

Minutes of a Town Board meeting held by the Town Board of the Town of Riverhead at the Wading River Congregational Church, Wading River, New York on Tuesday, July 17, 2001, at 7:00 p.m.

Present:

Robert Kozakiewicz,	Supervisor
Edward Densieski,	Councilman
James Lull,	Councilman
Christopher Kent,	Councilman
Philip Cardinale,	Councilman - arrived at 7:15 p.m.

Also Present:

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

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

Supervisor Kozakiewicz: "I'd like to call tonight's meeting to order. I guess we'll go by the official timepiece since I don't see a clock on the wall. Bill, would you lead us in the Pledge of Allegiance, please?"

(The Pledge of Allegiance was recited, led by Bill Kasperovich)

Supervisor Kozakiewicz: "Thank you, Bill. Is there a motion to approve the minutes of the Town Board meeting of July 3rd, 2001?"

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

Supervisor Kozakiewicz: "How about now? Any better? Okay. Is there a motion to approve the minutes of the Town Board meeting of July 3, 2001?"

Councilman Lull: "So moved."

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Moved and seconded. Still not hear?"

Barbara Grattan: "This is not good. Wait a minute. Nothing'ss going. Oh, you know why?"

Councilman Densieski: "Turn it on, Barbara."

Barbara Grattan: "I bet you."

Councilman Densieski: "Polish engineer."

Supervisor Kozakiewicz: "It's easier at Town Hall. There you go. And the lights went out. How about now? Is that better? Can you still hear?"

Barbara Grattan: "That's on. We're on."

Councilman Densieski: "If you say so."

Barbara Grattan: "Okay. We're going to call the roll for minutes?"

Supervisor Kozakiewicz: "Still can't hear, right? All right. I'll just try to talk as loud as I can. My voice will be gone by the end of the evening. The motion- there was a motion to approve- the minutes of the Town Board meeting of July 3. The motion was moved by Councilman Lull, seconded by Councilman Densieski. Vote, please."

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

Supervisor Kozakiewicz: "Barbara, would you please read the Reports?"

REPORTS:

Recreation Department	Fees collected for the month of June, \$20,739.00
Juvenile Aid Bureau	Monthly report for June of 2001

Barbara Grattan: "That concludes Reports."

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

APPLICATIONS:

Site Plan	Peconic Bay Motors, addition to an existing facility
Site Plan	Dr. F. Sciotto, a dental

	office
Special Permit	Martin Rosen, operation and maintenance of a wireless public utility communication antenna
Special Permit	John Blaney - professional office, Main Road, Aquebogue
Change of Zone	John Blaney - professional office on Main Road
Parade Permit	Joyce Anderson on Doctors Path for July 28 th
Exhibition Permit	Larry's Lighthouse Marina, July 20 th to the 22 nd for a boat show

Barbara Grattan: "That concludes Applications."

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

CORRESPONDENCE:

Petition	Residents of Riverhead Town against the Demir Petroleum
Petition	Residents of Polish Town petitioning for stop signs on certain streets in Polish Town
Petition	Riverhead residents asking the Town Board to approve the Riverhead Fire Department burn building
Resignation	Letter of resignation from Trina Miles
Leave of Absence	Letter requesting leave of absence from Cynthia Trent
Coastal Environmental Corp.	Letter regarding Riverhead

	Fire Department proposed burn building
Louisa T. Hargrave	Expressing concern about the Riverhead Fire Department's proposed burn building
Elizabeth Topham	Concern about the Riverhead Fire Department's proposed burn building
Lilliam M. Wirth	Expressing opposition of the burn building
Linda Slezak	Concern about the Riverhead Fire Department's proposed burn building
Marguerite Hartill	Expressing opposition of the burn building
Christopher McCarthy	Expressing opposition of the burn building
Diane Kaczorowski	Expressing opposition of the burn building

Barbara Grattan: "That concludes our Correspondence."

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

Councilman Densieski: "I'd just like to report on the Recreation that the Business Improvement District is having Wednesday night movies behind the East End Arts property, every Wednesday approximately 8:30 or when it gets dark and they're showing family entertainment, family movies. It's a lot of fun. Bring your family and come on down every Wednesday."

Supervisor Kozakiewicz: "Any other Committee reports?"

Councilman Lull: "We held our first meeting of the Human Services Committee this past week. We'll have another meeting before the end of the month. That's all."

Supervisor Kozakiewicz: "One of our microphones works obviously. Hopefully, we've got more than one that will work during the evening. Any other Committee reports? Not being any, what I'd like to do, the time of 7:05 having arrived, I would like to have Barbara read the affidavit of publishing and posting for tonight's first public hearing."

Public Hearing opened: 7:05 p.m.

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Wading River Congregational Church, Wading River, New York, on July 17, 2001 at 7:00 p.m. regarding the consideration of the adoption of a local law entitled Moratorium on Residential Subdivisions within the proposed Agricultural Overlay District."

Supervisor Kozakiewicz: "Thank you, Barbara. I'm going to ask the Town Attorney to do a little bit of an introduction concerning today's first proposed hearing which is- first hearing- which is on a proposed moratorium regarding subdivisions in the Agricultural District to explain a little bit the history behind the point we're at now with the moratorium. And I'm also going to- I'm sure that there's many, many, many of you who wish to speak with respect to the proposed moratorium.

I am going to-- unless there's objection from the Board- allow each speaker an opportunity to speak once. And I know this is an important subject, I'm not trying to impair or inhabit or impede an individual's right to speak to us and address us on issue of the moratorium, but in order to allow each of you to be heard, I am going to allow each speaker one opportunity and one opportunity only.

If there's the need for additional comment, what I will do, unless there's an objection from the Board in this regard, is keep the public hearing open for written comment two weeks after today's date. So that would provide adequate opportunity to follow up with written comment concerning the proposed moratorium.

Saying that, Ms. Thomas."

Dawn Thomas: "I've just prepared some preliminary comments. Pursuant to Resolution 426 of 2001- "

Supervisor Kozakiewicz: "Can's hear?"

Dawn Thomas: "Can't hear? It's on. Pursuant to Resolution 426 of 2001, the Town Board directed the Town Attorney's office to prepare a draft local law which would create a moratorium on residential development within an agricultural overlay district. The draft local law that is the subject of the hearing tonight was prepared by my office.

This draft local law would prevent the Town's Planning Board from processing and giving approvals on any major subdivision within a proposed agricultural overlay district.

Rick's supposed- we do- we're supposed to have a map, well, we have a map. The proposed agricultural overlay was depicted in the advertisement taken in the newspaper noticing this public hearing. That proposed overlay zone map was created through the town's comprehensive planning update process. That draft comprehensive plan update and the draft agricultural overlay zone have yet to be finalized.

The local law as proposed would not affect subdivisions on properties less than 10 acres and those which seek to create four lots or less. In addition, subdivision applications which already have preliminary or final approval would not be affected. Applications to modify existing subdivision maps would likewise not be affected.

Subdivisions that are part of open space or preservation programs or where the majority of land is being preserved through acquisition by the town, county or state would not be affected. There is also a provision within this draft local law that allows individuals showing a hardship created by the moratorium to apply to the Town Board for relief from it. There are specific criteria set forth in the law that the Town Board would consider in determining whether an exemption would be granted.

It is important to note that the Town Board referred this draft local law to the Planning Board and to the Suffolk County Planning Commission. The Suffolk County Planning Commission has ruled that the law is a matter for local determination and the Planning Board will provide you with its comments on this draft tonight.

The purpose of this draft law is to provide a springboard for discussion and will result in another draft law incorporating the Planning Board's and the community's input after which there will be an additional public hearing."

Supervisor Kozakiewicz: "As pointed out by Ms. Thomas, Town Attorney, Mr. Hanley had been instructed to provide a map and to show the actual zone that was being considered as part of this hearing and it was also noticed in the paper. I cannot speak for where Mr. Hanley is at this point. At 5:00 this afternoon or 4:00 this afternoon, he met in my office and he was bringing the map here. So perhaps he'll be here a few minutes later.

In light of the fact that this had been referred to the Planning Board, I would ask the Chair of the Planning Board to follow up with comments and recommendations that have come from the Planning Board and then what I'll do is open it up for each of you to address us regarding the pros and cons of the particular moratorium. Barbara?"

Barbara Blass: "Thank you, Supervisor Kozakiewicz, Members of the Board, Ladies and Gentlemen. My name is Barbara Blass- is that better- "

Councilman Lull: "The other one, Barbara."

Barbara Blass: "This one?"

Councilman Densieski: "Try the other one."

Councilman Lull: "Yup."

Barbara Blass: "Hello. Okay. I'll do the hellos again. Good evening, Supervisor Kozakiewicz, Members of the Board, Ladies and Gentlemen. My name is Barbara Blass and I Chair your Planning Board.

Pursuant to the Town Board Resolution No. 558, which refer the text of a local law establishing a moratorium on residential subdivisions to the Planning Board for a report and recommendation, I hereby submit on behalf of our Board and for your consideration the following report which was approved unanimously.

The words agricultural overlay district should be replaced with agricultural overlay zone in all instances as we are considering a new zoning use district, not an agricultural district which has specific tax implications.

Section 109-001 Legislative Intent. generally speaking, this section should be consolidated and streamlined to refer certainly and most importantly to the ongoing comprehensive planning effort in which our community has been involved but should refrain from quoting actual

text of a draft document which is subject to further rewrite.

The text contains several statements which must be either clarified or corrected. The town would not, for example, be in a position to pause for a six month period in order to enact the recommendations of the preservation strategy for agriculture as suggested for two reasons. Firstly, there is not yet a consensus on the chapter in its entirety including those recommendations. Secondly, it is our understanding that the town cannot adopt the agricultural land chapter of the master plan as a separate document and enact its recommendations unless it is subject to its own SEQRA review.

We did not budget for the time nor for the financial resources necessary for the preparation of a separate and additional GEIS for this element of the master plan. In fact, the strategy although contemplated at one time was actually discouraged by counsel.

Section 109-004 Acceptance and Processing of Applications. The Planning Board suggests the following language. The Planning Board shall continue to accept and process subdivision applications during the moratorium period but shall not grant any approvals on sketch, yield or preliminary plats for any subdivision except those subdivisions which have been excluded per Section 109-006.

Applications Excluded. We suggest that all minor subdivisions be excluded. Subdivision applications which have received preliminary plat approval prior to the effective date of this chapter.

If I could just explain one second about what happens with a preliminary plat approval. So many people are under the impression that that is the first map that is presented to a Planning Board. By the time the preliminary map is approved, we've already had a SEQRA appearance- not a- a sketch plan appearance, a sketch plan approval, a yield map approval, a SEQRA conclusion-- a SEQRA analysis and conclusion. We've had a preliminary hearing and the map at that point is basically a final engineered map and but for fine tuning and the estimate of a bond- performance bond, the bulk of the work is done by the time a map has received preliminary plat approval. So it sounds as though it's early on in the process. It's really quite late in the process.

