  
13 streets. It will be different. I guess that's  
14 something the engineer on the project can  
15 address.

16 MS. LEWIS: Okay.

17 SUPERVISOR KOZAKIEWICZ: As far  
18 as hardship, I think that one of the things that  
19 the Board can consider is how long it's been in  
20 the process.

21 MS. LEWIS: Do you know how many  
22 applications are that far along the process?  
23 According to Mr. Danowski, if he had a recent map  
24 assuming that would in order him to conform to  
25 whatever it was that the Planning Department was

1 looking for at the time. So, I don't know if  
2 it's a self created hardship, in which had he  
3 gone in originally and had lower density, he may  
4 have been already through the approval process.

5 Thank you.

6 SUPERVISOR KOZAKIEWICZ: Thank  
7 you. Would anyone else like to address the Board  
8 with respect to the application by Country Trials  
9 for exemption? Nobody?

10 The time being 7:52 p.m., I declare the  
11 public hearing closed, and I request that the  
12 affidavit of publishing and posting for the last  
13 public hearing be read.

14 Public Hearing closed 7:52 p.m.

15

16 Public Hearing opened: 7:52 p.m.

17 MS. WHITE: Application for  
18 publishing and posting for public hearing to be  
19 held at Wading River Congregational Church, North  
20 Country Road, in Wading River, on July 16, 2002,  
21 at 7:20 p.m. Re: The application of Hounds Gate  
22 Condominium for exemption from Chapter 109 of the  
23 Town Code entiteled "Moratorium".

24 SUPERVISOR KOZAKIEWICZ: Thank  
25 you. Mr. Cuddy.

1 MR. CUDDY: Charles Cuddy,  
2 Griffing Avenue, Riverhead, for the applicant.

3 Just to put a time frame on this  
4 application, it started in May of 2000. And it  
5 progressed to the point where there was a public  
6 hearing before the Planning Board last October.  
7 In November, when the Board was to consider it,  
8 it did, asked us to do some drainage touch up  
9 work on the map, and in December, before we had  
10 any approval, the moratorium was passed.

11 We have been there at this point, waiting  
12 for two years. We have spent \$2800.00 in  
13 application fees. This parcel, perhaps in all  
14 the Town, is absolutely unique. Not just perhaps,  
15 but it is. It is the only parcel in the  
16 multifamily, residential, professional office  
17 district, that is undeveloped. So it is a single  
18 parcel, 11 acres. There are 27 condominium units  
19 proposed for it.

20 This parcel, I believe, meets all the  
21 criteria for the exemption. It certainly is not  
22 near any farm, it's not near any wetlands. In  
23 itself, it's been zoned to the Wading River  
24 Hamlet process. If you look at the comprehensive  
25 plan that's on file in the Clerk's office, this

1 is an area proposed for C.R.C., which is simply  
2 compatible comprehensive plan language for  
3 commercial residential use. So it's the same use  
4 that's proposed. That includes multifamily use.  
5 The very same use that's proposed in that plan,  
6 that we propose now.

7 I think this fits with the area because the  
8 Board is aware of the area. This is to the west  
9 of an existing office complex, and east of an  
10 existing condominium complex. And as I say, it's  
11 the single undeveloped lot in that whole  
12 district.

13 But perhaps more importantly, and I think  
14 maybe the Board isn't aware of this, but when you  
15 adopted the new moratorium under number 10,  
16 109.5, -- excuse me, 109.6, you excluded this  
17 type of application because you indicated, and I  
18 will read it to you, that "An approval for a  
19 condominium map within multifamily, residential,  
20 professional office zone". That's this  
21 particular item. And therefore, I would ask you  
22 on both grounds, as an exemption, but also as an  
23 exclusion, and I believe that's appropriate. And  
24 particularly appropriate here because this is a  
25 unique lot, there is no other lot like it in the

1 Town. There is no other use that would be  
2 proposed for this site that I can imagine. Your  
3 plan doesn't propose anything else.

4 So without making this longer, I would just  
5 simply ask you to please consider this, the  
6 applicant has been waiting for more than two  
7 years, and I believe it's appropriate under both  
8 the exemption and the exclusion. Thank you.

9 SUPERVISOR KOZAKIEWICZ: Thank  
10 you, Mr. Cuddy. Is there anyone else who would  
11 like to address the Board? Jill Lewis?

12 MS. LEWIS: I just have a  
13 question. Was that a hearing for an exemption or  
14 an exclusion?

15 SUPERVISOR KOZAKIEWICZ: An  
16 exemption is what this hearing is for.

17 MS. LEWIS: So I'm wondering if  
18 Mr. Cuddy feels that his client has met the  
19 exclusion criteria, why are we going through the  
20 process of a public hearing for an exemption?

21 SUPERVISOR KOZAKIEWICZ: I think  
22 the answer is because the exemption request was  
23 made before that local law was adopted.

24 MS. LEWIS: That's all I wanted  
25 to know. Thank you.

1 SUPERVISOR KOZAKIEWICZ: Thank  
2 you. Is there anybody else who would like to  
3 address the Board?

4 That being the case, I declare the public  
5 hearing closed, the time of 7:58 p.m. having  
6 arrived.

7 Public Hearing closed: 7:58 p.m.

8 SUPERVISOR KOZAKIEWICZ: A couple  
9 of meetings back we went through a format where  
10 we asked for comments from the people in the  
11 audience with respect to resolutions and  
12 resolutions only. I don't know if the Board  
13 wants to deviate from that today and open it up  
14 for general discussion and then go to  
15 resolutions?

16 Ed, I know you want to make a couple of  
17 comments before resolutions.

18 COUNCILMAN DENSIESKI: Yes, I do.  
19 First of all, I apologize for being a few minutes  
20 late. I was having a wrestling match with a ten  
21 month old baby. I apologize to my colleagues and  
22 to the audience.

23 I just want to mention a couple of things.  
24 At the last meeting Councilman Lull put me on the  
25 spot and asked me when the "stop" date was, and I

1 didn't know. I apologize, it's going to be  
2 October 5th and you will hear more about it.

3 This weekend is the Blue's Festival,  
4 starting with a parade on Thursday and then  
5 Friday, Saturday and Sunday, free music all  
6 weekend long. It's a nice event, I hope you can  
7 all make it. It's downtown Riverhead on the river  
8 front.

9 Also, Wading River native, Tim Buckley,  
10 who's one of Riverhead's finest police officers,  
11 was called overseas to help to defend our  
12 country. He's returned home safely, and I  
13 thought that we would mention that here tonight.

14 (Applause from the audience).

15 SUPERVISOR KOZAKIEWICZ: Thank  
16 you, Ed.

17 Is there anybody that wishes to address the  
18 Board with respect to resolutions that appear on  
19 tonight's agenda? Comments are limited to  
20 resolutions. Steve Haizlip?

21 MR. HAIZLIP: Steve Haizlip,  
22 Edwards Avenue, Calverton. On 753, you get  
23 "Authorize Town Clerk to publish and post public  
24 notice to consider a local law to add a new  
25 chapter, 104, entitled "Vegetation Protection" to

1 the Riverhead Town Code."

2 When you use the term "Vegetation  
3 Protection", do you mean, I hope you don't, that  
4 all these wild weeds that grow around these  
5 houses and along the road, and fences like P.J.  
6 Petroleum here in Calverton, you're going to  
7 protect it? I'm just asking. I'm not being wise.  
8 I want to know.

9 COUNCILMAN LULL: I can answer  
10 where this came from. This comes from quite a  
11 while ago a discussion had been taking place in  
12 the Town.

13 UNIDENTIFIED SPEAKER: We can't  
14 hear you.

15 COUNCILMAN LULL: Okay. This is  
16 essentially a protection for trees and other  
17 landscaping on Town property. So that it does  
18 protect Town trees against any kind of vandalism  
19 or unnecessary clearing or anything along those  
20 lines. That's all. It's going to be developed in  
21 a few weeks along with a few policies from the  
22 Town Board and from the Highway Department in  
23 terms of tree replacement and road tree  
24 maintenance, which has an important aspect in  
25 terms of our road safety.

1 MR. HAIZLIP: On 767, what's at  
2 18 Fanning Blvd., Chapter 96 budget adjustment?  
3 Chapter 96, is that brush and cleaning and so  
4 forth?

5 SUPERVISOR KOZAKIEWICZ: That is  
6 what it is. We had a resolution at the last  
7 meeting to notify the property owner that they  
8 have failed to take corrective action, and this  
9 is establishing a budget so that the Town or  
10 contractor can undertake that job.

11 MR. HAIZLIP: Good enough. Thank  
12 you.

13 SUPERVISOR KOZAKIEWICZ: Thank  
14 you. Is there anyone else that would like to  
15 comment on resolutions? Resolutions, only. Joan  
16 Griffin ?

17 MS. GRIFFIN : Good evening, Joan  
18 Griffin , Bating Hollow. Resolution number 763,  
19 "Authorizes Town Supervisor to execute change  
20 order No. 2 for Skatepark general construction".

21 SUPERVISOR KOZAKIEWICZ: This  
22 work was to provide for an additional curb around  
23 the main parking field and more curb dialing for  
24 additional parking at the skatepark.

25 MS. GRIFFIN : And that's the

1 thirteen thousand five hundred?

2 SUPERVISOR KOZAKIEWICZ: That's  
3 correct.

4 MS. GRIFFIN : Okay. Thank you.  
5 764, the change order for GC-13 for Senior  
6 Citizen Human Resource Center?

7 SUPERVISOR KOZAKIEWICZ: The  
8 resolution sets forth what it's for. It's to  
9 execute change order with respect to that  
10 particular project, the installation of a door  
11 located between the stage and the corridor, for a  
12 contract increase of \$660.00. A change order for  
13 additional insulation. Another change order to  
14 remove and replace termite damaged material. A  
15 change order for the installation of a break room  
16 partition, arch window. There's five change  
17 orders. The resolution says that.

18 MS. GRIFFIN : Okay. Thank you.  
19 762, "Authorizes Town Supervisor to execute  
20 change order for Iron Pier Beach, general  
21 construction".

22 SUPERVISOR KOZAKIEWICZ: This is  
23 a finish up with respect to Iron Pier for  
24 completion of the project. There were some  
25 give-backs and then there were some additions put

1 in, and they are, again, spelled out in the  
2 resolution as well as the attached change order  
3 number one attached to it.

4 MS. GRIFFIN: Thank you. The  
5 last one, 775, "Website consultant".

6 SUPERVISOR KOZAKIEWICZ: The  
7 resolution of the website is to approve the rate  
8 schedule of on-line advertizing, which provides  
9 the services to this Town, or the website  
10 development administration and for e-mail.

11 MS. GRIFFIN: Okay. And the  
12 website, is it ever going to be updated?

13 SUPERVISOR KOZAKIEWICZ: A  
14 \$100.00 increase.

15 MS. GRIFFIN: Okay. But will the  
16 website be updated? The last press release was  
17 January of this year.

18 SUPERVISOR KOZAKIEWICZ: I  
19 believe it has been. If you check, I believe  
20 there's been additional press releases recently  
21 added to it.

22 MS. GRIFFIN: Okay. Thank you  
23 very much.

24 SUPERVISOR KOZAKIEWICZ: Thank  
25 you. Would anyone else like to address the Board

1 with respect to resolutions? If not, we'll take  
2 up the resolutions, and we will open it up for  
3 open comments thereafter.

4 I'm going to adjourn the Town Board portion  
5 of the public hearing, the time being 8:07 p.m.,  
6 and ask that we convene the Community Development  
7 Agency portion of the meeting.

8 MS. WHITE: Resolution number 14,  
9 Riverhead Community Development Agency reads:

10 "Authorizes chairman to execute license  
11 agreement with Rosewood Management Inc., for use  
12 of a portion of the Calverton facility for the  
13 North Fork Classic".

14 COUNCILMAN DENSIESKI: Motion to  
15 move.

16 COUNCILWOMAN BLASS: And  
17 seconded.

18 SUPERVISOR KOZAKIEWICZ: Moved  
19 and seconded.

20 The Vote: Sanders, yes; Blass, yes; Densieski,  
21 yes; Lull, I don't if everyone heard it?

22 UNIDENTIFIED SPEAKER: No.

23 COUNCILMAN LULL: "Authorizes the  
24 Chairman to execute a license agreement to allow  
25 the North Fork Classic to be held on the Rosewood

1 grounds.

2 SUPERVISOR KOZAKIEWCZ: It was  
3 moved by Densieski and seconded by Blass and we  
4 got through three of the votes, they were all  
5 yes. Jim, you didn't vote.

6 COUNCILMAN LULL: Yes.

7 MS. WHITE: Kozakiewicz?

8 SUPERVISOR KOZAKIEWICZ: Yes.

9 MS. WHITE: The resolution is  
10 adopted.

11 SUPERVISOR KOZAKIEWICZ: There  
12 is no other C.D.A. business?

13 MS. WHITE: That was it.

14 SUPERVISOR KOZAKIEWICZ: Okay.  
15 We will close that and go back to the Town Board,  
16 the time being 8:09 p.m.

17 MS. WHITE: Resolution number  
18 748, Councilman Lull.

19 COUNCILMAN LULL: "Authorizes the  
20 Town Clerk to publish and post a notice to  
21 bidders for demolition and debris cleaning of  
22 structures located at 22 Lewis Street, in  
23 Riverhead. So moved.

24 COUNCILWOMAN SANDERS: And  
25 seconded.

1 SUPERVISOR KOZAKIEWICZ: Moved  
2 and seconded.

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

5 MS. WHITE: The resolution is  
6 adopted. Resolution number 749, Councilwoman  
7 Sanders:

8 COUNCILWOMAN SANDERS:  
9 "Authorizes the Town Clerk to publish and post a  
10 notice to bidders for the Twin Ponds parking lot  
11 improvement project." Sid was kind enough to  
12 bring our maps back tonight, so that everyone  
13 could take a look at it and refresh our memories  
14 as to what it looked like. So moved.

15 COUNCILWOMAN BLASS: And  
16 seconded.

17 SUPERVISOR KOZAKIEWICZ: Moved  
18 and seconded.

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

21 MS. WHITE: The resolution is  
22 adopted. Resolution 750, Councilwoman Blass:

23 COUNCILWOMAN BLASS: This  
24 resolution is an authorization to publish a bid  
25 for a Type III, Class I emergency vehicle. So

1 moved.

2 COUNCILMAN LULL: Second the  
3 motion.

4 SUPERVISOR KOZAKIEWICZ: Moved  
5 and seconded.

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

8 MS. WHITE: The resolution is  
9 adopted. Resolution number 751, Councilman  
10 Densieski:

11 COUNCILMAN DENSIESKI: "Approve  
12 the temporary sign permit for Colony Realty." So  
13 moved.

14 COUNCILMAN LULL; Seconded.

15 SUPERVISOR KOZAKIEWICZ: Moved  
16 and seconded.

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

19 MS. WHITE: The resolution is  
20 adopted. Resolution 752, Councilman Lull:

21 COUNCILMAN LULL: "Approves  
22 temporary sign permit for Eagle Auto Mall." So  
23 moved.

24 COUNCILWOMAN BLASS: And  
25 seconded.

1 SUPERVISOR KOZAKIEWICZ: Moved  
2 and seconded.

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

5 MS. WHITE: The resolution is  
6 adopted. Resolution 753, Councilwoman Blass:

7 COUNCILWOMAN BLASS: This  
8 resolution "Authorizes the Town Clerk to publish  
9 and post public notice to consider a local law to  
10 add a new chapter (Chapter 104) entitled  
11 "Vegetation Protection" to the Riverhead Town  
12 Code." So moved.

13 COUNCILWOMAN SANDERS: And  
14 seconded.

15 SUPERVISOR KOZAKIEWICZ: Moved  
16 and seconded. Discussion.

17 COUNCILWOMAN BLASS: Mr.  
18 Supervisor, I think we need to make two minor  
19 corrections before we publish the text of this  
20 local law, not local law, excuse me, the chapter.  
21 And it's to add the word "public" in the  
22 prohibition section 104-4, on any public ground  
23 or public property within the Town. We're not  
24 looking to regulate all.

25 And similarly, in Section 104-5, the

1 provisions in the chapter apply to publicly owned  
2 land or public land within the Town of Riverhead.

3 SUPERVISOR KOZAKIEWICZ: Are  
4 there any further discussion? We will make those  
5 changes. Vote, please.

6 The Vote: Sanders, yes, as amended, Blass, yes,  
7 as amended; Densieski, yes, first I would like to  
8 thank Councilman Lull who spent a lot of time --  
9 this is a good law, it's going to protect the  
10 trees. I would also like to thank Mark Wadner,  
11 (phonetic) our Highway Superintendent, who worked  
12 with Jim on this legislation. Lull, yes;  
13 Kozakiewicz, yes.

14 MS. WHITE: The resolution is  
15 adopted. Resolution 764, Councilwoman Sanders:

16 COUNCILWOMAN SANDERS:

17 "Authorizes the Town Clerk to publish and post  
18 notice of public hearing to consider a proposed  
19 local law for an amendment to Chapter 54 (Unsafe  
20 Buildings and Collapsed Structures) of the  
21 Riverhead Town Code." So moved.

22 COUNCILMAN DENSIESKI: Second the  
23 motion.

24 SUPERVISOR KOZAKIEWICZ: Moved  
25 and seconded.

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

3                     MS. WHITE: The resolution is  
4     adopted. Resolution 755, Councilman Densieski:

5                     COUNCILMAN DENSIESKI: "Authorizes  
6     the Town Clerk to publish and post a public  
7     notice to consider a local law to amend Chapter  
8     108 entitled, "Zoning of the Riverhead Town Code".  
9     So moved.

10                    COUNCILWOMAN BLASS: And  
11     seconded.

12                    SUPERVISOR KOZAKIEWICZ: Moved  
13     and seconded.

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

16                    MS. WHITE: The resolution is  
17     adopted. Resolution 756, Councilwoman Blass:

18                    COUNCILWOMAN BLASS: 756 approves  
19     the application of Timothy Hill Children's Ranch  
20     for a circus to be held on the southwest corner  
21     of Mill Road and Route 58, July 29th and 30th.  
22     So moved.

23                    COUNCILMAN LULL: Seconded.

24                    SUPERVISOR KOZAKIEWICZ: Moved  
25     and seconded.

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

3                   MS. WHITE: The resolution is  
4     adopted. Resolution number 757, Councilman Lull:

5                   COUNCILMAN LULL: "Approves the  
6     application of the East End Arts Council for the  
7     their wine feast concert series, which is  
8     Saturday, July 27th. So moved.

9                   COUNCILMAN DENSIESKI: Second the  
10    motion.

11                  SUPERVISOR KOZAKIEWICZ: Moved  
12    and seconded.

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

15                  MS. WHITE: The resolution is  
16     adopted. Resolution number 758, Councilman  
17     Densieski:

18                  COUNCILMAN DENSIESKI: "Approves  
19     the application of Cancos Tile Corporation." So  
20     move.

21                  COUNCILWOMAN SANDERS: And  
22     seconded.

23                  SUPERVISOR KOZAKIEWICZ: Moved  
24     and seconded.

25     The Vote: Sanders, yes; Blass, yes; Densieski,

1 yes; Lull, yes, Kozakiewicz, yes.

2 MS. WHITE: The resolution is  
3 adopted. Resolution number 759, Councilwoman  
4 Sanders:

5 COUNCILWOMAN SANDERS: "Resolution  
6 authorizing Supervisor to execute water service  
7 contract with Grubb & Ellis; Calverton Properties  
8 LLC; Milivia Foods of N.Y. and Michael Reilly  
9 Designs with Riverhead Water District." So moved.

10 COUNCILWOMAN BLASS: And  
11 seconded.

12 SUPERVISOR KOZAKIEWICZ: Moved  
13 and seconded.

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

16 MS. WHITE: The resolution is  
17 adopted. Resolution number 760, Councilwoman  
18 Blass:

19 COUNCILWOMAN BLASS: "Resolution  
20 authorizing the Supervisor to execute a water  
21 service contract with David and Maryann Schmidt."  
22 So moved.

23 COUNCILWOMAN SANDERS: And  
24 seconded.

25 SUPERVISOR KOZAKIEWICZ: Moved

1 and seconded.

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

4 MS. WHITE: The resolution is  
5 adopted. Resolution number 761, Councilwoman  
6 Sanders:

7 COUNCILWOMAN SANDERS: The  
8 resolution is "Authorizing the Supervisor to  
9 execute a water service contract with the  
10 Riverhead Charter School and the Riverhead Water  
11 District." So moved.