Subdivision applications involved in a conservation opportunity plan where a majority of the property is being preserved through acquisition and/or donation to the state, county, town or a 5013C

Riverhead is the right thing. Preservation of the way of life.

I'll- I can bet, you know, the argument about not having a moratorium until the master plan is in place, well, terrific. Does anyone here think the master plan is going to call to create another Levittown? Does anyone here think that the master plan is going to call for the creation- "

Supervisor Kozakiewicz: "Mr. Saltini- the- "

Ray Saltini: "-- thank you. Do you think that the master plan that you are paying for- "

Supervisor Kozakiewicz: "The master plan- "

Ray Saltini: "-- okay, would you care to speculate that the master plan that you have contracted for- "

Supervisor Kozakiewicz: "This is not going to be a debate."

Ray Saltini: "Okay."

Supervisor Kozakiewicz: "This is the time to tell us why the moratorium is a good idea, why the moratorium is not. I'm not engaging in a debate tonight because we have lots more speakers."

Ray Saltini: "I will end it. This is why the moratorium is a good idea. Because the master plan is based upon a set of values. A set of values in Riverhead that we have got to maintain what we've got and improve what we've got. And the moratorium is the first step towards implementing some of the values that we all hold dear and that we assume will be in this master plan. And I think most people would put money that those values should be represented in the master plan. That's all. Thank you very much."

Supervisor Kozakiewicz: "Thank you. Anybody else? Is there anyone else who would like to address the Board? I'm sorry."

Michael Light: "Yes. Good evening, my name is Michael Light. I'm a resident of Wading River. I believe an integral part of this moratorium and the planning process is a much more pro-active stance on the part of the town government in acquiring farmland. The gentleman who's a farmer- evidently a farmer and said, you know, he feels that his resources, his value is being diminished, he may have a point. And I think the town has to step up to the plate and be

prepared. I mean we all voted to tax ourselves in order to buy development rights. And to buy up farmland. And I think that the town has to be much more pro-active in buying land from farmers who, you know, when he said does anybody want, you know, to buy a piece of my land? I think the town should say, well, yes. You know, why should he be diminished? It's up to- if we want to preserve farmland, the town as a community, let's step up and buy them out. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else? Ah-- Henry was up first, Lyle, so I'm going to have you queue behind him."

Henry Talmage: "Is this the one that works?"

Supervisor Kozakiewicz: "The one to the right."

Henry Talmage: "Okay. Hello? Good. Okay, I'm Henry Talmage. I'm a greenhouse nursery grower in Riverhead and I'm the vice president of Long Island Farm Bureau."

Where to start. Well, I think first of all I want to say that everybody in the community, the agricultural community as well as just the general community, recognizes the importance of planning. There has been a lot of effort going back to the hamlet studies and all these things that don't necessarily- it doesn't necessarily fall in the lap of this Town Board, but this has been an ongoing process, an ongoing debate about not only agriculture but other uses throughout the town. Where industrial uses should be. How big they should be. What the hamlet should look like. What about the TDR and all this thing. These are ongoing discussions.

We do have in place a master plan. Granted it, it was done in '73 and everybody agrees that it ought to be updated. The problem I have with this is I look at that belt of land in which we talk about here in almost a cavalier way that it's our land, we have to preserve it, we have to make sure that nothing happens to it for six months, no, let's make it a year. At least a year. Well, guess what? Every one of those pieces of property is owned by somebody, just like you own your home. And it is a terrible scary thing for a landowner to sit here and listen to a debate going on about their future of their land under the- now when they know something about the rules, that it's going to change. But if it- it ought to be thought about and very, very carefully about what impact it will have on the people who actually own that land. That's my main point I want to get across, that each one of these parcels are owned by somebody.

Think about what a moratorium would look like if let's say, well, why not include every piece of property in the town. I've heard that several times. Well, it's expanded, okay, let's do it outside of the agricultural area, every piece of property. Yeah, let's make it a year, maybe six months is not enough. A year, year and a half, two years. Whatever. However long it takes. The impact on the people of this town who own the land can be devastating. I agree the time for planning, the time to pull all these different things together is to do it now. We need to pull all the stuff together so that we as a town can agree what it is this town is going to look like.

However, a moratorium is not the way to do it. Moratoriums do nothing but delay the process. Every moratorium you see, six months comes up and you're right back where you are now. And then we have to extend it for 18 months or whatever.

The way to think about this, I think if you're a landowner or if you're a homeowner, is to take out the question of the evil developer. You know, developers will build wherever they're allowed to build. The fact of the matter is that a lot of this land is owned by families, owned by people for a long time, some people 20 years, you've heard that; some a lot more. Lyle's been talking, you know, been around forever, 300 years his family has been here.

The way to look at this is well, why not, you know, it's easy for us to conclude that our neighbor shouldn't be able to do anything. Maybe what we ought to do is say during a moratorium period, you can't sell any houses in the town of Riverhead until we get a master plan. Or you can't put any decks on any houses until we get a master plan. No building permits period. No sales period. All right. That's great. I think we've got a consensus now, at least- but think about it. That's the impact it has on landowners. It's the same as if somebody says to you, look, I know it's only a year. But we're not going to allow you to sell your house for a year because we have to figure out what's going to happen on this block. That's a real impact. It's- it hits people right between the eyes. And it scares people.

And, you know, big landowners or small landowners, I think you have to look very carefully at what it is you want a moratorium to do and please, please, look at the impact it's going to have on those landowners, many of which I know. Right down the center of town, it's going to be a real impact. Please keep that in mind. Thank you."

Supervisor Kozakiewicz: "Thank you."

Lyle Wells: "Good evening, Lyle Wells. I'm a- as Henry mentioned, my family has been farming in this town for over 300 years. We're celebrating our 340 birthday in the Town of Riverhead this year as a family farm. We have no intention of developing at this point. But when I go to the bank, it really doesn't matter whether I plan on developing or not, it's the value that they look at. And believe me, they don't loan me on 100% of my value. They loan me on 50% of my value and 80% of that. So you're talking about 40% of my value I can use as collateral.

I have a prepared statement from the Long Island Farm Bureau. This letter is submitted on behalf of the Long Island Farm Bureau. The Long Island Farm Bureau wishes to voice its opposition to the proposed moratorium but more important to the underlying proposed upzoning. The Long Island Farm Bureau enthusiastically supports farmland preservation and the town's smart growth initiatives. We urge the town to proceed in that positive direction rather than to pursue these more punitive tools which in the end will accelerate the residential development of farmland or enact a moratorium that will affect a small percentage of land in the Town of Riverhead.

Just as a side note to this, it has been proven in all the other east end towns whether it be Southold, Southampton, East Hampton, that large lot zoning does nothing in regards to farmland preservation. It works just the opposite and accelerates the process. As Bob Weibolt who obviously no one cared to agree with, as he expressed, development happens because of supply and demand. And it will happen because of supply whether it be in your neighborhoods in that half acre lot that's next to you that never got developed, or whether it be on a large parcel of farmland.

Upzoning historically has been an ineffective tool in the preservation of farmland. Indeed, upzoning negatively impacts those farmers who wish to remain in agriculture. The lower the potential density, the lower the appraised value of the land as I had mentioned before. The appraised value of the land is critical to a farmer when he goes to the bank to borrow in order to build a greenhouse, which right now for top of the line greenhouse you're looking at a million dollars per acre, to purchase supplies or to get through a rough year. Since agriculture is so dependent upon the availability of credit, a loss on a farm's balance sheet can result in loan denials and force a farmer to abandon agriculture as a business and a way of life.

On the other hand, the Town of Riverhead has made tremendous strides in the purchase of development rights, especially in its

collaborative efforts with Suffolk County. The Long Island Farm Bureau in conjunction with various environmental groups including Environmental Defense Fund, the Sierra Club, the Nature Conservancy, supports legislation now in Washington to assist localities such as the Town or Riverhead with millions of dollars in federal grants for the purchase of development rights and farmland preservation.

And also as a sidebar, we, in the Town of Riverhead and the County of Suffolk, have one step ahead of many local municipalities in regards to being able to access those funds. Because we have a program in place and have had one that has been very effective.

The only way to ensure the only sure way to preserve farmland is to purchase the development rights at fair prices. The cash evens out the farmer's balance sheet and eventually provides a secure retirement. Once the development rights are purchased, the land becomes affordable for a neighboring farmer to expand his current operations. And that should be the underlying goal of any farmland preservation program. To get the actual farmland back into the hands of farmers. Roughly 50 to 60% of the remaining farmland in Suffolk County is owned by non-farmers.

We look forward to working with the Town of Riverhead to preserve our rich agricultural heritage. In your deliberations, please remember that no one wants to preserve farmland more than a farmer. It is our livelihood and our heritage.

Just a few comments of my own. As I had mentioned, Riverhead has sustained the lowest loss of farmland in recent years and that's in direct correlation to the underlying zoning which is one acre. If we are at two acre, the 1100 acres that we have lost in the past five to 10 years would be 2200 acres.

Also I would like to express my disappointment and dismay at the lack of professionalism in the land ethics report and their inability to understand the intricacies of modern agriculture. They seem to have ignored the report prepared by Riverhead landowners and the Long Island Farm Bureau until they were brought to task. There is also missing within that report a very large component which we support wholeheartedly and that is the creation of a development right bank and the ability to plan and transfer development rights to where it makes sense in the town. Where there is sewer, where there is public water, where they are easily serviced.

Also, if the moratorium is enacted, we need definition of what

would be achieved during the moratorium. Many of the speakers here tonight, what bothered me was they make it sound like there has been no planning done and we expect to do it all in six months. I have been involved in this process for probably 10 to 12 years in regards to making an effective purchase of development rights program, working on the TDR program, and unfortunately many of the suggestions that we had made and would have improved this town, have not been enacted.

It was interesting listening to one of the other speakers talk about what we would leave for our children here in the Town of Riverhead. What we will leave with (inaudible) zoning is a town in which our children cannot afford to live because they will not be able to afford a house lot to build a house on.

We all have the same goals in mind for different reasons. Some of us want to see the scenic vistas, some of us want to work the scenic vistas and make a living here. The conflict comes in the form of the fairness issue and the route that we choose to get to this goal and the goal is the continuation of a rural character for the Town of Riverhead, a destination for agra-tourism which I am involved in. I have a retail operation. We would like to see those things continue.

However, for a few to bear the economic brunt is not fair. We respectfully request that planning continue, that we continue the master plan update process without enactment of a moratorium. Thank you."

Howard Zelzer: "Hello. My name is Howard Zelzer. I live in Wading River. And I just want to say one thing first is that I don't represent anybody. I'm just here as someone who lives in Wading River and has something to say about the moratorium.