12 COUNCILMAN LULL: Seconded.

13 SUPERVISOR KOZAKIEWICZ: Moved  
14 and seconded.

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

17 MS. WHITE: The resolution is  
18 adopted. Resolution number 762, Council Lull:

19 COUNCILMAN LULL: "Authorizes  
20 Town Supervisor to execute Change Order No. 1 for  
21 Iron Pier Beach- general construction." I hope  
22 you've seen it, they've done a nice job. So  
23 moved.

24 COUNCILWOMAN SANDERS: And  
25 seconded.

1 SUPERVISOR KOZAKIEWICZ: Moved  
2 and seconded.

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

5 MS. WHITE: The resolution is  
6 adopted. Resolution number 763, Councilwoman  
7 Blass:

8 COUNCILEWOMAN BLASS: This  
9 resolution "Authorizes the Town Supervisor to  
10 execute Change Order No. 2 for the Skatepark-  
11 general construction." So moved.

12 COUNCILMAN LULL: Second the  
13 motion.

14 SUPERVISOR KOZAKIEWICZ: Moved  
15 and seconded.  
16 The Vote: Sanders, yes; Blass, yes; Densieski,  
17 yes; Lull, yes; Kozakiewicz, yes.

18 MS. WHITE: The resolution is  
19 adopted. Resolution number 764, Councilman  
20 Densieski:

21 COUNCILMAN DENSIESKI: "Authorizes  
22 the Town Supervisor to execute the Change Order  
23 GC-08, GC-13 for the Senior Citizen Human  
24 Resource Center." So moved.

25 COUNCILWOMAN SANDERS: And

1 seconded.

2 SUPERVISOR KOZAKIEWICZ: Moved  
3 and seconded.

4 The Vote: Sanders, yes; Blass, yes; Densieski, if  
5 you get a chance to go down and look at it, it's  
6 going to be quite a center. I'm looking forward  
7 to it, yes; Lull, looking at these last three  
8 resolutions, I'm very pleased at what has been  
9 happening. As mentioned, the Iron Pier Beach  
10 general construction has been completed for the  
11 families. The skatepark is essentially completed  
12 for children, and the Senior Citizen Human  
13 Resource Center, which will be completed within  
14 the month for seniors. That represents a lot of  
15 work that has been done, yes; Kozakiewicz, yes.

16 MS. WHITE: The resolution is  
17 adopted. Resolution number 765, Councilwoman  
18 Sanders:

19 COUNCILWOMAN SANDERS:  
20 "Authorizes the Town Supervisor to execute  
21 Change Order M-1 for Senior Citizen Human  
22 Resource Center- mechanical." So moved.

23 COUNCILWOMAN BLASS: And  
24 seconded.

25 SUPERVISOR KOZAKIEWICZ: Moved

1 and seconded.

2 The Vote: Sanders, yes; Blass, yes; Densieski,  
3 yes; Lull, yes; Kozakiewicz, I point out on this  
4 change order there is actually a decrease in the  
5 amount of \$9,770.00, yes.

6 MS. WHITE: The resolution is  
7 adopted. Resolution number 766, Councilwoman  
8 Blass:

9 COUNCILWOMAN BLASS: This  
10 resolution is authorizing a budget adoption for  
11 capital project in connection with Riverhead Bay  
12 Motors Sewer District extension. So moved.

13 COUNCILMAN LULL: Seconded.

14 SUPERVISOR KOZAKIEWICZ: Moved  
15 and seconded.

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

18 MS. WHITE: The resolution is  
19 adopted. Resolution number 767, Councilman Lull:

20 COUNCILMAN LULL: This is the  
21 budget adjustment for a Town of Riverhead Chapter  
22 96, budget for 18 Fanning Blvd. So moved.

23 COUNCILWOMAN SANDERS: And  
24 seconded.

25 SUPERVISOR KOZAKIEWICZ: Moved

1 and seconded.

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

4 MS. WHITE: The resolution is  
5 adopted. Resolution number 768, Councilwoman  
6 Sanders:

7 COUNCILWOMAN SANDERS: "General  
8 fund budget adjustment." So moved.

9 COUNCILWOMAN BLASS: And  
10 seconded.

11 SUPERVISOR KOZAKIEWICZ: Moved  
12 and seconded.

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

15 MS. WHITE: The resolution is  
16 adopted. Resolution number 769, Councilwoman  
17 Sanders:

18 COUNCILWOMAN SANDERS:  
19 "Recreation fund budget adjustment." So moved.

20 COUNCILMAN DENSIESKI: And  
21 seconded.

22 SUPERVISOR KOZAKIEWICZ: Moved  
23 and seconded.

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

1 MS. WHITE: The resolution is  
2 adopted. Resolution number 770, Councilman Lull:

3 COUNCILMAN LULL: "Declares  
4 Harborview Homes, Inc., in<sup>default</sup> connection with  
5 property located at 600 Middle Road, Riverhead."  
6 So moved.

7 COUNCILMAN DENSIESKI: Second the  
8 motion.

9 SUPERVISOR KOZAKIEWICZ: Moved  
10 and seconded.

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

13 MS. WHITE: The resolution is  
14 adopted. Resolution number 771, Councilman  
15 Densieski:

16 COUNCILMAN DENSIESKI: "Authorizes  
17 the Town Supervisor to submit a joint grant  
18 application with the Town of Southampton to the  
19 New York State Department of Transportation  
20 pursuant to the technical assistance in traffic  
21 engineering and transportation planning for  
22 localities program for preparation of a "Traffic  
23 Demand Management Plan" (TDM) for the  
24 Riverhead/Southampton corridor associated with  
25 the Suffolk County S-92 bus route and related

1 pedestrian and public transit enhancements." So  
2 moved.

3 COUNCILWOMAN SANDERS: And  
4 seconded.

5 SUPERVISOR KOZAKIEWICZ: Moved  
6 and seconded.

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

9 MS. WHITE: The resolution is  
10 adopted. Resolution number 772, Councilwoman  
11 Blass:

12 COUNCILWOMAN BLASS: This  
13 resolution "Authorizes submission of application  
14 of funding under the New York State 2002 "Main  
15 Street New York" downtown development  
16 initiative." So moved.

17 COUNCILMAN LULL: Seconded.

18 SUPERVISION KOZKIEWICZ: Moved  
19 and seconded.

20 The Vote: Sanders, yes; Blass, yes, and this is  
21 to actually provide funds for the construction of  
22 a restroom facility on downtown Main Street, in  
23 the southeast corner of McDermott Avenue and the  
24 Peconic River front. Densieski, Barbara's right,  
25 that is important, I'm going to vote yes; Lull,

1 yes; Kozakiewicz, yes.

2 MS. WHITE: The resolution is  
3 adopted. Resolution number 773, Councilwoman  
4 Blass:

5 COUNCILWOMAN BLASS: This  
6 resolution "Endorses the nomination of the  
7 Assistant Secretary of State to the Board of  
8 Directors for the International Codes Council."  
9 So moved.

10 COUNCILWOMAN SANDERS: And  
11 seconded.

12 SUPERVISOR KOZAKIEWICZ: Moved  
13 and seconded.

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

16 MS. WHITE: The resolution is  
17 adopted. Resolution number 774, Councilwoman  
18 Sanders:

19 COUNCILWOMAN SANDERS: "Denisys  
20 Corporation rate structure." Resolution to  
21 establish a rate change, an hourly rate change  
22 for consulting services. So moved.

23 COUNCILMAN DENSIESKI: Second the  
24 motion.

25 SUPERVISOR KOZAKIEWICZ: Moved

1 and seconded.

2 The Vote: Sanders, yes; Blass, yes; Densieski, I  
3 can only assume it went up and not down, but I  
4 will vote yes; Lull, yes; Kozakiewicz, yes.

5 MS. WHITE: The resolution  
6 adopted. Resolution number 775, Councilman  
7 Densieski:

8 COUNCILMAN DENSIESKI: "Website  
9 consultant rate structure." So moved.

10 COUNCILMAN LULL: Seconded.

11 SUPERVISOR KOZAKIEWICZ: Moved  
12 and seconded.

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

15 MS. WHITE: The resolution is  
16 adopted. Resolution number 776, Councilman  
17 Densieski:

18 COUNCILMAN DENSIESKI: "Adopts  
19 amended fee schedule for electrical inspections  
20 under Chapter 52." What this is, the County is  
21 now requiring us to use the monitors of carbon  
22 monoxide. So moved.

23 COUNCILWOMAN SANDERS: And  
24 seconded.

25 SUPERVISOR KOZAKIEWICZ: Moved

1 and seconded.

2 The Vote: Sanders, yes; Blass, yes; Densieski,  
3 yes; Lull, yes; Kozakiewicz, as pointed out the  
4 Health Department for the County enacted a  
5 procedure where, although it's not required to  
6 date, they thought it was important, it probably  
7 is, that we do inspections of the carbon monoxide  
8 detectors. They weren't able to staff or supply  
9 for the inspections, so they're asking  
10 municipalities to do that. This will involve  
11 additional work for the inspectors. We're adding  
12 a fee of \$30.00 for the inspection of the carbon  
13 monoxide alarms. I vote yes.

14 MS. WHITE: The resolution is  
15 adopted. Resolution number 777, Councilwoman  
16 Sanders:

17 COUNCILWOMAN SANDERS: "Authorizes  
18 Town Clerk to publish and post public notice for  
19 public hearing regarding a local law to amend  
20 Chapter 96 (Trash, Rubbish, and Refuse Disposal)  
21 to the Riverhead Town Code." So moved.

22 COUNCILWOMAN BLASS: And  
23 seconded.

24 SUPERVISOR KOZAKIEWICZ: Moved  
25 and seconded.

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

3                     MS. WHITE: The resolution is  
4     adopted. Resolution number 778, Councilwoman  
5     Blass:

6                     COUNCILWOMAN BLASS: This  
7     resolution is "An order calling for a public  
8     hearing for an extension to the Riverhead  
9     Commercial Sewer District to the Wiana Realty  
10    Corporation property." So moved.

11                    COUNCILMAN DENSIESKI: Seconded.

12                    SUPERVISOR KOZAKIEWICZ: Moved  
13    and seconded.

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

16                    MS. WHITE: The resolution is  
17    adopted. Resolution number 779, Councilman Lull:

18                    COUNCILMAN LULL: "An order  
19    calling for a public hearing-extension 61 to the  
20    Riverhead Water District- Island Water Park." So  
21    moved.

22                    COUNCILMAN DENSIESKI: Second the  
23    motion.

24                    SUPERVISOR KOZAKIEWICZ: Moved  
25    and seconded.

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

3                   MS. WHITE: The resolution is  
4     adopted. Resolution number 780, Councilman  
5     Densieski:

6                   COUNCILMAN DENSIESKI: "Accepts  
7     offer of the sale of development rights from  
8     Allen & Theresa Zilnicki. So moved.

9                   COUNCILWOMAN BLASS: Seconded.

10                  SUPERVISOR KOZAKIEWICZ: Moved  
11     and seconded.

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

14                  MS. WHITE: The resolution is  
15     adopted. Resolution number 781, Councilwoman  
16     Blass:

17                  COUNCILWOMAN BLASS: This  
18     resolution "Approves an amended site plan of One  
19     Three Seven Associates, Inc." So moved.

20                  COUNCILWOMAN SANDERS: And  
21     seconded.

22                  SUPERVISOR KOZAKIEWICZ: Moved  
23     and seconded.

24     The Vote: Sanders, yes; Blass, this is for an  
25     addition to the ophthalmology office located on

1 Roanoke Avenue and Ackerly Street, yes;  
2 Densieski, yes; Lull, yes; Kozakiewicz, that's  
3 Doctor Peterillo (phonetic) yes.

4 MS. WHITE: The resolution is  
5 adopted. Resolution number 783, Councilwoman  
6 Sanders:

7 COUNCILWOMAN SANDERS: "Appoints  
8 a fill-in summer recreation aide to the Riverhead  
9 recreation Department." So moved.

10 COUNCILMAN LULL: Seconded.

11 SUPERVISOR KOZAKIEWICZ: Moved  
12 and seconded.

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

15 MS. WHITE: The resolution is  
16 adopted. Resolution number 784, Councilwoman  
17 Sanders:

18 COUNCILWOMAN SANDERS: "Appoints a  
19 fill-in beach attendant/part-time park  
20 attendant." So moved.

21 COUNCILMAN LULL: Seconded.

22 SUPERVISOR KOZAKIEWICZ: Moved  
23 and seconded.

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

1 MS. WHITE: The resolution is  
2 adopted. Resolution number 785, Councilwoman  
3 Blass:

4 COUNCILWOMAN BLASS: This  
5 resolution "Approves the application of the North  
6 Fork Classic. So moved.

7 COUNCILMAN DENSIESKI: Second the  
8 motion.

9 SUPERVISOR KOZAKIEWICZ: Moved  
10 and seconded.

11 The Vote: Sanders, I would just like to comment  
12 that this application is based on approval  
13 subject to some items that still remain to be  
14 provided yes; Blass, yes; Densieski, I happily  
15 vote yes; Lull, August 8th through the 10th and  
16 the 15th through the 17th, the North Fork Classic  
17 yes; Kozakiewicz, yes.

18 MS. WHITE: The resolution is  
19 adopted. Resolution number 786, Councilman Lull:

20 COUNCILWOMAN BLASS: I would like  
21 to make a motion to table this resolution.

22 SUPERVISOR KOZAKIEWICZ: Okay.  
23 Motion second to table. Discussion.

24 COUNCILWOMAN BLASS: The  
25 individual didn't have the correct qualifications

1 noted on his application. So we don't know if  
2 he's not qualified or he just failed to put them  
3 on the application.

4 The Vote: Sanders to table, yes to table; Blass,  
5 yes, to table, Densieski, yes; Lull; yes;  
6 Kozakiewicz, yes.

7 MS. WHITE: The resolution is  
8 tabled. Resolution number 787, Councilwoman  
9 Sanders:

10 COUNCILWOMAN SANDERS: "Amends  
11 Resolution number 692. " The resolution dealt  
12 with the appointing of a seasonal part-time park  
13 attendant and concession stand attendant. So  
14 moved.

15 COUNCILMAN LULL: Seconded.

16 SUPERVISOR KOZAKIEWICZ: Moved  
17 and seconded.

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

20 MS. WHITE: The resolution is  
21 adopted. Resolution number 788, Councilman Lull:

22 COUNCILMAN LULL: It's the same  
23 as Resolution 787, "Amends Resolution No. 693."  
24 For a different person. So moved.

25 COUNCILWOMAN SANDERS: And

1 seconded.

2 SUPERVISOR KOZAKIEWICZ: Moved  
3 and seconded.

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

6 MS. WHITE: The resolution is  
7 adopted. Resolution number 789, Councilwoman  
8 Blass:

9 COUNCILWOMAN BLASS: This  
10 resolution "Appoints 90 day temporary engineering  
11 aide in the Engineering Department." So moved.

12 COUNCILMAN DENSIESKI: Second the  
13 motion.

14 SUPERVISOR KOZAKIEWICZ: Moved  
15 and seconded.

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

18 MS. WHITE: The resolution is  
19 adopted. Resolution number 790, Councilman  
20 Densieski:

21 COUNCILMAN DENSIESKI: "Amends  
22 Town Board Resolution No. 622, the Economic  
23 Develop Zone training in Albany." So moved.

24 COUNCILMAN LULL: Seconded.

25 SUPERVISOR KOZAKIEWICZ: Moved

1 and seconded.

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

4 MS. WHITE: The resolution is  
5 adopted. Resolution number 791, Councilman Lull:

6 COUNCILMAN LULL: "Ratifies the  
7 attendance of the EDZ chairperson at the EDZ  
8 training seminar." So moved.

9 COUNCILWOMAN BLASS: And  
10 seconded.

11 COUNCILMAN DENSIESKI: A  
12 discussion. We are also paying for the  
13 chairperson? I understood the coordinator.

14 SUPERVISOR KOZAKIEWICZ: This is  
15 actually ratification.

16 COUNCILMAN DENSIESKI: In a past  
17 tense sense we're paying for the coordinator?

18 SUPERVISOR KOZAKIEWICZ: Yes. Any  
19 other discussion?

20 COUNCILMAN DENSIESKI: No.

21 SUPERVISOR KOZAKIEWICZ: Vote,  
22 please.

23 The Vote: Sanders, yes; Blass, yes; Densieski,  
24 since it already happened, I'll vote yes; Lull,  
25 yes; Kozakiewicz, yes.

1 MS. WHITE: The resolution is  
2 adopted. Resolution number 792, Councilwoman  
3 Blass:

4 COUNCILWOMAN BLASS: This  
5 resolution "Authorizes the attendance at Empire  
6 Zone Conference." I would like to move it with an  
7 amendment, please. I think we should add in the  
8 second resolve clause, the trade not to exceed  
9 \$400.00.

10 SUPERVISOR KOZAKIEWICZ: All  
11 right. Is there a second to that amendment?

12 COUNCILWOMAN SANDERS: Seconded.

13 SUPERVISOR KOZAKIEWICZ: Vote as  
14 amended.

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

17 MS. WHITE: The resolution is  
18 adopted as amended. Resolution number 793,  
19 Councilwoman Sanders:

20 COUNCILWOMAN SANDERS: "Determines  
21 significance on special permit petition on North  
22 Shore Farms, Inc." So moved.

23 COUNCILMAN DENSIESKI: Second the  
24 motion.

25 SUPERVISOR KOZAKIEWICZ: Moved

1 and seconded.

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

4 MS. WHITE: The resolution is  
5 adopted. Resolution number 794, Councilman  
6 Densieski:

7 COUNCILMAN DENSIESKI: "Appoints  
8 Robert C. Clark as a provisional assistant civil  
9 engineer," that is desperately needed in the  
10 Engineering Department. So moved.

11 COUNCILMAN LULL: Ending a  
12 search that took almost a year. Seconded.

13 SUPERVISOR KOZAKIEWICZ: Moved  
14 and seconded.

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

17 MS. WHITE: The resolution is  
18 adopted. Resolution number 795, Councilman Lull:

19 COUNCILMAN LULL: "Appoints  
20 provisional assistant community development  
21 project supervisor in the Community Development  
22 Department. So moved.

23 COUNCILWOMAN BLASS: And  
24 seconded.

25 SUPERVISOR KOZAKIEWICZ: Moved

1 and seconded.

2 The Vote: Sanders, yes; Blass, yes; Densieski, I  
3 would just like to make a comment about it. This  
4 is a valuable employee we have, who is getting a  
5 good raise, it's well deserved. I feel that this  
6 person will probably end up being a department  
7 head in the Riverhead Town one day, and I would  
8 hate to lose him, so I'm going to support it and  
9 vote yes; Lull, yes; Kozakiewicz, I want to join  
10 in the comments from Councilman Densieski and  
11 vote yes.

12 MS. WHITE: The resolution is  
13 adopted. Resolution number 796, Councilman  
14 Densieski:

15 COUNCILMAN DENSIESKI: "Approve  
16 the application of Martha Clara Vineyards." So  
17 moved.

18 COUNCILWOMAN BLASS: And  
19 seconded.

20 SUPERVISOR KOZAKIEWICZ: Moved  
21 and seconded.

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

24 MS. WHITE: The resolution is  
25 adopted. Resolution number 797, "Pays bills."

1 COUNCILMAN LULL: So moved.

2 COUNCILWOMAN BLASS: And

3 seconded.

4 SUPERVISOR KOZAKIEWICZ: Moved

5 and seconded. Vote, please.

6 The Vote: Sanders, yes; Blass, yes; Densieski,

7 yes; Lull, yes; Kozakiewicz, yes.

8 MS. WHITE: The resolution is

9 adopted.

10 SUPERVISOR KOZAKIEWICZ: Before  
11 we leave Resolutions, I have a question. I would  
12 like to go back to 785, which approved. Looking  
13 at the application and also aware of this event,  
14 I note that the Classic itself, is actually the  
15 20th through the 24th, whereas August 8th through  
16 the 10th, and August 15th through the 17th are  
17 sort of a prelude to the program. Is there a  
18 reason why we didn't have the 20th through the  
19 24th?

20 MS. THOMAS: I took it right off  
21 their application.

22 SUPERVISOR KOZAKIEWICZ: It's  
23 there. It's on 6A, the date of the event; "The  
24 8th through 10th, 15th through 17th and the 20th  
25 to the 24th."