My understanding is that the moratorium is to provide time to complete a master plan and in that context it seems to make a lot of sense to me. There's been some talk about two acre zoning, things of that nature. My understanding is that we were talking about the moratorium which doesn't have anything to do with two acre zoning.

Giving the town a little breathing room to complete a master plan seems like a good idea to me. I haven't lived here all my life. I- actually, I lived in Huntington, Greenlawn, Commack, you know, since I was young and I have watched this same battle being fought and lost in each town as you go east. People want to maintain some sense of rural, you know, some rural character to their town and even when there's a consensus among the residents, it appears that the battle is

lost and it's always been a confusion to me why the majority of the residents of a town want to maintain or try to maintain a certain character for their town and are willing to do what's necessary.

I mean when things come up, you know, county-wide or town-wide about that, you know, concerns spending money to preserve open space, we generally say yes so we demonstrated- it appears to me that we've demonstrated that we're interested in conserving open space and not making the people who own that space bear the whole brunt of it.

We have an opportunity here to be one of the first places where the battle will be fought and not lost. And I'm hoping that you'll do the right thing. Thanks."

Supervisor Kozakiewicz: "Thank you."

Phil Barbado: "Good evening. My name is Phil Barbado. I live in- "

Supervisor Kozakiewicz: "The one all the way to the- "

Phil Barbado: "This one."

Supervisor Kozakiewicz: "Right. That one."

Phil Barbado: "Phil Barbado, I live in Jamesport. My wife and I moved there about a year and a half ago when we purchased a small piece of preserved farmland. Our intention is to make it a going farm effort and we've applied for and been inspected for organic certification.

I come from a farming family and I can tell you, anyone who is living in Riverhead and has not experienced what it looks like to see farmland swept over by the wave of over-development, you should go back as this gentleman just said. Go back west and you don't have to go that far. The waves are lapping on the shores of Riverhead right now and if you don't act, you will be swept over just like everybody else.

My father did the best he could and I understand all the interest of farmers, that is their retirement, that is their pension and I think the right thing to do is to get aggressive about farmland preservation and do it the right way.

Two acre zoning, one acre zoning, I don't think that's the

organization such as the Peconic Land Trust.

Subdivisions applications that reduce density and preserve open space such that 50% of the yield is clustered on 30% of the tract with the remaining 70% set aside for agricultural open space should be excluded.

Under the exempt application section, the Planning Board suggests that exemptions be determined solely by the Town Board.

Applicability. That the moratorium only apply to lands within the proposed AOZ raises the following issues and concerns:

No. 1. The boundaries of the AOZ are not yet finalized. In fact, the most recent recommendations from land ethics include a revised AOZ incorporating lands north of Sound Avenue. We need to gain consensus on the acreage to be included in the overlay zone before we can identify lands to which the moratorium should apply.

In limiting the moratorium to lands within a proposed AOZ, the town would be inadvertently undermining the TDR program in that the lands which have the potential to become receiving areas would be precluded as such if subdivisions are approved thereon.

For these reasons, the Planning Board respectfully suggests that should the Town Board adopt a subdivision moratorium, that it be a town-wide subdivision moratorium.

Finally, the Town Board should consider the advisability of entertaining change of zone petitions and special permit applications for residential development purposes. An analysis as to the development of development rights as they may be applied to these actions is being considered. Again, approvals of same may preclude development rights opportunities as a function of the TDR program.

That concludes our report."

Supervisor Kozakiewicz: "I have some people who have signed the sheet of paper. I'm not sure if all are wishing to address this Board regarding the proposed moratorium but I'm going to go down the list as they're signed and then I'll ask of you to come up as you raise your hand. Charles Tramatana."

Charles Tramatana: "I'll speak on another issue, sir."

Supervisor Kozakiewicz: "All right. Shep Scheinberg."

Shep Scheinberg: "Yes, thank you. Good evening. I am not here to speak for or against this local law but merely to obtain the clarification.

109-003 Applicability, speaks about that the chapter would apply to all lands within the Town of Riverhead currently zoned Agricultural A, Industrial A and Residential A as shown on the map. The map as shown in the newspaper, you couldn't tell what was covered. I was here- I'm here to find out. There are certain parcels north of Middle Road that are zoned Residential C. Are they specifically excluded from the applicability as set forth in the language of the proposed law?"

Supervisor Kozakiewicz: "North of Middle Road?"

Shep Scheinberg: "North of Middle Road. Again, the map was not clear as shown in the newspaper. You couldn't tell what was covered."

Supervisor Kozakiewicz: "Right."

Shep Scheinberg: "Rick is right there."

Richard Hanley: "I can address that if you'd like."

Shep Scheinberg: "Thank you."

Richard Hanley: "The portion of the local law- "

Supervisor Kozakiewicz: "Just for the record, identify- "

Richard Hanley: "Rick Hanley, Planning Director. The portion of the local law that Shep read, I believe to be the intent of the town with respect to those zoning districts or parcels within the zoning districts to be affected. I think there's an error on the map that shows a number of parcels in and around where Two Bears is, which are presently zoned Residential C. It was not the intent to include those."

Supervisor Kozakiewicz: "I'm sorry. They were included or not?"

Richard Hanley: "Not."

Supervisor Kozakiewicz: "Okay. All right."

Shep Scheinberg: "There's an error in the map. Thank you."

Supervisor Kozakiewicz: "Okay. Next person, Terry Fenton."

Terry Fenton: "Different subject."

Supervisor Kozakiewicz: "Okay. Is it Ray Saltini?"

Ray Saltini: "Also on a different subject."

Supervisor Kozakiewicz: "Okay. How about why don't I- rather than go down the list since there's not identification, we'll just go to people who wish to address us. Sid Bail."

Sid Bail: "Welcome to Wading River, Members of the Town Board. It's good to have you here."

Supervisor Kozakiewicz: "Thank you, Sid."

Sid Bail: "I'd like to start out by thanking Councilman Densieski for bringing this resolution forward. I- many of us may differ on it but it's an extremely important issue and I'm glad that we're addressing it."

In February, I read an article by Denise Civiletti and it was in the News-Review, and it said, I quote, overdevelopment is not progress. It must be limited and limited now. If there still is a last chance, it won't be for long."

Councilman Densieski: "Sid, could you speak into that one microphone?"

Sid Bail: "This one?"

Supervisor Kozakiewicz: "The one to your right."

Councilman Densieski: "Please."

Supervisor Kozakiewicz: "All right."

Sid Bail: "The Wading River Civic Association concurs with Ms. Civiletti. We believe that the update of the Riverhead comprehensive plan is the last chance to limit and shape development. If we follow

the present zoning regulations, we can look forward to choking traffic congestion, an ever increasing tax level to support schools and other basic services.

I think it was Lee Koppelman who indicated a couple of months ago that if Riverhead continues with one acre zoning, you know, they can kiss their rural character goodbye.

One of the main objectives of the comprehensive master plan update is to help maintain the viability of agriculture in the Town of Riverhead. The preservation of agriculture results in economic benefits and helps to maintain the rural character of life throughout the township and increasingly with now comprising 38% of the existing farmland, really what we're speaking for is preserving the rural character of the east end.

So I think, you know, recently we've seen- oh, over the last few months, several editorials in Newsday, various columnists expressing their concerns about what's going on, what's not going on here in Riverhead.

In fact, at our May 26 Civic Association, Supervisor Kozakiewicz observed farmland has been disappearing at an alarming rate. Since the town has not yet completed the update of the master plan and there is no comprehensive means of preserving farmland in Riverhead, a moratorium has been proposed on residential subdivisions within the agricultural overlay district or zone.

The Wading River Civic is fully aware that a moratorium on development is always a controversial measure but we also believe that they provide the time to complete good comprehensive planning. We firmly believe that the tax money spent on the Wading River Hamlet Study would have been wasted had there not been a moratorium which provided the necessary time to incorporate key recommendations into the town's zoning regulations.

And I noticed last week in a column that the Supervisor wrote he made commentary that the Wading River Hamlet Study was something of a success. Not a total success but those of us who can remember back to 1989 remember that it took not one six month moratorium but it took two six month moratoriums and it's- we believe that it is necessary.

It's our contention that the proposed local law is clearly legal and meets the standards that are required. However, we do feel that it is deficient in certain respects.

First, we believe that the scope of exemptions are too broad and should still be more restrictive and we believe that it will pass the legal muster anyway. We also feel that the policy of limiting the moratorium to the area defined as the agricultural overlay district while allowing development to continue in the potential receiving areas, is flawed and it makes the development of a viable TDR program even more problematic. We're concerned about ratio, receiving to sending area. It makes absolutely no sense to allow development in the receiving areas and there's concern about not having enough receiving area.

Okay. So we feel that the area in the moratorium has to be expanded. It also seems to us that the Town of Riverhead would be well advised to create a specific time line for the completion of the comprehensive master plan. I think maybe the thing that a lot of people are looking for, whether it's six months or it's a year, whatever it is, the confidence that the town is going to make the commitment to finish it whenever time line or period that they select.

We hope that the present Town Board will put partisan issues aside and sees this last chance to say no to overdevelopment and yes to maintaining our rural character. Thank you.

I have a copy of my remarks and I have a letter from the Wildwood Acres Association and a letter from Act Now and I will be submitting other organizational letters. You said two weeks? It's open two weeks?"

Supervisor Kozakiewicz: "Two weeks."

Sid Bail: "All right. Thank you very much."

Supervisor Kozakiewicz: "Rolph Kestling."

Rolph Kestling: "Rolph Kestling, Wading River. I just want to make a short comment. Too little, too late."

Eve Kaplan: "This one? Oh, the other one."

Supervisor Kozakiewicz: "The one to your right."

Eve Kaplan: "Okay. Eve Kaplan, Riverhead Coordinator North Fork Environmental Council. I'd like to take this opportunity to ask the members who are here tonight to come up and speak after me so we can speak together. I see some of you are in the audience. Thanks."

We'll be submitting some more detailed comments but I'd just like to say that we agree in full with everything that Sid mentioned and said so well. And I think we have to be optimistic at this point about what we have left in Riverhead. There are a lot of us who drive around town and we see subdivisions going up all around us and we cry, it's terrible. Because we're going to lose everything that people who were born here love about this town, people who have moved here love about this town, and now is the chance.

So I think there are three issues at stake today. One is, should we have a moratorium? Two is, what should be in the moratorium and how long should it last for it to be really effective in getting us where we want to be? And three is, what kind of plan are we going to put into place at the end of the moratorium that's going to create the kind of town that we want to live in and make sure that that is secured.

So should we have a moratorium? Our answer is yes. Planning is underway. We need time to plan. I think if the town didn't implement the moratorium you stand to lose over \$350,000 you've invested in this planning process, over \$3,000,000 you've invested in agricultural preservation and that's all tax money. Over 2,000 units are planned for Riverhead. So now is the time.