1 MS. THOMAS: I missed that. I'm  
2 sorry.

3 SUPERVISOR KOZAKIEWICZ: Could  
4 you amend it to reflect that?

5 MS. THOMAS: Yes.

6 SUPERVISOR KOZAKIEWICZ: I would  
7 like to go back to 785 then with a motion to  
8 amend it to include those dates.

9 COUNCILMAN DENSIESKI: Motion to  
10 amend that resolution.

11 COUNCILWOMAN BLASS: And  
12 seconded.

13 SUPERVISOR KOZAKIEWICZ: Vote,  
14 please.

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

17 MS. WHITE: Resolution adopted as  
18 amended.

19 SUPERVISOR KOZAKIEWICZ: At this  
20 point in time concluding the resolutions, I would  
21 like to open it up to open comments. Do we have  
22 any cards first? I'll take the cards, and then  
23 I'll go to speakers in the audience. Anne Erwin  
24 (phonetic), come on up.

25 While Ms. Erwin is stepping forward, I do

1 want to comment that we do have a five minute  
2 rule for the open comment period, to allow  
3 everyone a chance to speak. I see a lot of people  
4 still in the audience, that means a lot of people  
5 still wish to address the Board.

6 MS. ERWIN: My name is Anne  
7 Erwin, and I live on Central Avenue in Wading  
8 River. All the homeowners on our street face a  
9 horrendous problem with parking, particularly  
10 during the summer months.

11 Central Avenue is a short, narrow road  
12 perpendicular to the beach, making it very  
13 convenient for non-residents using our Town beach  
14 to avoid the parking fees. Ours is the only road  
15 in the area without parking restrictions of any  
16 kind. When all these extra cars are parked, it's  
17 just possible for a standard size car to squeeze  
18 through. And emergency vehicles are totally  
19 impossible. Homeowners park on their own property  
20 with very few exceptions.

21 Would it be possible to have "Resident  
22 Parking Only" stickers for the homeowners along  
23 with restricted parking signs? This is a very  
24 dangerous problem that must be remedied, and the  
25 sooner the better.

1           Now, I would just like to know what options  
2 we would have in this regard, if any?

3           SUPERVISOR KOZAKIEWICZ: There  
4 is no parking for off-street parking for the  
5 residents? The reason I'm asking because we could  
6 enact no parking rule along the street so that no  
7 one could park along the street.

8           MS. ERWIN: Well, we would like  
9 to have some sort of sticker, because with the  
10 population explosion -- I mean, we're packed.

11          SUPERVISOR KOZAKIEWICZ: I don't  
12 think you answered my question. Is it possible  
13 for the residents to park off the street?

14          MS. ERWIN: Most of them. Just a  
15 few exceptions.

16          SUPERVISOR KOZAKIEWICZ: Because  
17 I think that's the most logical way to deal with  
18 it, to not differentiate -- I mean we can  
19 certainly not permit beach parking is one way, or  
20 we can do no parking for the entire street.

21          MS. ERWIN: We don't really need  
22 beach parking permits, we can walk to the beach  
23 but it's these out-of-towners who are coming.

24          SUPERVISOR KOZAKIEWICZ: That's  
25 what I'm saying, that's another alternative we

1       could do. We could have parking by permit for  
2       beach use only. And if they're not benefiting --  
3       I mean, if they don't have a parking permit for  
4       beach use, they could be towed or subjected to  
5       penalties. That's another way of dealing with it.

6                        COUNCILMAN LULL: Can everybody  
7       park off the street?

8                        MS. ERWIN: No.

9                        COUNCILMAN LULL: I believe  
10       Central Avenue should have signs that would  
11       disallow parking for anybody who doesn't have a  
12       beach permit. I believe we should have those  
13       signs at least. And parking to one side of the  
14       street.

15                       MS. ERWIN: Well, that would  
16       present a problem because the driveways are not  
17       aligned. You know what I mean? On the east and  
18       west side, it would be impossible to turn around.  
19       It's a very narrow street. I think you are  
20       familiar with it.

21                       And there are signs all around Creek Road,  
22       Sound Road and Oak Street. We're the only street  
23       that doesn't have anything. Four times we had to  
24       call emergency vehicles. And thank God, it was  
25       during the winter, because it would be impossible

1 for those fire trucks to -- one was on our  
2 property, a fire during the winter.

3 Okay. Now I have another question. There  
4 are "Parking with Permit Only" signs displayed in  
5 the Town beach parking lot. And according to the  
6 Riverhead police, the signs are in effect until  
7 10:00 p.m. After 5:00 p.m., when the guard is no  
8 longer on duty, all the parking spaces are taken  
9 by patrons without permits at the restaurant.  
10 We, as taxpayers have no where to park in the  
11 lot. The restaurant has the monopoly on parking  
12 spaces. And when the restaurant applied for  
13 permits and for the expansion, were not  
14 provisions for parking taken into consideration?

15 We used to go down to the beach every  
16 Saturday night with a group of senior citizens.  
17 Out of the question. They can't walk. They just  
18 go and hang out. Can't go.

19 SUPERVISOR KOZAKIEWICZ: We will  
20 look into that, and one of us will get back to  
21 you. Will you undertake that Jim?

22 COUNCILMAN LULL: Yes.

23 MS. ERWIN: And also the parking  
24 on our street?

25 SUPERVISOR KOZAKIEWICZ: Yes.

1 MS. ERWIN: Oh, great. Thank you.

2 SUPERVISOR KOZAKIEWICZ: Charles  
3 Tranatana (phonetic).

4 MR. TRANATANA: Charlie Tranatana  
5 from Wading River. On behalf of my wife and  
6 myself, I would like to publicly thank Supervisor  
7 Kozakiewicz for resolving a problem that I had in  
8 front of my house.

9 Last August I came before the Town Board  
10 and described the drainage problem right in front  
11 of our home. Supervisor Kozakiewicz took an  
12 immediate interest in our problem and asked Ken  
13 Sensa (phonetic) and Mark Quansa (phonetic) to  
14 meet with me. They did, and they developed a plan  
15 and they did resolve my problem.

16 The reason I'm speaking so late in the year  
17 is because we haven't had any heavy rain until  
18 very recently, so I didn't know whether the  
19 problem was resolved. But we did get some heavy  
20 rain, and so far everything looks great. I just  
21 want to say thank you, Mr. Kozakiewicz.

22 SUPERVISOR KOZAKIEWICZ: Thank  
23 you. I'm glad it worked. Thomas Brady?

24 MR. BRADY: My name is Thomas  
25 Brady, Wading River. I don't mean to be

1 redundant, but I'm here to speak for the same  
2 reason Ms. Erwin did. Primarily about the Town  
3 beach parking lot.

4 On the 30th I was at the beach and I could  
5 not find a parking spot. I happened to speak to  
6 the recreation director, I believe, Ms. Benthorn  
7 (phonetic) and I said at night you cannot park  
8 there. A lot of the quality of life we had here,  
9 being able to go to the Town beach and take the  
10 kids, and have an ice cream, whatever, and you  
11 can't, it's impossible. Ms. Benthorn said to me.

12 "Well, the Town Board has to make a decision on  
13 that". I said, "You have signs up there that say  
14 'No Parking without a Permit'." I said "What  
15 about those, that was a decision." She said that  
16 the Town Board had to make a decision on how to  
17 enforce it. So I said, "What about the police  
18 department, they're pretty good at that."

19 But I would like to ask you please to help  
20 us. I understand the restaurant is a viable  
21 concern. It's nice restaurant I don't want to tip  
22 anyone's rice bowl over. The idea is, it's a  
23 quality of life. I'm here 50 years in the Town,  
24 my wife and I, we raised our kids, we enjoy going  
25 to the beach and we can't. You can't go down

1       there after dinner to just sit there, there's no  
2       room. So I would like the Town Board to address  
3       this.

4                       SUPERVISOR KOZAKIEWICZ: Every  
5       evening the parking lot is full to capacity?

6                       MR. BRADLEY: Not every evening.  
7       Weekdays, yes. Before I came here, I stopped at  
8       the beach, and although there were parking spots,  
9       half the spaces were taken by cars with no  
10      permits. I would ask the Board to look into this.  
11      Thank you.

12                      SUPERVISOR KOZAKIEWICZ: Thank  
13      you. That's it for the cards. I saw a hand go up  
14      right here. Yes?

15                      MS. MARCUS: My name is Fay  
16      Marcus, I live at 5 Central Avenue, that is the  
17      southwest corner of Central Avenue. The parking  
18      problem -- I have lived there since 1956. So I  
19      have a long history of the parking on Central  
20      Avenue.

21                      It started, the problem, when you first had  
22      to get a permit to use the beach. Okay. Then the  
23      price of the permits increased and things got a  
24      little more difficult. But people were parking.  
25      There's always been a bulge of parking on the

1 summer weekends, particularly when the weather  
2 was very warm.

3 I do not feel that the problem has gotten  
4 much worse, and I will tell you why I think so. I  
5 live all the way at the end of that street. I've  
6 always had people park along my property.  
7 Sometimes I can't even get into my house because  
8 the lane that leads to my house had been parked  
9 on. But okay, I just want to point out that, so  
10 far this summer, nobody has parked at the other  
11 end of the street. There has been plenty of  
12 room, nobody wants to walk down that far. So the  
13 problem has not increased tremendously.

14 One of the other things that happened was,  
15 people love to park at the wooded area, which was  
16 on the northwest corner, but there's a house  
17 there now, and they are loath to park there for  
18 some reason. I hardly ever see a car that has  
19 parked there.

20 I do not have a place to park off the  
21 street. My neighbor does not have a place to  
22 park off the street. Other neighbors have a small  
23 area to park one car, but the family sometimes  
24 has two cars. There is one family that I think  
25 has grown children, and there's always three

1 cars. They certainly don't have room for three  
2 cars to park off the street.

3 The idea of having a beach pass to park has  
4 some merit to it, except that, let us be aware  
5 that when the beach parking lot gets very  
6 crowded, the people are parked outside of the  
7 parking lot right along Creek Road.  
8 Are all those people going to move maybe because  
9 they feel their cars will be safer on Central  
10 Avenue? They will all have beach parking permits,  
11 otherwise nobody would be allowed to park on  
12 Creek Road.

13 I don't exactly know what the answer is to  
14 this is. I do know that if you are going to say  
15 that if the people who are residents should have  
16 beach parking permits, the cost of which I'm  
17 really not sure of. I thought it had gone way up,  
18 but I don't know. I stopped doing that the minute  
19 it got above \$5.00 because, to the honest to God  
20 truth, since I was a block away, I hardly ever  
21 went to the beach, I certainly was not willing to  
22 pay more than \$5.00 for a permit. However, when  
23 you give us a beach parking lot as residents, and  
24 we need more than one.

25 My daughter and my granddaughter came to

1 visit me last week. I haven't seen her for a long  
2 time, she goes to school in Virginia. Where is  
3 she going to put her car? A beach parking permit  
4 will not do me any good at all. It certainly  
5 won't do anything for those people who have more  
6 than one car and only have a limited space for  
7 one car.

8 People with a long alleyway, they're not in  
9 trouble. But that is not most of the people on  
10 the block. Most of the people fit in the  
11 category of no place to park or a very, very  
12 limited parking place. And we all do have company  
13 at times. What do we do with them?

14 So I don't know what the answer is. I do  
15 think, however, one thing that can help alleviate  
16 the situation, if possible, would be to make it a  
17 one-way street. Because that way you rule out the  
18 possibility of cars being parked on both sides  
19 and nobody can get through. I have had trouble  
20 with that. I've come around the corner from Oak  
21 Street onto Central, and I couldn't see what was  
22 coming down Oak Street, because the hedges there  
23 were so high, you can't see what's coming down  
24 there. And there was a car coming down Oak Street  
25 lickety-split, and it was just by a hair's breath

1 that we missed having this collision.

2 That's the story of the whole problem. Thank  
3 you.

4 SUPERVISOR KOZAKIEWICZ: Thank  
5 you.

6 MR. DiPERO: Nick DiPero  
7 (phonetic), from Wading River. There is an  
8 overflow of the parking lot at the beach. It's  
9 on the opposite side of where the public beach  
10 parking lot is. I know this has been going on  
11 for years with the LaParge (phonetic) patrons  
12 parking in that beach parking lot. I think that  
13 they should be disallowed from using that parking  
14 lot and allowed to use the overflow parking lot,  
15 as one solution, possibly at an expense to the  
16 restaurant. The same way that the restaurant  
17 that opened up across the pond. They had to pay a  
18 fee.

19 There was a resolution before, I wanted to  
20 get up and speak about that. There was a change  
21 in the resolution I have to find out about. It's  
22 resolution number 753 that's being amended.  
23 Originally the way I understood it was to protect  
24 Town property vegetation. Councilwoman Blass  
25 said that it also included private property.

1 SUPERVISOR KOZAKIEWICZ: No,  
2 public.

3 COUNCILWOMAN BLASS: The other  
4 way around, it was written as though it included  
5 private property.

6 MR. DiPERO: Okay, it has no  
7 bearing on private property.

8 COUNCILMAN LULL: The word  
9 "public" was in one part of it and it wasn't in  
10 the rest.

11 MR. DiPERO: Okay, then it  
12 doesn't affect private property. If someone wants  
13 to remove or do anything with their own  
14 vegetation.

15 SUPERVISOR KOZAKIEWICZ: Yes.

16 MR. DiPERO: Okay. Thank you.

17 MR. SILBERLING: My name is  
18 Sheldon Silberling (phonetic) I live on Central  
19 Avenue, directly opposite the last lady who  
20 spoke. I have had many run-ins with people who  
21 park on my property, since the width of the  
22 street for driving through is not wide enough to  
23 park two cars, one opposite the other, on the  
24 street.

25 I have had confrontations with people who

1 have threatened my life. I have a sloping lawn.  
2 They park on my sloping lawn. I have been there  
3 for 50 years. It's getting impossible. When the  
4 restaurant has a July 4th special dinner, or  
5 whatever, you cannot get to my street during the  
6 day. If there is anything at all -- I park my  
7 car on my lawn, and I have room to park it in  
8 front of my house, but I can't. Because people  
9 drive through rather quickly. I've had my car  
10 scraped more than once, nobody gives a damn.

11 This is one of the narrowest streets in  
12 Wading River. It is also one of the oldest street  
13 in Wading River. I have a map that shows how wide  
14 this street is. It's impossible to park two cars  
15 and have a third car drive through. We must have  
16 "No Parking" signs. We must. Whatever the  
17 reason, we must have "No Parking" signs, because  
18 it's getting to the point -- I'm now 74, my  
19 temper is getting much shorter than it used to  
20 be. I will not stand for people parking so that  
21 I cannot get out of my house. And you cannot  
22 believe people who don't live in the area, don't  
23 give a damn.

24 There are also no sidewalks on Central  
25 Avenue. I have a map which shows the street is

1 about 12 feet wide -- 1914 is the map. I have a  
2 surveyor's rod in the middle of the street where  
3 my property supposedly goes. If I built a fence  
4 on my property to that rod, the street is about  
5 12 feet wide at that point.

6 At this point it's getting to be a problem.  
7 Like I said, I'm here 50 years. Now, I don't  
8 know where the cars are coming from. When I get  
9 up and I find someone parked on my property and  
10 tell them to get off my property, they laugh at  
11 me. I'm getting very close to buying a  
12 shotgun -- Don't laugh, please. I've been there  
13 too long to have somebody come and tell me it's  
14 not my property, they can park their car anywhere  
15 they want

16 Now, I've had the police many times at the  
17 house. And I don't know what kind of memory you  
18 have, but my brother used to have his office at  
19 the back of my house. He was the special  
20 prosecutor here in 1957, '58, '59 and '60. Then  
21 I used to have a police car everyday up and down  
22 the street to make sure, when he was using the  
23 back of the house for his office, nobody went  
24 near him. Now, that went on for about 15 years  
25 after he left. The State Police used to come by.

1 That's all gone.

2 Now it's just me and I'm not going to stand  
3 for it for very long. Now, I will tell you the  
4 truth, I will go out and I will buy a shot gun.  
5 And I will blow out the tires of any car that  
6 stops me from getting out of my house. As I said,  
7 I've been there too long to have someone tell me  
8 how to live.

9 Now, there has to be signs at that street.  
10 And there are houses going up like crazy. There's  
11 no place to park a car within a half a mile of  
12 the beach. Central Avenue is within 200 feet of  
13 the beach. It's very cheap to park on my  
14 property. Something has got to be done. It's been  
15 long enough. Thank you.

16 MR. NAGIE: Hi, my name is John  
17 Nagie (phonetic). I'm a Wading River resident. I  
18 would like to address the honorable Board, and  
19 thank the Board for the installation of the  
20 traffic light on Sound Avenue and Edwards Avenue.  
21 I would like to ask a question of the Board, that  
22 in addition to the traffic light, will there be a  
23 "No Turn on Red" sign put up in place?

24 COUNCILMAN LULL: There will be a  
25 "No Turn on Red", just on Edwards Avenue,

1 turning onto Sound Avenue.

2 MR. NAGIE: That makes me very  
3 happy. Thank you.

4 SUPERVISOR KOZAKIEWICZ: You're  
5 welcome. Is there anyone else that would like to  
6 speak? Steve Haizlip.

7 MR. HAIZLIP: Steve Haizlip,  
8 Calverton. There's one item here that's very  
9 important to me. I want to try to find out how  
10 the animal control officer situation works. I  
11 believe I heard Jim one time in a discussion at a  
12 Town Board meeting, about having a backup animal  
13 control officer for the weekend. Am I correct  
14 with that Jim?

15 COUNCILMAN LULL: Yes.

16 MR. HAIZLIP: Okay. Edwards  
17 Avenue, from Mill Environment to the old Risk  
18 Insurance Building, which they say is abandoned  
19 now, there were six varmints there over the  
20 weekend. My first action was to call the police  
21 department about this. The policeman tells me he  
22 has to be on call, and he's not available. So the  
23 animal will be picked up on Monday.

24 On Monday, I called up Sue Biel (phonetic).  
25 Told her to get in touch with the animal control

1 officer and get them picked up. And I know Sue  
2 well, because I worked with her father-in-law for  
3 many years. And when she tells me she's going to  
4 do something, she does it. I know she got in  
5 contact with them. They are still there yet. Some  
6 of them are squashed down.

7 Now the important issue here is, if there's  
8 raccoons out there, they're automatically a  
9 menace to the public because they carry the  
10 rabies virus. And the more they decay, the more  
11 flies and other things get on them, and they come  
12 flying through the house, you don't know what's  
13 going to happen.

14 Now, I would suggest, and it's only a  
15 suggestion, that our police department, and I  
16 hope I don't build any animosity with Mr.  
17 Haggermiller, if they would radio in when they  
18 are on patrol and they see these big varmints,  
19 some of them ground hogs and raccoons and possums  
20 and so forth, that they make a call to have the  
21 animal control officer pick them up. Because to  
22 me, I think that's a very important health  
23 situation. And also, it is a nasty look for  
24 motorists in our town to see this. And so, if you  
25 can do something along that way, I would

1 appreciate it very much.

2 COUNCILMAN LULL: Steve, I'd like  
3 to tell you that you made the right call in  
4 calling Sue Biel. It is the responsibility of the  
5 Highway Department to contact the Animal Control  
6 Department. Animal Control does not usually  
7 handle dead animals along the road except for  
8 domestic animals. But either one will answer your  
9 call. The police department should make the  
10 call. The Animal Control officer has a radio, and  
11 the police can get in touch with him.

12 MR. HAIZLIP: Well, you know when  
13 I called Sue, she said "I'll call animal control"  
14 and you say -- I mean, this is what I want to  
15 get straightened out. Good communication and  
16 cooperation.

17 COUNCILMAN LULL: It depends on  
18 the animal. Animal Control can't pick up a deer  
19 or something like that.

20 MS. HAIZLIP: I understand that  
21 part. They have to have heavier equipment or good  
22 strong boots. But when one is out in the road and  
23 it just keeps getting run over --

24 I want to ask about this cablevision. I  
25 think it's one day short of being right here in

1 this building, a big controversy came up about  
2 it. And I think we are getting closer to a  
3 resolution to this problem.

4 Now, I hear from listening to the Trio  
5 (phonetic) radio station that there's going to be  
6 a senior citizen exemption and the public  
7 education of taping the meeting will be done  
8 free. The question I want to ask right now, and I  
9 heard so much about it, and let's see what you  
10 have to say on it. Are they going to be selective  
11 senior citizen discounts? Me, I'm going around  
12 the second time. I'm going to be 80 next week.

13 SUPERVISOR KOZAKIEWICZ: The  
14 senior citizen discount is based upon anyone's  
15 approach. If you feel that's selective, then the  
16 answer is yes.

17 MS. HAIZLIP: They got us again.

18 SUPERVISOR KOZAKIEWICZ: You may  
19 qualify for STAR.

20 MR. HAIZLIP: Because if you hold  
21 some stock or something and you're holding it,  
22 then that don't count, because you haven't sold  
23 it. All right. Bob, I think you owe me one.

24 SUPERVISOR KOZAKIEWICZ: And then  
25 I'm going to ask you to sum up, because it's

1 longer than five minutes. What do I owe you?