And I think we'd like to see as far as what should be included, we'd also like to go in agreement with Sid with the Planning Board, a comprehensive moratorium town-wide protecting receiving areas, sending areas. This- the reason that we love this town is not just for our land but it's also natural resources. It's low traffic. It's (inaudible) commercial areas. So it's really a master plan, it's not just about farming although farmland is really important.

And if the town allowed zone changes and special permits to go forward in commercial areas, that would just be a giveaway to developers because those same developments are going to save possibly hundreds of acres of farmland later on at no cost.

As far as how long it should last, it can't just be six months. We'll be post election. I respect the- I definitely respect all of your interest in introducing this and we appreciate it that you move this forward. But we're a little bit worried that after the election, things will change and (inaudible because of clapping in the audience) interest or pressure to move forward with some real- some strong preservation plan.

So if the moratorium ends and the master plan is not finished, I can see a scenario where builders are angry that their projects were stalled and the answer that they get is that the environmental community forced them into this and that's the end of the story. No good plan, no preservation.

So what we'd like to see is the moratorium last until the master plan is adopted and enabling legislation as well.

So what should come after the moratorium? Right now we've seen one chapter. We've seen an agricultural preservation chapter that we hope-- we're working hard with-- with the coalition to get a functioning transfer of development rights program, to get possibly more money for purchase of development rights, incentives, to get clustering. There will be a national resources chapter that we hope will preserve land around the Long Island Sound, along the Peconic Bay front, and commercial districts also that will look to the revitalization of this town.

So in summary, I would just say, would you build- if you were going to build a house, you certainly wouldn't build it without a plan. No builder would do that. Chances are you would probably forget something and it would fall down quicker than you'd like it to. So we already have abandoned shopping centers, abandoned houses. We have storefronts that people can't rent out in this town.

So if you are looking out for the community, we need to plan and that's what this moratorium is about. It's about good planning for all of us, for the future. Thank you very much."

Supervisor Kozakiewicz: "Thank you."

Celeste Tracy: "Good evening. I'm Celeste Tracy, resident of Aquebogue and a member of the North Fork Environmental Council, new member primarily because I see what's going on with the environment and with small businesses. And as a teacher, I also want to get involved so that I'm a role model for my students as well. So I represent them and I represent the North Fork Environmental Council and my family feel the same way.

Basically (inaudible) personal, it's just comments on this in support of the moratorium. Yes, I'm in favor of a 12 month, I'm in favor of anything that gives us the opportunity to plan, to think first and not be impulsive.

The moratorium is the answer to my questions I asked in my February 5th letter to the editor of the News-Review regarding the overdevelopment of Riverhead. If anybody read my letter, that's me. What to do? Who will listen to Riverhead landscape's voice? Who will take the stand to support both her financial and environmental interests? How many more sections of Riverhead's landscapes must be scraped to attain progress? Is progress measured by destruction or conservation? Will Riverhead's children have the opportunity to appreciate the value of bio-diversity within their own community? Will they have the chance to appreciate the delicate relationship between economic politics and ecology?

I understand business draws in capital and supports Riverhead town. And it has contributed great things to our community. What I cannot understand is the excessive, irresponsible destruction of the town's natural landscape. Examples. Extinct farmlands are currently dotted with cluster housing complexes, the grandifolias are driven to extinction. What was once a town inhabited by small businesses is now a town besieged by mega stores.

History shows the imbalanced interdependence between excessive economic progress and environmental eradication. As a Science and English teacher, I see my local environment in two perspectives. One, a potential ecosystem breakdown and, two, pathos, a suffering landscape without a voice to be heard or an existence to be protected.

It is the actions, decisions of you, the Town political leaders who can dedicate themselves to preserving your, mine, our children's environmental landscapes thus preserving the town's essential need to balance its natural surroundings with economic progress.

I'm here tonight to express my concern and uneasiness about the future of Riverhead's fragile natural environment and small businesses. I ask you to set forth the moratorium. It will provide time allowance for decision making, research and community collaboration.

The decision you make tonight will mark the sign of the times for Riverhead. You chose the sign, you tell all your ethical code. Thank you very much."

Supervisor Kozakiewicz: "Thank you."

Catherine McKeen: "Good evening, Mr. Supervisor and Members of the Board. I'm Catherine McKeen. I'm a resident of Baiting Hollow.

In spite of my belief that it does not do enough, I encourage the Board to approve the moratorium at least for six months. A better plan would be more comprehensive, that is, cover more than just the agricultural district. An even better plan would place a moratorium on commercial development at least until the master plan is finished and approved. Since that seems unlikely, at least we should have pause while the Town Board finally has a realistic vision of a desirable future for all of Riverhead. Thank you."

Supervisor Kozakiewicz: "Thank you."

Tom DeLand: "My name is Tom DeLand. I'm a 1985 graduate- "

Barbara Grattan: "Excuse me, Tom."

Supervisor Kozakiewicz: "I'm sorry, didn't catch your name."

Tom DeLand: "Tom DeLand. 1985 graduate of Southampton College environmental studies program. It doesn't make me a big mouth know it all but I have an opinion and I agree with the last speaker. There should be maybe a- "

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

Tom DeLand: "Can't hear me. Okay, that there should be maybe a moratorium on commercial development but I think you should try and do this with residential building. The only thing you're going to do is put a lot of people out of business because I don't see how these wood workers are going to be able to pay their taxes and I get a feeling also that you put six months or more, that you're going to see something like Home Depot swoop in, undercut the local business establishment, then you'll have some large scale business going on as people who have consolidate all their property holdings in the meanwhile are ready to build while you're still wondering what's happening.

I know you've got a lot of pressure and stress on you already. You are doing your best with the Grumman property but people are trying to heap another stack of papers on you I think. If you could create some- something- some group outside of yourself that takes this to you and you work with a solution that involves the people who are going to be affected by the suggestion and the people who are cavalierly suggesting that you do something that could jeopardize people's livelihoods, I think that might be advisable before you rush into anything.

And also, you've got a great piece of property there in Grumman that could be used for developing housing and possible upzoning the building lots, make it a little bit more costly that land is valuable. Make the people pay for it if they want to put a house on it. You know, don't make the farmer suffer for it. But if he's going to sell it, you've got to jack the cost of taxes on it up so that's all I have to say. Thank you for your time."

Supervisor Kozakiewicz: "Thank you."

Michelle Doroski: "Hi. My name is Michelle Doroski. Can you hear me everyone? Michelle Doroski from Aquebogue. I'm a life long resident. And actually I have two quick things to say. One is I have a letter here from my Dad, Conrad Doroski. Many of you probably know him as Skelly. And this is his letter that he sent with me tonight.

The air is polluted with exhaust fumes. The schools are full. We have no place to put our garbage. We're carting it to Pennsylvania and God knows where else. The roads are overcrowded and they want more homes and stores and people. They may call this progress. I call it insanity. We need a moratorium. No building until they change the zoning and that should take the politicians a good few years.

We have turned our town into another Centereach. We have turned our town into what we came here to get away from. And that's it for him, for Conrad. Okay?

And I've also been here my whole life. I'm 42, I'm raising my children here and not a day goes by as Eve said without driving around seeing these developments and I keep saying to my kids that used to be a farm- you know, a farm. This used to be this, this used to be that. And I know we can't go back but I think it would be nice if we could have a moratorium until the master plan is adopted to give us time to think about it and plan properly. Thank you very much."

Supervisor Kozakiewicz: "Thank you."

Paul Adams: "My name is Paul Adams and I've lived in Baiting Hollow now for 10 years and I recently joined the Board of the North Fork Environmental Council. And like all the previous speakers, in fact, I think 95% of the people in Riverhead, I think the idea of a moratorium is a wonderful idea but the details of this particular moratorium are totally inadequate.

According to the paper, only 15% of the current residential subdivision proposals would be even affected by this moratorium. You've got to re-jigger the whole thing so that a large majority of the proposals in the (inaudible) are going to be delayed and are returned to that-- at the end. So we should aim not just at 15% but maybe 85% would be a reasonable number, should be held up and maybe a few of the so far advanced should be allowed to move forward.

Obviously, I feel that it should be extended. The six months is just not going to be enough. I understand that the agricultural chapter of the master plan is more advanced and that you're focusing on that now but the whole point of the master plan is to improve the quality of life in Riverhead generally and there are a number of other issues.

The preamble to the proposed local law says that the master plan is to ensure the protection of its natural resources including farmland, but also wetlands, coastal areas, waterfront lands and woodlands. So I think all these developments that could affect or any of these categories should be delayed while the master plan is finalized and is adopted.

Specifically with regards to agricultural land, obviously there is a lot of agricultural land north of Sound Avenue. It doesn't make any sense because of historical reasons and bureaucracy to restrict the moratorium only to south of Sound Avenue. I think all agricultural lands should be (inaudible - clapping from the audience).

Lastly, I understand that there are legitimate concerns that developers are going to make a little bit less money perhaps as a result of a six or 12 month delay that would be a town-wide moratorium on residential construction. But I honestly believe that the ultimate goal of the master plan is to improve the quality of life in Riverhead and that ultimately even the developers will be able to sell their projects for more money, they'll be better sited, they'll be happier and the Town of Riverhead will be far better off if we have a moratorium which addresses all the concerns that I and others have raised tonight. Thank you."

Supervisor Kozakiewicz: "Thank you."

Linda Slezak: "Hi. My name is Linda Slezak and I live in Jamesport and I'm brand new here. I'm not a lifelong resident. I just moved here very recently and we bought an old farmhouse and we restored it and I'm not totally against development but I'm for plan-

full development. I'm a member of the North Fork Environmental Council and I very much feel that plan-full development is where we need to be. If it takes a year moratorium, then that's how long it should take.

I don't- I don't see how any Town Board could do this in six months. There's a lot of planning to be done and a lot of careful thinking. There's a lot at stake here. I'm here because of the rural character of the town of Riverhead and I want to see it stay that way. I know everybody else does.

In a blink of an eye, okay, we can be another Levittown. So let's be careful."

Supervisor Kozakiewicz: "Thank you."

Walter Benger: "Good evening, my name is- speak into which one? Good evening. My name is Walter Benger; I'm from Aquebogue. And I'm not going to be a very popular guy here tonight. I purchased property in Aquebogue 21 years ago. I purchased it with a very high mortgage rate. I took a very big gamble. That is my investment, that is my life long investment. I haven't purchased boats. I haven't gone on vacations. I haven't bought new cars. I have presently one with 158,000 miles on it. All of this to keep paying my taxes for a piece of property that now I am going to be told is going to have its value cut in half. Because it will practically be cut in half. If you cut the build out in half, the two acre zoning, if you change it, this moratorium is only being put in place to view that so, therefore, I am saying I'm against the moratorium as well as against this rezoning of any farmland in the town of Riverhead.

There is a master plan in place. When I purchased my property, I was told I had one acre residential property. It was worth the gamble. Go back 21 years. We didn't have grape farms. You're not going to make the potato farmers rich. They're running against subsidies in Canada. The produce 100 pounds of potatoes in Canada; they're subsidized for I think \$8.00 a pound- \$8.00 a hundredweight. Somebody might know that better in town; I don't know that.

You're not going to save the farmers. You're running against subsidies out of Canada. You're running against cauliflower out of California. Cauliflower can be grown year round. Twenty years ago you only grew in farmland in the- on Long Island. We were the biggest cauliflower producers. They don't buy it any more. They don't want it any more.

Now, because we have people who own one acre here who want to look at a farmland, they want me to lose all my development rights. Or half of my development rights.

I'm going to make an alternative suggestion. I'm going to say to that person who owns one acre of land in Wading River, let him buy an acre of my land. That will half the build out on my land. That person owns an eighth of an acre, let him buy an eighth of my vacant land and let him leave it fallow and they're going to own- then they have half the build out. Why should all the half the build out come out of me? Why should I make his house (inaudible) because I paid my 21 years of taxes and I paid my full taxes. I have not paid (inaudible - clapping in the audience).

I am not in the farmland acquisition program. Why am I not in it? Because I'm not considered a farmer unless I make a certain "x" amount of dollars. I do not make "x" amount of dollars. My farm has never paid for itself since I've been here in 21 years.

Who the hell is he to tell me that my farm will pay for itself because he wants more build out? Excuse me, I'm getting angry. I promised my wife I was- "

Supervisor Kozakiewicz: "I was going to- you can get angry, but watch the language."

Walter Benger: "Okay. Let me read something. Let me read something. I didn't know I used any, I'm sorry. This is not going to be another Centereach. Centereach didn't have one acre zoning. We have one acre zoning. We have a master plan in place. Why, because it doesn't work now we are going to change it? The master plan said industrial in this area of town, residential in this area of town, farming in this area of town, business in this area of town. That's what a master plan is. Once a master plan is done, it should be done. Once you start correcting it, it's no longer a master plan.

We'll just move this over here. This is not Monopoly. I didn't go buy a Monopoly board 21 years ago. I bought a piece of property and I broke my chops to pay for it, 21 years. And now when there's light at the end of the tunnel, we want to go to two acre zoning again. All right.

I'm going to read something. Excuse me- I also wanted to add if there are 20 houses per acre in Polish Town, knock half of them down. That sounds stupid? Sure it does. They have rights to their house.

I have rights to my one acre zoning. And the moratorium put in place- I'll read you something. It's from 1987, May 1987. Moratorium was put in place. I'm going to edit this a little bit. This particular one isn't about Riverhead; it's about Southold. I'm going to edit it and I'm going to jump to parts.

As a method of preserving the town's agricultural identity, the group urged the town to rezone about- I skipped a part, it mentions the Economic Advisory Council in its recently completed report, as a method of preserving the town's agricultural identity, the group urged the town to rezone about 9,000 acres of its farmland. Carving up farmland into estate size parcels will not serve to keep it in agricultural use. Unless the aim- unless the aim is to-- excuse my glasses, please, I'm having a hard time reading this- unless the aim is to drive the price of land up so high that it's impossible to sell for residential purposes, that then becomes (inaudible) zoning. That's what it is. That's what we're doing here.

Imagine what a subdivision on a farm lot in a 25 acre zone would look like. This is not a wooded area. After all, (inaudible) can be nestled among the trees, you would have houses in the middle of the open flat field, not large enough to farm but too large to maintain as a lawn. Would most of the land simply lay fallow? Restricted zoning can keep the land open but it can't keep it productive. Market variables that are in no way controlled by the Town Hall, such as to bring a reasonable price, competition from outside areas, taxes, and the cost of keeping the tractors in the fields, will do far more to maintain or destroy a community- far more to maintain or destroy a community's agricultural base than zoning would ever hope to accomplish.

We fear that without immediate action, Riverhead could become a little more than a bedroom community. In other words, people would live here but work elsewhere. To some extent that is already true. But what kind of people would occupy the bedrooms of a house on a 25 acre lot? Certainly not the average year round resident. This is May 21, 1987, Long Island Traveler Watchman. This applies today. This applies to this meeting. These people in this room feel that they have their one acre and they want the whole space next to them to stay open. They have their eighth acre, they want the town- the rest of the town to stay open. You've got to keep the farmer farming.

I work another job to pay for my farm. There are farmers out here trying to keep- make a living off their farm. They're not going to do it. They have a right to sell that land if they have to. Don't

take that right away. Don't lessen the value of that land. Don't take out their equity. Equity, hell, I paid for 14- excuse me, I paid a 14% mortgage for 21 years to own this farm. When I bought it, they didn't have grape farms. I started to say this before. Grape farms are investors. They're doctors, they're lawyers, they're indian chiefs from up the island who have \$500,000 and \$300,000 to put in something just to get rid of it. They're not me. \$200,000- yeah, I could put in grapes. Want to write me a check for \$200,000 anybody in the room? I'm a good risk. I'll put in grapes. I'll save my farm."

Supervisor Kozakiewicz: "Mr. Benger- "

Walter Benger: "I'm sorry, I apologize."

Supervisor Kozakiewicz: "I'm going to ask you- "

Walter Benger: "And I apologize to my wife. I told her I wouldn't get angry. But the gentleman before me decided that the moratorium should take as long as it takes to go over this, that got me angry. A moratorium at all makes no sense. We've had moratoriums. Okay. Somebody comes up with a reasonable price to buy my land, I'll leave it open. I don't want to sell it. It's not for sale. There's no for sale signs on my land. I sure as hell am not going to give it away.

So that the five houses that have been built next to me in the last 20 years, you have a better view. Thank you."

Supervisor Kozakiewicz: "Thank you."

Gordon Danby: "My name is Gordon Danby and I'm reacting to the last- can you hear me- "

Supervisor Kozakiewicz: "No, that one right there. There you go."

Gordon Danby: "-- reacting to the last gentleman. There's one way at looking at things but I think he made a bad investment frankly, but the point is zoning- zoning is- perfect- I'm sorry, but 14% all those years, zoning- "

Walter Benger: (From the audience) "It was 18% (inaudible)."

Supervisor Kozakiewicz: "Listen, hold it, hold it, right there."

Gordon Danby: "All right. I'll withdraw that. I'll withdraw that."

Supervisor Kozakiewicz: "This is not a debate between you and the prior speaker nor is it going to be a debate between any of the speakers. You are here to tell us what is good about the moratorium that's proposed or what's bad about the moratorium. That's what I'm going to ask each speaker to do, please. Otherwise, we'll be here for a long, long, long time and it's going to get ugly."

Gordon Danby: "Well, the moratorium as many people have said is a good idea. It should be extended completely to include everything comprehensively and go on until we rapidly get a master plan because builders will beat you to death in court unless we have a comprehensive plan. I mean, so we must do that."

The only comment I make that's different than has been said, the property north of Sound Avenue is particularly valuable and it's the sort of place that builders love. And I think you should be very careful with that even if we should buy it for the town- have to buy it, we should have very nice beach facilities. Because we are getting more people in the town and it would be very valuable to have them go to the beach.

As far as the impropriety of changing zoning, frankly my wife and I bought very nice six acres 40 years ago. At that time, we had quarter acre zoning so by that- if I were to pursue that logic, I would say we should be able to put 20 houses on it which we certainly don't want to do. So it's just another point of view.

But the fact is zoning is a perfectly tolerable social activity and it raises and sometimes detracts from the value of people's property and we all end up in a total shambles and then anybody who can afford to will move away and that will not be- lead to a viable community. We're trustees of the land truly. We don't- our ownership is just an artifact amongst ourselves to protect us but we can't make it so it's not a commodity. Thank you."

Supervisor Kozakiewicz: "Thank you, Mr. Danby."

Bob Weibolt: "My name is Bob Weibolt, I represent the Long Island Builders Institute."

Supervisor Kozakiewicz: "Folks. Let him speak."

Bob Weibolt: "The moratorium. I hate the sound of that word. And why? Because it really works to stop development? No."

Councilman Densieski: "Bob, could you use the microphone?"

Bob Weibolt: "This one?"

Supervisor Kozakiewicz: "Yeah, that one."

Bob Weibolt: "Development happens folks. It comes because we are a country, the flag of which we just saluted. The fundamental underpinning of all our liberties, our ability to speak tonight is private property rights. And when you do a moratorium you are taking private property rights away temporarily or as long as you put the moratorium in place from some people for some public benefit."

Now the Long Island Builders Association is working actively with the town and trying to help it and its coalition with transfer of development rights. We do not oppose moratoriums as a knee jerk reaction. Moratoriums are necessary when you've adopted a plan, you know what you've got to do and you need to time to put it into place and do the legal work and pass the necessary laws.

What can happen, however, is a moratorium can be adopted because of public pressure to do nothing. There was a case in Tarrytown recently. I have a legal memorandum here preliminarily to the Town Attorney. It basically points out the town folks in Tarrytown and village did not want a tower. A major outcry about a tower for cell transmission. The town put a moratorium in place. It was thrown out. It was thrown out because there was no planning behind it. Nobody could point to an emergency that was necessary to put it in.

What you're using is an extraordinary property right, the denial of the ability to go through a lawful process to develop land, when you apply that property right and take it away. There's been a recent case in Pennsylvania where the town had to pay damages to affected property owners. So I say be careful when we talk about blanket moratoriums. Have a reason for them.

Right now, the town hasn't got a vision for what it really wants to do. It's got one chapter of a comprehensive plan written and there's not consensus on this Town Board as to what parts of that to adopt. This is not the time for a moratorium. A moratorium is when the Town Board says here's what we're going to do. We're at a consensus, we know what we want to do, we're going to put things in

place.

A good example, Southampton. One year after they adopted their comprehensive plan update which they spent a hell of a lot more money than you folks have spent on it, involved lots of citizens, they decided that they had to have a moratorium so they could enact some local laws because the Town Board itself couldn't agree. One year went by. One year in which no subdivisions were approved in the entire town, one year in which no preservation through the development strategy occurred. Environmentalists, agricultural protection people were unhappy with that result, so were we.

What is a moratorium? It's a punt on the first down on the game of trying to develop and preserve your town all at once. You're in a historic moment in Riverhead. How do you want it to develop? There's going to be some development. Development happens as I said before. It's like an interesting statement one can make about things happening. If it doesn't happen in one place because it's preserved, it will happen somewhere else.