2 MS. HAIZLIP: What about the lady  
3 that talked so much about the road?

4 This excavation permit for the trade show.  
5 You weren't quite sure when I asked at Town hall  
6 at the last meeting because there's a  
7 differential between site permit and building  
8 permits and excavation permits. You were going to  
9 find out and get back to me. If you have the  
10 information, all right. If you don't, you don't.

11 SUPERVISOR KOZAKIEWICZ: All I  
12 can say is there was a site plan approved by the  
13 Town Board. As far as the other issue, I'm not  
14 quite understanding the question. Are you saying,  
15 is there a difference between an excavation  
16 permit and a site plan permit?

17 MR. HAIZLIP: That is what I  
18 asked.

19 SUPERVISOR KOZAKIEWICZ: A site  
20 plan is an approval from the Town Board. That's  
21 the process that we give to a particular body or  
22 person or entity that comes to us. So we approve  
23 the site plan. There's not a site plan permit.  
24 There's a building permit that issues for the  
25 construction of the building. That was issued

1 from the Building Department, and if there's  
2 excavation work, there's an excavation permit,  
3 which is separate and distinct from a building  
4 permit.

5 MR. HAIZLIP: I'm talking  
6 about -- let me make myself clear, maybe I  
7 skipped over something. The posting of the permit  
8 on the property.

9 SUPERVISOR KOZAKIEWICZ: I think  
10 all these building permits require posting. I  
11 believe the law does not require posting for  
12 excavation.

13 MS. HAIZLIP: All right.

14 SUPERVISOR KOZAKIEWICZ: At this  
15 point I'm going to take a brief recess. We can  
16 all do a 7th inning stretch. Walk around a little  
17 bit and come back at 9:15.

18 (Whereupon, a recess was taken.)

19 SUPERVISOR KOZAKIEWICZ: Let's  
20 get back to business, the time being 9:17 p.m.,  
21 we will reconvene this meeting.

22 Is there anybody who would like to address  
23 the Board? I saw a couple of hands up. Yes?

24 MR. MAKUS: Good evening, Tony  
25 Makus (phonetic) of Bating Hollow. Mr.

1 Supervisor, I have a question with regard to  
2 Crown Sanitation, and I just want to know, do I  
3 have any recourse with regard to the topping of  
4 the trucks on Youngs Avenue? It is a continuous  
5 nuisance, they are still blocking the road. The  
6 other day I was stopped in the road, and I had to  
7 wait for them until after they were finished  
8 topping the trucks, because three trucks were  
9 next to each other. And I don't get the  
10 impression that Youngs Avenue is a public access  
11 road, and I notice they have more and more trucks  
12 in their lots now and obviously, they are  
13 expanding. But what is the Town going to do to  
14 protect my individual rights of free access to  
15 get up and down Youngs Avenue? I can't even get  
16 down my road anymore.

17 SUPERVISOR KOZAKIEWICZ: I had  
18 this conversation, this going a little bit aside,  
19 with one of the local reporters who said a Town  
20 Board meeting was not really a chance to question  
21 and answer type of thing, it's a time for  
22 residents to comment about problems. So I'm going  
23 to treat it that you are making a comment about a  
24 problem. What I'm going to suggest is that I will  
25 speak to the Chief of Police, and ask him if we

1 can enforce it and deal with the vehicle and  
2 traffic laws if they are being violated.

3 If you wish, you can give me your telephone  
4 number and I will try to get back to you in short  
5 order to tell you if there is an answer. And if  
6 there is anything we can do under the law, we  
7 will address it.

8 MR. MAKUS: Fine. I would  
9 appreciate that very much. Thank you.

10 SUPERVISOR KOZAKIEWICZ: Your  
11 welcome.

12 MS. HICKMAN: (phonetic) Hi, I'm  
13 Carol Hickman, I'm vice-president of the South  
14 Jamesport Civic Association. About two weeks ago  
15 we had questioned where we were getting with the  
16 Town with the survey for Center Street. I wanted  
17 you to clarify the need for the survey. Why do we  
18 need to have that survey? And what exactly do  
19 you want to determine with the new survey of  
20 Center Street?

21 SUPERVISOR KOZAKIEWICZ: I think  
22 it's being done, without being specific, to  
23 provide background information in order to  
24 proceed legally. My understanding is that in  
25 order to put our best case forward, we are

1 looking to get background information or data and  
2 go forward.

3 I don't want to reveal the specifics of  
4 what we're looking to do legally. I don't think  
5 this is the place to do that. It is to be set  
6 forth in the pleadings, in the complaint, if you  
7 will. And to answer the question, it is to make  
8 sure that we're doing this in the strongest  
9 fashion, and to make sure our case is as strong  
10 as it can possibly be.

11 MS. HICKMAN: Fine. That's good.  
12 Has the surveyor been retained by the Town and  
13 when are they doing this?

14 SUPERVISOR KOZAKIEWICZ: The  
15 surveyor has been retained. The surveyor was  
16 authorized by that resolution. I spoke to the  
17 surveyor, and he's aware that he has to go out  
18 and do the survey. That was a couple of weeks  
19 ago. I'm not sure if he's been out there.

20 MS. HICKMAN: That's fine.  
21 There's a possibility he may have already done  
22 it?

23 SUPERVISOR KOZAKIEWICZ: He may  
24 have. I have not spoken to him in about two  
25 weeks.

1 MS. HICKMAN: Will we be informed  
2 once it's done?

3 SUPERVISOR KOZAKIEWICZ: This is,  
4 again, the Town pursuing its interest.

5 MS. HICKMAN: Which would be our  
6 interest.

7 SUPERVISOR KOZAKIEWICZ:  
8 Understood. But there are some differences in the  
9 interest, as I said about three or four times at  
10 prior meetings, between what the residents may  
11 feel their rights are with the Town under the  
12 Town highway law.

13 MS. HICKMAN: Okay. Thank you.

14 SUPERVISOR KOZAKIEWICZ: You're  
15 welcome. Ray Saltini?

16 MR. SALTINI: Thank you. Thank  
17 you Wading River for hosting the meeting once  
18 again. You may have noticed, we might now be  
19 known as the "Paper Plate Brigade". They're not  
20 meant to be disrespectful, they're not meant to  
21 be confrontational. It's just meant for visual  
22 aides to let you know additional information, in  
23 particular, how we feel about it. We actually  
24 talked about arm bands, we talked about buttons.  
25 And Pete, who is the youngest member of the Civic

1 Association, or co-member, actually suggested the  
2 brigade here and we might institutionalize it.  
3 You might see more of these things.

4 I just want to touch very  
5 briefly on two issues. One is the resolution that  
6 was introduced and approved at the last Board  
7 meeting concerning the elevation plans for Mr.  
8 Robert Bashel's (phonetic) property. And I  
9 understand, I think I understand, why the  
10 resolution was introduced. And while I don't  
11 agree with it, I do understand it.

12 I would like to bring to light, and I hope  
13 a member of our Civic speaks about it, there may  
14 be some issues with regard to the placement of  
15 the sewerage system in relation to their well.  
16 That is an issue that I suspect the Town Board  
17 will be hearing about. Perhaps this very evening.  
18 I would just like to raise the flag to you and  
19 let you know. And that's why in particular that  
20 we feel a site plan should be required on the  
21 outside, whether you can do that after the fact.  
22 I don't know, but I'm still obligated to bring it  
23 up as an issue to the Town Board.

24 The other issue is, of course,  
25 on Center Street. I have some specific questions,

1 and I understand if it's not appropriate for the  
2 Town Board or the Supervisor to respond this  
3 evening. And I would ask that whatever you feel  
4 appropriate and if not this evening, if you could  
5 put that in writing to me as a resident or to the  
6 Civic Association, or whatever is most  
7 appropriate.

8 The question is pretty simple, has the  
9 action been filed yet?

10 SUPERVISOR KOZAKIEWICZ: No.

11 MR. SALTINI: And do you  
12 anticipate when it will be filed, is it  
13 imminent?

14 SUPERVISOR KOZAKIEWICZ: The  
15 same comment I made at the last meeting, I can't  
16 give you a date. I really can't. If any other  
17 Board member can, let them say, but I don't think  
18 we can --

19 MS. SALTINI: I just figured two  
20 weeks have gone by, that I would ask the question  
21 again. I understand the point from the last  
22 meeting, that it's difficult to speculate.

23 COUNCILMAN DENSIESKI: Ray, I  
24 think it's fair to say that when we get the  
25 information back, we'll discuss it as a Board in

1 probably an executive session, there may be  
2 litigation involved.

3 SUPERVISOR KOZAKIEWICZ: We've  
4 already authorized litigation to be commenced. I  
5 don't think that's the question. I think that we  
6 wanted to have some of the other information  
7 handy. We also authorized in that resolution,  
8 the hiring of Mr. Engegno (phonetic) to prepare a  
9 survey, and to let the residents know one of the  
10 locals is down there doing title work for the  
11 Town as well. And all these people have to come  
12 together so that makes the best case that we can.

13 MR. SALTINI: And I will go on  
14 the record once more, only in that we would like  
15 to assist the Town to the degree that it is  
16 appropriate, in making the case on behalf of the  
17 residents of the Town. As appropriate, and I'll  
18 leave that up to legal minds, whose are better  
19 than mine.

20 SUPERVISOR KOZAKIEWICZ: There's  
21 two ways to do that. One would be for you to  
22 commence your own litigation, hire counsel, or  
23 the other way would be to agree to pay litigation  
24 fees, to cover your interests, which is something  
25 that we did do with respect to a matter here in

1 Wading River where a Civic Association grievance  
2 department arranged with the Town to pick up a  
3 share of the litigation costs.

4 MS. SALTINI: That's very  
5 helpful. Thank you. We'll consult our legal team  
6 as well on this. And that's exactly the type of  
7 comment that's very helpful to us, so that we can  
8 know how to help each other out in that issue.

9 And finally, what I'll say is, that we are  
10 interested in knowing and having input into  
11 exactly what type of action, what the Town  
12 intends to clarify through it, whether or not the  
13 Town intends to also fight and act on behalf of  
14 the extension of Center Street effectively to the  
15 water. So those are the issues that are  
16 essential to us and we'll be looking for. Thank  
17 you every much.

18 And without addressing members of the  
19 Jamesport community that are here, I hope that  
20 everyone gets up and speaks and waves their  
21 cards. Thank you very much.