So the impact is town-wide. It can be on neighborhoods. We've seen this in Southampton. You preserve vast areas for agriculture, you preserve vast areas for aqua protection. What happens to places like Flanders? Every available lot. Westhampton where I live. Every available lot is being developed because those are the only places to come because people are still coming and they're going to pay money for it. You don't want that. Nor do you want a development pattern that goes on willy nilly and you get a lot of housing in the wrong places. You do want a comprehensive plan. But you don't want a punt from your elected officials. You want these folks to agree on some principles in the agricultural area and the others that establishes preservation and development in a way that makes sense, stand for election on the basis of it, do it.

So that's my alternative to a moratorium. Come to some consensus right away on the agricultural stuff. Hire outside counsel if you need to put it together or planning assistance. Do it. Resolve the agricultural area. If it spills out from other areas, resolve those.

This moratorium is going to stop perhaps three, four projects. That means those three or four property owners are bearing the burden of a town that's unable to make up its mind what it wants to do. Now here's what happens. A moratorium is a punt, that delays it. The ball does not come back to the town. If you say you guys don't have to make the decision for a year, then they're going to wait.

Now what does that mean? That means that all the good that could come out of a comprehensive plan update is delayed by a year as well as only bad development. Now, the town has a planning process that I call glacial. You can say that there are 2,000 units ready for development in this town, they're right before the Planning Board. You could have said that two years ago. They don't go through very quickly. The Planning Board, between sketch plat and environmental approval and preliminary plat can take up to two years or more.

The preliminary plat does not entitle anybody to develop anything. It says clearly in state law, it's simply an indication that you can file a final plat. So fundamentally the process can be delayed, slowed down, thought over, very carefully looked at what elements of the comprehensive plan are in place when you look at each development.

You don't need a moratorium. A moratorium is an excuse not to make the tough decisions necessary to make the Town of Riverhead a better place to live in.

Now we, in the building business, are in the value business. Yes, if we have properly planned communities that are built around amenities we can make more money than we can make the other way. So my interests here are not philosophical or philanthropic. It's basically economic. The better the planning in the community, the more valuable lands will be not only to our customers but to all those around them whose property values are going to float up if the good planning occurs. So we stand for good planning.

We don't like to see willy nilly land acquisition. We do not like to see willy nilly development. I think it has to be done in accordance with a plan. You should buy parcels that you know you want to preserve, not because they come before you. You should allow the development industry to help you in that process and that's why (inaudible) is very much involved in your TDR. The reason we say that is we can buy development rights without costing the taxpayers money and transfer development from one parcel to another.

I think in Riverhead your issue is very simple. You don't want all those houses to go into existing neighborhoods. You don't want them all to go north of Sound Avenue. You've got to agree to lose a certain amount of your agricultural land to do it.

Now I've studied your agricultural preservation proposals from your consultant and they all have one thing in common. Your farmland

is going to go. It's going to go in a funny way. It's going to go in clusters, subdivisions with a lot of land left open between them but it's going to go. Because you're trying to preserve the farmland as a belt of 15,000 acres by preserving it parcel by parcel. I think the issue is a consensus development that you're going to try to preserve 12,000 of those acres and concentrate the development on 3, letting the private sector as well as the public sector take development rights off those parcels.

I can go into a lot of other things on this but I'm really here to say that a moratorium is essentially a punt. It delays all the good things that are going to come out of your comprehensive plan update. It delays the development, too, certainly. But that also has an impact not only on those property owners who paid taxes, who have a right normally to come in and develop, but also on all the people that would be involved in the development.

You know when you build a house, there's two full time (inaudible) of employment involved. That's a statistic. It takes about 120 people from a few hours to a few weeks working to put a house together. Most of those people are in Riverhead. There's dozens of businesses I represent that supply that industry. It's a good industry. It's been here since the beginning and all of those that live here right now have benefitted from that industry because you're here.

I'm sure not everybody in this audience lives on a two acre lot but you're saying everybody else that comes in should have one. I don't think that's fair. I think you've got a lot of issues like that of equity and of town development and you've got to have a vision for the town. The burden should be on the Town Board to get the consensus quickly and enact the necessary laws. A moratorium is just an impedance. A moratorium also opens you to litigation. I don't think you need to spend your money or your counsel's time on litigating against a few property owners. They are not responsible. The subdivisions you have, it will be stopped by this. Take up a few acres of your 15,000 acres- I mean, what 150? It's not seriously a burden that they deserve to have particularly when they've been in process for so long.

At that point, I'd like to conclude my remarks and urge you to go ahead and plan this town and dispense with nonsense like moratoriums. Thank you."

Ed Probst: "Good evening. About a year- a little more than a

year- "

Supervisor Kozakiewicz: "Would you please state your name, please?"

Ed Probst: "My name is Ed Probst. I'm a builder. I live in East Moriches. It breaks my heart sometimes to see a new home go up in my own town, including on my own block. However, I feel it's progress and we try to keep our community as nice as we can just like you folks are trying to do here.

The statement I want to make though, however, is more than a year ago when I first started looking around this area for a parcel of land, a large parcel of land, all I heard on the radio was about the progress and how- of Riverhead and how Riverhead was growing and we had the malls and we had the aquariums and the Splish-Splash and we wanted to continue to grow in this town. And I decided to buy a piece out here. I bought 29 acres, I closed on it nine months ago. I have over \$600,000 invested into it right now and I'm being told that I could possibly be put aside for a year or more for this moratorium and I just want the Board members to know that it does affect some of us. I'm not a great big builder, however, this would be a substantial hit to me as well as it would to some of my colleagues. Thank you."

Supervisor Kozakiewicz: "Thank you."

Ray Saltini: "Hi. My name is Ray Saltini and I'm from South Jamesport. And I'm in favor of the moratorium that you have in front of you. I'm sorry it's not a more complete moratorium because maybe then we wouldn't have such spotty preservation as the gentleman from the builder's association suggests.

I'm not interested in seeing the Town Board punt on a moratorium issue. I'm interested in seeing the Town Board show some leadership and (inaudible) fortitude on this issue. Leadership and fortitude. This is not an easy decision. Whatever you decide, you are going to hurt people. You are going to hurt people who have vested interests for 10 years, 6 years, 21 years, whatever. But make no mistake about it.

The moratorium, master planning and preservation is about value. It is about the value of the environment, the value of our quality of life, the value of the air we breathe. So make the difficult decision, do the right thing, think it through, make it at least a year long, and come out fighting, fighting for what we all believe in

important thing. I think you need a plan. You don't have one. You need a plan, and you need to act on it. And you can do it in six months. You've got all the elements. As Lyle stated earlier, all the elements are there. They've been suggested many times over and over. Gather them up, make a good plan and put it into action. You are the administration that has the last shot at this.

I intend to stay here. I want to make a go at farming. I've been a lifelong environmental engineer for over 30 years. I understand what's going on. I moved here for a reason. And I ask you to make that reason a reality for me and my family. Thank you."

Supervisor Kozakiewicz: "Thank you, Mr. Barbado. Is there anybody-- I thought you were going to step up to speak. I'm sorry. Is there anybody else who would like to address the Board? The gentlemen coming up and then yourself, George. Next."

Jim Strack: "Hi, how are you doing, Supervisor, Town Board, everybody? My name is Jim Strack. I live in Wading River, five years, not lifelong. I just wanted to compliment the Town Attorney's office. They helped me with a problem with a developer who was developing property behind me and causing a lot of problems for me. They've been helpful. It's ongoing but you've been very helpful. I just wanted to say that before-

One thing nobody's mentioned- I don't know, and I didn't really come here with the idea of speaking but not one person has mentioned the school district. And I have young kids and that's a big concern of mine. And in the five years I'm here, this is the only second town meeting, but the one thing I see is sometimes there's like the center of town and there's Wading River. And sometimes I think I guess all the building permits that came out here, well, it's okay, their school district will handle it or maybe it's not such an issue for everybody in the center of town.

Even in the five years, the school district has, you know, I thought someone from the school board would be here and I'm a little disappointed they're not. It's just-- there's so much building that the class size has jumped even in this five years, very, you know, very much. I want to stay here, I came here for a good education for my kids and I think it's just happening too fast for the school system to deal with it and for that, I guess I am for a moratorium to help the school district catch up with what's going on."

Supervisor Kozakiewicz: "I didn't see you coming up. I said

George earlier, he raised his hand. And then you can follow George. So go ahead, George. Public hearing."

George Schmelzer: "Has the Town Board done anything to see if they can erase the Scenic River where it affects West Main Street?"

Supervisor Kozakiewicz: "George, we're in the middle of a public hearing on- and the question is whether we should adopt a proposed moratorium on residential development within an agricultural zone. So that's- "

George Schmelzer: "I didn't know it was a public hearing. I'm sorry."

Supervisor Kozakiewicz: "Yeah, so- "

George Schmelzer: "What do you want?"

Supervisor Kozakiewicz: "We're still in a public hearing, so- "

George Schmelzer: "Okay. You mean to stop nobody can build a house?"

Supervisor Kozakiewicz: "It's a moratorium being proposed by local law. Yes."

George Schmelzer: "Oh, what's the purpose of it?"

Supervisor Kozakiewicz: "I- I- if you're not acquainted with it, what I'll do is have the other gentleman get up- it's a six month moratorium proposed on approximately 3,900 acres of land which is identified as agricultural overlay zone."

George Schmelzer: "Well, these people that want farming, you tell them to go back where they came from and (inaudible) back in the farm, see. They come out here, want to buy a lot and control the whole land around them. They don't pay taxes on it, they pay taxes on their own land. Want to control everybody else's property and who is farming you must not make noise in the morning, you must not spray, you must not make dust, but they want to look at the farm so long as someone else is doing the work and paying for it. See? These hypocrites. It looks like we're- this country is run by a (inaudible) of hypocrites. Political hypocrites, political hoars and political thieves. And that's in the federal government. I hope it doesn't come down to- "

Supervisor Kozakiewicz: "So you're opposed to the moratorium?"

George Schmelzer: "That's right."

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

George Schmelzer: "You're very welcome."

Supervisor Kozakiewicz: "Yes, yes."

Matt Dunn: "My name is Matt Dunn, I live in Wading River."

Councilman Densieski: "Could you speak into that one microphone, please?"

Matt Dunn: "My name is Matt Dunn, I live in Wading River. And I wasn't planning on speaking tonight either, I didn't think I'd get the privilege. But I didn't have a reason to specifically but when I got here I just kept hearing about that we- regardless what side of the fence you're on because I'm not saying anything like that, but the map in the newspaper was unclear, then there was an error on the map, and I just think that, you know, we should have had a map available to everybody because you can't make a decision without a map. So if you had a map like on a website so everybody would see it before they got here, maybe like five different maps. Like maybe five for if it was six months, maybe five if there was none, and five if it was one year. Then people could look at 15 different maps and make a decision on what we want to do. But without a map, we can't do anything. Thank you."

Supervisor Kozakiewicz: "Thank you."

Nick DiPierro: "Is this the one?"

Supervisor Kozakiewicz: "That's the one."

Nick DiPierro: "Okay. I'm Nick DiPierro, a resident of Wading River. Thank you, George, for saying what you say, you have a nice way of putting things. I have something to add to that. If Riverhead town had imposed a moratorium 20 years ago, maybe those people who are standing now would have a seat because half the people wouldn't be here. It wouldn't affect George or I because we've been here a long time."

We have a lot of people who are in favor of a moratorium. I'm

also- have to agree with one of the statements that was said before, too little, too late, but what is going to happen after the moratorium. If we want to preserve farmland, and I think we all do, I think we should give the farmer or those who own farms, whether they're farming or not, a huge tax break and those people who own residential homes, we're complaining about our taxes being high as they are now, but I think maybe they should be increased tenfold. You'd get people leaving the area, then you'd have a lot more open space. That's one way of doing it. Okay?

It's kind of tough but we're here and people are moving to Wading River, they're moving to Riverhead and they don't want anybody else to move here. What can we do about that? Can we impose like someone else suggested a total moratorium? You cannot sell your house. You cannot build a deck. Maybe we should do that. If you want to sell your house, you can't for one year. If you want to buy a house, you can't for one year.

We need the moratorium. But what is it going to accomplish? A delaying tactic? If it's going to be something that's going to be worthwhile, I'm all for it. But if it's just going to postpone things and increase the value of the land, maybe that's what we want, to increase the value of the land and we'll have people like those people who are living in East Hampton now. Okay. We can have our commercial airport flying them in from the City or wherever they want to come from. Okay. We'll have the zillionaires here. Thank you."

Supervisor Kozakiewicz: "Thank you. Mr. Pike. Somebody had their hand up over here."

Rob Pike: "I had this incredible sense of de ja vu. My name is Robert Pike. I'm an attorney at law in Riverhead. I live on Ostrander Avenue. I was a town councilman from 1985 to 1989, during which time we imposed a moratorium that resulted in the master planning for the hamlet of this- for this hamlet, and I think it was done to good effect. But I can also tell you that it was done with a great deal of heavy lifting by members of the Town Board. And I will out as you will see clearly in favor of this but with some very serious admonitions about the seriousness of the labor that you are hoping to undertake because if you do it lightly, you will find that it backfires tremendously.

It's nice to see the Long Island Builder's Association here tonight. I want to thank them for their new bumper sticker, Development Happens, somehow. It reminds me of the other one. Wow.

Ours would be good planning fertilizes."

Supervisor Kozakiewicz: "Give me some leeway here- "

Rob Pike: "I didn't say a thing. Good planning does fertilize. While it is tempting to get up here and say that 14 years ago when we set up the planning department and came up with our then farmland preservation program, that we should have done it then, and I told you so. I have enough of a reputation as a smart aleck so I'm not going to do that.

But I believe that members of this Town Board, if you are serious about imposing a moratorium, should realize that in my opinion this is half of your job as a town council person. This is not something that you can fob off to the planning board and act as if you have taken care of your responsibility. You have two fundamental jobs: planning the future of the town, and running it as if that future really mattered.

Master planning is the sort of thing that you should put 20 hours a week into if you expect to get it done. The consensus building that is required to weave all of the disparate opinions that are in this room into a fabric of a good community, that work is a tremendous load and you cannot delegate it. You must carry that load.

Town planning is the epitome of something everybody in this room believes in which is local control. But if you do not carry that responsibility, you have given up one of the most fundamental community rights that we fight wars over, local control. So unless you have the intestinal- I'll use the word guts, for not only halting but doing the substantive redirecting of the energy of development that is overwhelming the planning department of this town and invoking good planning principles, even if they are unpopular, you shouldn't give this moratorium a second thought.

But if you do take personal 20 hour a week responsibility, make a commitment to rewriting the invitation that we send out to the world, then you should do this and you should do more. You will have to- several speakers have pointed out- do some very unpopular things to fulfill that responsibility. You cannot and you should never pretend you can, please everybody.

What you can do though is share the experience of other plans, other towns, other communities, who have done it poorly. I think of the farms of Farmingville and the view of the plains of Plainview. Or

you can do it well and the examples of well planned agricultural community is facing waves of development are legion, but the TDR program that has become a national model developed around Washington, DC, but there are hundreds of these examples.

But you must take a look at what the build out population of this town will be if you build it under the current zoning code. This is a fundamental piece of work that you have to do. During our tenure, we reduced it from the \$90,000 range to the mid \$60's. It has been inching up slightly since then. 65 or 70,000 people is roughly triple the current population of this town. And if you want to stare at a fundamental financial threat to the taxpayers of this town, imagine buying the land for and building the school system for three times as many students as we have here today.

It isn't three times as much money. Because the carrying costs per square foot of our current infrastructure would not simply be mathematically added to. I suggest to you that if we had to build three times as many schools as we have now, that the cost of carrying those schools would be an order of magnitude more than it is now. There's a simple way to find out. Take a look at what has happened to other communities like ours as part of this master planning process when they have failed to do that and see whether it is just the tax bills alone that not only doesn't preserve farming, it destroys the very fabric of the community. We are not relatively speaking to the rest of the silent or rich community but we can learn from the richness of the experience of other people who have done it well.

You are going to have to do a lot of other things that upset people. You're going to have to lock in TDR's so it doesn't become a political football. It has to work in a way where there's more demand than there is supply or it will never move. That is exactly what you have in place now and you just can't pass these things in a vacuum where the formula doesn't drive the market. If you're going to use market driven solutions, which I highly recommend like TDR, you must make sure that where the TDR is going, is more valuable than where it is currently situated or it will not move. TDR's are a good tool, but you've got to lock in the formula.

I wish- if Mr. Binger has already left, I wish he'd stayed. I have great respect for- cool, great.

I take issue with a fundamental premise of an objection that is made to reducing saturation populations of town, that it reduces the value of town. If you take a good hard systematic look at what has

happened to the per acre value, not per unit but per acre value of the farmland in every town around us that is upzoned, you will find that after the upzoning, the value per acre rose. This isn't speculation, it's fact. You can chart out every sale and do a systematic look at it and the values just go up. Certainly there isn't anybody here who thinks the upzoned towns of Southampton, East Hampton and Southold have less value per acre than we do here.

The argument arises from the idea that, okay, if there's 100 acres to sell and I lose, you know, I've got one of them and I lose half of that, I can't sell two anymore, okay, that would reduce value. But if there's only 50 left to sell, you've constricted supply in a sufficiently broad way but the value rises. This is not speculation. This is fact. And if you track it as part of the study, you will see that upzoning universally in this area cause per acre values to rise in the long run.

And, in fact, if it didn't, every time you'd have one of these hearings, they would be trotting in evidence of the fact that the value rose. If it didn't work, we would have those people here saying that it didn't work. All they're doing is spreading fear.

There are a lot of other things you're going to have to do that are hard. Shifting the density of population out of the farmland into the hamlets, that is what TRD's do. It creates more efficient communities. It creates more efficient infrastructure. It creates closer neighbors. It creates smaller lots. But it works. It makes a more efficient system and it preserves open space.

You understand, I think, that I care deeply about this process and this plan. The entire planning process must, if it is going to be successful, be complete, legal and adopted. If you're going to use a moratorium as a legal tool to do the hard and substantive work, the moratorium must be kept in place until that plan is complete, legal and adopted.

Now, I disappeared for about 10 years and spent a lot of time in the private market and I've learned a great deal about alignment of incentives to make sure that everybody has got the incentive to do the right thing. A one year moratorium says, well, the way it has worked in the past and did in my tenure, there was no incentive to get it done before the year, right, you had the year. Well, it never quite worked that way. I suggest that you do impose a one year moratorium but if all of the substantive work is done before that time, the moratorium lifts. You are thereby incented to get the work done. I

would also suggest an amendment to this, that if you don't have the substantive work done, that the moratorium would automatically extend itself for another six months. You would find yourself extremely incented to get the substantive work done. That is the important thing. It's not the delay. It is the quality and depth of work that gets done.

I would also suggest that the one year moratorium extend town-wide with two exceptions. And the exceptions are projects for the redevelopment of downtown Riverhead which sorely needs it and the creative and productive tapping and redevelopment of the industrial site widely known as Grumman but you've come up with some new name for it.

Other than that, I think this moratorium needs to be tightened up. I would lose the exemption provision, 109006B. It's wide enough to drive a subdivision of a farm through. You have a ZBA. They are to handle hardships, that is their legal duty. If there is a hardship, you go to the ZBA. You don't bring it to the town board and have another one of these. Get rid of that exemption.

On 109-004, the Planning Board shall continue to process any application for subdivision. No. No. No. The Planning Board should be doing the master plan. They shouldn't be continuing to allow the momentum of these subdivisions to continue. They should stop it. Why? Because it creates an incentive to get to the point again where the process can start.

Section 109-006(2), the cutoff date. What's already past the gate? What has made it out the barn door, if you will. Folks, if you want to have a substantive impact on this plan, on the future of this community, you should really stop it here and get this work done as expeditiously as you can. The cutoff time shouldn't be wishful thinking, it shouldn't be preliminary approval, it shouldn't be final approval. It should be somebody who has vested his rights in the ground. Up until then, until somebody has actually turned this idea of a permit into a legal vested right, all you're doing is a kindness to the developer and the landowner and a long term damage to the town of Riverhead if that subdivision or plan is not in accordance with the future plan of this town.

In the final analysis, you are writing an invitation to the rest of the world to come to Riverhead, to develop so the Long Island Builder's Association can build, build, build because that's what they do so well. So that the farmers can farm because it's what they love.

You are building an invitation that will make the entire community a much more valuable place to live on every front, environmentally, economically, and all of that translates into the value of the land and the people who live on it.

There's nothing whatsoever that suggests to me that if you take this hard step and do that heavy lifting, that we couldn't really, even now, build one of the great model communities in North America. All it takes is you to enable the process, to bring all of these good people in the room together, to take this energy, to work on the heavy lifting.

So I suggest to you that if you're willing to do it all, that you pass this moratorium as I've suggested it be amended. Do it all, do it well, do it personally and, please, do it now."

Richard Amper: "My name is Richard Amper. I'm executive director of the Long Island Pine Barrens Society. Let's see what we agree about tonight. One, no one is going to have any trouble hearing me. Two, we've heard from speaker after speaker that the reason we're in this predicament is because this administration has not done the planning it was supposed to do. We don't have a plan more than two years after it started and so now we're in the predicament where the developers claim that a moratorium will require us to punt and the rest of us are so desperate to stop over-development for even a month that we'll take almost anything we can get.