22 SUPERVISOR KOZAKIEWICZ: The hand  
23 in the back.

24 MR. FASHONE: (phonetic) Paul  
25 Fashone, 25 Central Avenue. I see most of the

1 block is here. The problem that we're having is  
2 not just cars parked on the road, that aren't  
3 supposed to be there. This past weekend we had  
4 two boat trailers with two blazers attached to  
5 them parked opposite my driveway, and I couldn't  
6 back out of my driveway. Two confrontations in  
7 the same day. They moved their cars after a lot  
8 of hooting and hollering, but they did move them.

9 The other thing -- I'm there two years  
10 last week, so I'm kind of new at this  
11 problem. But I noticed that the old pump house is  
12 on the property from the old -- I don't know how  
13 old it is, but it's over by Dave's house.

14 UNIDENTIFIED SPEAKER: 65 years  
15 old, but go ahead.

16 MR. FASHONE: And there's a sign  
17 in front of it that says "No Parking Any Time".  
18 It's kind of worn out, you can't read it, but  
19 there is a sign there on that side of the road.

20 On my side of the road further south,  
21 there's an old sign post that there must have  
22 been some type of sign on it at one time. I  
23 don't know what it was, but I'm sure Shelly knows  
24 what kind of sign it was.

25 It's a quiet community. We all

1 watch out for each other. We all help each other  
2 out when there's problems. I don't know what the  
3 answer is but, the other concern is not all of  
4 us -- I have a driveway wide enough for three  
5 cars. My neighbor across the street has four or  
6 five cars, and he can't park them in his  
7 driveway. So we don't have a beef with the  
8 neighbors, people who are not permitted,  
9 out-of-towners.

10 Another big problem is after they come back  
11 from the beach, I pick up dirty diapers off my  
12 lawn. There are beer bottles, etc. And I'm sure  
13 all of us have.

14 I'm not looking for answers now, but maybe  
15 you can look into all of that. Thank you.

16 SUPERVISOR KOZAKIEWICZ: Thank  
17 you. Is there anyone else who would like to  
18 address the Board?

19 MS. GRIFFIN : Joan Griffin ,  
20 Bating Hollow. First of all I would like to thank  
21 Councilwoman Blass for working on getting rid of  
22 that graffiti train that was sitting for months  
23 and months. It was kind of unique to watch the  
24 train being lifted onto that flat bed and taken  
25 out of there.

1           The second thing, the State incubator, is  
2 that ready to break ground soon, going into the  
3 Calverton site?

4                   SUPERVISOR KOZAKIEWICZ: I think  
5 they've reached a deal. When I say "they", the  
6 I.D.A. There was a lot of work that had to go  
7 into that, very extensive construction. The  
8 answer is, as I understand it, they are close.  
9 When that date will be, I can't state  
10 specifically.

11                   MS. GRIFFIN : It is still coming  
12 to us?

13                   SUPERVISOR KOZAKIEWICZ: That's  
14 correct. It's still viable. It's still the wish  
15 of SUNY to establish that incubator at the  
16 Grumman property.

17                   COUNCILMAN DENSIESKI: Mr.  
18 Supervisor, I would like to point out that unlike  
19 other contracts that were made in the Grumman  
20 deal, this one does have a drop dead date. So  
21 there will be an action, or it will revert back  
22 to the Town.

23                   MS. GRIFFIN : Okay. Thank you.  
24 And back on Youngs Avenue, one of the neighbors  
25 mentioned about the trucks being capped, or

1       whatever. Also what's happening on Youngs Avenue,  
2       four o'clock in the afternoon until about eight  
3       or nine o'clock at night, there are trucks with  
4       out-of-state plates on them and they are just  
5       sitting there idling, no driver in them.

6                       SUPERVISOR KOZAKIEWICZ: Which  
7       side of the road?

8                       MS. GRIFFIN : On the side of the  
9       Town dump.

10                      SUPERVISOR KOZAKIEWICZ: I think  
11       that may be trucks that are removing waste as a  
12       result of the reclamation project. We'll get  
13       back to Tom Wolpert, our consulting engineer, on  
14       this to see if that could be addressed. Most  
15       likely the trucks with the out-of-state plates  
16       are the trucks that are taking the waste.

17                      MS. GRIFFIN : The plates I  
18       noticed were from Maine.

19                      SUPERVISOR KOZAKIEWICZ: I'm  
20       guessing they're probably from that project.

21                      MS. GRIFFIN : One other  
22       question. The consultant's findings from the  
23       D.E.I.S., are they in yet?

24                      SUPERVISOR KOZAKIEWICZ: They're  
25       not in yet, no.

1 MS. GRIFFIN : Okay. Thank you.

2 SUPERVISOR KOZAKIEWICZ: Thank  
3 you. Is there anyone else that would like to  
4 address the Board? Yes?

5 MR. GOODMAN: James Goodman from  
6 south Jamesport. Concerning last week, amendment  
7 745 that amends the elevation of the plan of  
8 Robert Bashel, I believe there was a motion to  
9 table the resolution and then that was voted  
10 again. I wasn't at the meeting myself, but family  
11 members were. I just wanted to bring up the  
12 concern that I had with that vote, because I  
13 believe he has some leaching fields, and I live  
14 in the property directly across from him.

15 SUPERVISOR KOZAKIEWICZ: You are  
16 on the west?

17 MR. GOODMAN: Yes, I'm northwest  
18 corner and he's on the northeast.

19 SUPERVISOR KOZAKIEWICZ: Okay.

20 MR. GOODMAN: And already I  
21 believe he's going to have to move those leaching  
22 fields. So, it's already a cost to him and a  
23 concern to me because they're not within 150 feet  
24 of my well, which we do use, we're not hooked up  
25 to the public water system.

1           So, I just wanted to state a concern that  
2           that didn't go through. And also, is there a site  
3           plan for that site?

4                         SUPERVISOR KOZAKIEWICZ: No.

5                         MR. GOODMAN: Is there a reason  
6           for that?

7                         SUPERVISOR KOZAKIEWICZ: I think  
8           we talked about it at the last meeting. In 1999,  
9           the prior Board, based upon the conditions of the  
10          premises, based upon the deteriorated conditions,  
11          based upon the fact that it was an eye sore that,  
12          was becoming a problem for the neighbors, elected  
13          not to proceed with a site plan. They approved  
14          elevations. The owner of the property went  
15          forward based upon that, spent three years  
16          gutting the building, put in new insulation, new  
17          electric, smoke detectors, fire alarms, the  
18          fire-proof exterior walls and spent that time,  
19          effort and money to go forward.

20                        The resolution that was concerned here was  
21          to allow for a refrigerator unit to be installed  
22          so that he can operate. And the answer is, based  
23          upon the circumstances and the contingency, the  
24          Board by a three to two vote, moved forward with  
25          it.

1 MR. GOODMAN: Okay. I just want  
2 to let the Board know about my concern that since  
3 there's no site plan issues -- well, at least  
4 this specific issue has arisen and maybe it could  
5 have been averted had there been a site plan.

6 SUPERVISOR KOZAKIEWICZ: These  
7 leaching fields that you describe are definitely  
8 within a 100 feet of your well?

9 MR. GOODMAN: Yes.

10 SUPERVISOR KOZAKIEWICZ: Because  
11 the Health Department would not allow the  
12 structure to be --

13 MR. GOODMAN: I believe they're  
14 future use for run off if the existing leaching  
15 fields ever overflow, but still --

16 SUPERVISOR KOZAKIEWICZ: So, it's  
17 not for waste water, it's for run off?

18 MR. GOODMAN: No, I believe if  
19 the existing leaching fields overflow, they run  
20 off. But still, as far as I know --

21 SUPERVISOR KOZAKIEWICZ: Were  
22 they approved by the Health Department, do you  
23 know?

24 MR. GOODMAN: I believe Mr.  
25 Fitzgerald has a problem with them, and they're

1 going to have to be changed. They're going to  
2 have to move them.

3 SUPERVISOR KOZAKIEWICZ: All  
4 right, so the Health Department will require that  
5 to be separated by 150 feet from your well.

6 MR. GOODMAN: Thank you.

7 SUPERVISOR KOZAKIEWICZ: Thank  
8 you.

9 MS. LIPKA: (phontic) Toni Lipka  
10 from Jamesport. This is in reference to our new  
11 senior center. What is going to be labeled,  
12 "Senior Citizen" or just "Senior Center"? We  
13 know we are all citizens.

14 SUPERVISOR KOZAKIEWICZ: I think  
15 it's going to be called "Senior Citizens/Human  
16 Resource Center".

17 MS. LIPKA: They're going to put  
18 the "citizen" in there, right? Why do they label  
19 us citizens, when they know darn well you're a  
20 citizen?

21 UNIDENTIFIED SPEAKER: Because  
22 there are people who are not citizens who are  
23 eligible. It's as simple as that.

24 SUPERVISOR KOZAKIEWICZ: Mrs.  
25 Lipka, what's in a name?

1 MS. LIPKA: Who labeled us  
2 citizens?

3 COUNCILMAN DENSIESKI: I don't  
4 think the actual name has been decided yet.

5 SUPERVISOR KOZAKIEWICZ: No, it  
6 has not.

7 Is there anyone else who would like to  
8 address the Board? That being the case, is there  
9 a motion?

10 COUNCILMAN LULL: Motion to  
11 adjourn.

12 COUNCILMAN DENSIESKI: Seconded.

13 (Time noted: 9:40 p.m.)

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*Melissa A. White*  
*Deputy Town Clerk*

C E R T I F I C A T E

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6

I, Peggy Schiefer, a Court Reporter  
and Notary Public in and for the State of New  
York, do hereby certify:

7

8

THAT, the within meeting was held  
before me on the 16th day of July, 2002;

9

10

11

THAT, the within meeting was taken  
stenographically by myself, and then transcribed  
by myself;

12

13

THAT the within transcript is a true  
record of the meeting;

14

15

THAT, I am not connected by blood or  
marriage with any of the parties.

16

17

IN WITNESS WHEREOF, I have hereunto  
set my hand this 30th day of July, 2002.

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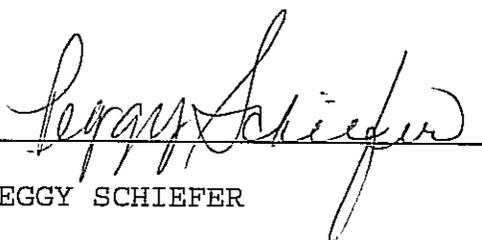
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PEGGY SCHIEFER