Now, we haven't planned properly and the moratorium won't help us do that. That's an advocacy of responsibility that we already have to face. We didn't plan Riverhead properly and the Pine Barrens Society was created 24 years ago in Massapequa and so we had seen what happens when you don't plan properly and we lost more than we would have liked to and very few of you would like to go back there and live there. The people who live in Riverhead, they've got it special.

But it's not the case that we can't do that. We planned the Pine Barrens very well. We decided what we wanted to preserve and where the development should go. It wasn't development versus environmental protection. It wasn't the concern about the economy versus the state of our environment. It was we decided to plan it right and do both. We haven't done that and this moratorium won't do it.

It won't do it because it only deals with 10% of the subdivisions in front of you. All of us here are so desperate to see over-development stop that we would love to see this thing stop for just

six months. But we can't. Because it only involves 300 acres and what it also says is we're moving ahead with 2400. I'm sorry, 300 homes. And what it also says is that we're giving the green light to go ahead with 2400 more. Twenty-four hundred more homes, more than 5,000 new students in the school, tens of millions of dollars in expense.

Forget the environment for just a minute and look at the burden that Riverhead is going to face if we move ahead and develop 2,000, 2,400, 2,500 homes. We can't afford to do it.

The six month moratorium is not going to resolve your problem. It's not going to allow us to complete a master plan that hasn't been completed for years and years. We agree with so many of the people who have come up here and said the issue is doing that plan and making it a major priority. The moratorium is not a punt by the Town Board. It's an effort on the part of all of us to say we're just about ready to kick the developers out. We can't afford the traffic. We can't afford the taxes. We can't afford the congestion. We're seeing something happen to Riverhead that we don't want to happen.

One of the speakers said that we can't change the rules. I suggest that we better change the rules. They've not served us well. Some of those who have been working to try and make Riverhead better for as many as 10 years, haven't succeeded in doing that. We need to do that first.

Another suggestion raised tonight is that sometimes we plan our areas badly and some of the examples were cited. We don't have to do that, we could plan them well, but we have to make it a priority, we have to make it a commitment. We can't just say to the people who are desperate to control development, that if we just take a six month break, our troubles will be over if it's not matched with a program. And that program can't happen in six months.

The moratorium as proposed is a bogus proposal by an administration that simply has to face up to the fact that it hasn't done its planning right. It's worthless. The six months will not help private property owners or the citizens either. It will leave us six months further down the road and as Mr. Weibolt, with whom I agree on next to nothing suggested, and leave the Town Board with another two years to have no motivation to do anything.

Why do we want to move the planning process beyond the next election cycle? I think that's wrong. I think we ought to make a

commitment to the people of Riverhead tonight that if we're going to do the planning process, then we can have a moratorium of 12 months that could work, otherwise let's not deceive the people, let's not deceive ourselves. This moratorium pretends to control over-development, a major problem in Riverhead. Instead it actually encourages it. It lets hundreds upon hundreds of homes be built while we're proud that we stopped 300 of them in a tiny area in the Ag district. How does that help us economically? How does that help us environmentally? How does that help our quality of life here?

Last week we issued a report card in terms of the preservation of this area, how that's going apace as far as our planning process before we decide whether we want a moratorium or not and we ranked the town D minus. The town protested. This administration said that they were in fact engaged in active efforts to preserve farmland. I want to talk to you about those.

There are 300 proposed acres of land that would be preserved, good for the- justifying the moratorium, if you could preserve them, and the town is not responsible for 10% of them. The county is doing it all. Legislator Carraciola is doing this job, the town isn't. We don't have a preservation plan here. We don't have a preservation personnel here. We don't have preservation policy here. We don't just not have a plan, we don't have a clue.

This administration is directly responsible for sand mining in Calverton as a result of its failure to properly process the TS Haulers sand mining application and is actively entertaining more sand mining."

Supervisor Kozakiewicz: "I have a question. Are we talking about the moratorium or what are we talking about?"

Richard Amper: "Yeah, we're talking about- what we're stopping and what we're letting to go ahead. If we're stopping sand mining, I'd like it better. If we're not, I'd like it worse."

Supervisor Kozakiewicz: "Are you- you're not in favor of the moratorium as proposed?"

Richard Amper: "That's correct."

Supervisor Kozakiewicz: "Okay. And, therefore, the subject we're talking about should be addressed to the moratorium as proposed."

Richard Amper: "Right. And we should say why it is because it doesn't affect the sand mining the administration- "

Supervisor Kozakiewicz: "I think you've gone way beyond residential moratorium."

Richard Amper: "Okay. Let- excuse me. Can we talk about the residential proposal? Everybody who's come to this microphone has said this is what I don't like and this is what I do. I'm saying we don't- I don't support a six month moratorium because it won't work and I don't want to support a 12 month one unless we're going to do something about sand mining and thousands of residential developments here. If we're going to do that, then we'll take a new look at your program. But let me continue, because we're not done with that.

I think this is an insult to the people of Riverhead to pretend because they're desperate to stop the over development, that this proposal will do the job. It will not. You're pretending to care about the environment when you're not preserving the land and you're not developing the plan that will ultimately control the complete suburban sprawl that's affected the island to the west. You haven't done it. It's not the people's fault; it's their government's fault. That's the problem. And for you to come up in front of us and pretend that this six month moratorium is magically going to solve this problem after years of neglect, is fraud.

This administration is not just doing nothing about the master plan, it's actively painting the place over for the benefit of the development at any cost (inaudible). If you're not going to fix this, don't kid us with a moratorium. That's all we're asking. Don't pretend anymore. We're bright, smart people. We've seen that the job hasn't been done and isn't being done and to pretend by our desperation for just some stop in the bulldozers that we pass every day on the road and the sand that blows across the roads and the failure to resolve the problem at Grumman, that we're going to magically get out of this problem because you're environmentalists, because you're doing a moratorium is preposterous.

Now there is good news. There is good news though. Just about everybody in Riverhead is on to you. The moratorium block didn't work. It was the last straw. It was the last time you tried to kid us into believing you were preserving land or concerned about the impact on taxes, our drinking water quality, and the future of our children and grandchildren. We won't have that. That lie dies tonight and with it a six month moratorium. If you will not complete

the master plan, if you will not meet your responsibility to control over development here, forget it. Read the (inaudible), enough is enough."

Councilman Densieski: "Mr. Amper, do you need to yell at us? If you want to speak, that's fine. I'm not going to start a yelling match, sir. Speak to us and we'll speak to you."

Supervisor Kozakiewicz: "Ed, Ed, let him go. This is obviously not being addressed to the moratorium. Mr. Amper has other- "

Richard Amper: "I am (inaudible) with reference to the moratorium."

Councilman Densieski: "Well, then talk, don't yell."

Richard Amper: "Okay."

Supervisor Kozakiewicz: "Hold it, hold it, folks. Mr. Amper, Mr. Amper, Mr. Amper, you are taking this to the point where you are actually starting to incite people to the point where there is going to be a riot tonight. Let's address- hold it, let's address the moratorium."

Nick DiPierro: "Let's calm down. You're inciting me."

Supervisor Kozakiewicz: "Mr. DiPierro. Mr. DiPierro. You can call me what you wish, that is fine, you're entitled to your opinion. That is fine. Mr. Amper, you do not live in the town of Riverhead, that is true."

Richard Amper: "This is a debate."

Supervisor Kozakiewicz: "That is true- I don't want a debate. I do not want a debate."

Richard Amper: "I think you said it wasn't going to be a debate."

Supervisor Kozakiewicz: "I do not want to debate."

Richard Amper: "Okay."

Supervisor Kozakiewicz: "However, let's- "

Richard Amper: "Okay. Let me conclude, please."

Supervisor Kozakiewicz: "Let's be realistic here."

Richard Amper: "May I conclude, Mr. Supervisor?"

Supervisor Kozakiewicz: "The question that's before us tonight, let's be fair, is not sand mining."

Richard Amper: "Yes, it is."

Supervisor Kozakiewicz: "No, it's not. The question is the proposal for a moratorium that was proposed by the board as a whole and is going- it is proposed for a six month period of time. What you're suggesting is that the master plan process has been stalled- "

Richard Amper: "This sounds like a debate."

Supervisor Kozakiewicz: "-- the master plan process has- I'm just pointing out what the purpose of today's public hearing was."

Richard Amper: "I know what the purpose of the public hearing was, it was to sell us a moratorium that has nothing to do with protecting what we're concerned about in Riverhead. That's what this was for and we're not sitting for it. We're not inciting people to riot."

Supervisor Kozakiewicz: "Fine."

Richard Amper: "We're inciting them to stand up and say it doesn't have to be that way. They need to hold their government accountable and simply pretending that we can stop building for six months ain't going to do it. Don't try to kid us. If you're not going to make the kind of commitment that speaker after speaker has asked you to make tonight to focus on the planning and not this little fluff, this little image that we care about the environment, that we're going to do something different. We haven't done it. It is about sand mining. It is about not developing the core because if we develop the core commercially, we wouldn't have to do so much of this expensive residential development. We do know what to do. The problem is we haven't done it."

The problem is an indictment and what you're proposing to do is to trick people into thinking that all of a sudden you got environmental religion four months before election and we should just

give you the chance to get past it and everything will be fine. Well, it won't. If we don't change the way we run this town, environmentally and economically, it's going to get worse, not better.

So I don't want to pretend that you've done something to help this problem by what you've proposed here tonight. You have not, sir."

Supervisor Kozakiewicz: "Mr. Villella."

Vinny Villella: "Thank you, Bob. Supervisor, I should say, I'm sorry, and the Board. That's a tough act to follow. But I'm going to calm it down a little bit, sort of. The moratorium should be for all residential subdivisions to be included until the master plan is put into place. At least a year for a moratorium. Because we all know how slow the administration has been with the master plan already.

Stop giving away all the farmland by issuing change of zones or special permits. We cannot stand for this kind of behavior. It only benefits the developers and not the residents of the town of Riverhead.

Don't help the developers, but help the farmers, by purchasing development rights at a fair price to the farmers. Work with the county by purchasing development rights with a real commitment, not a band aid approach which we have now. Borrow money from the environmental state fund now at a low interest. Actually the first year is zero interest, the year three is goes to two and a quarter percent interest. Bond for \$5,000,000 at no cost to the taxpayers because of the 2% Community Fund that comes to the town every month. So remember save our farms and quality of life at no cost to the taxpayers. It's a win-win situation.

Everybody thinks by taking away the development rights, it increases taxes. Far from the truth. It's just the opposite. It lowers taxes by not building houses on farmland. Thirty four cents in services are needed to support farmland which isn't much. Building houses on farmland costs between \$1.27 and \$1.30 for services which increases taxes, not decreases as some people think. It even goes much higher when children are involved in the houses and we cannot afford that for both school districts. I'm on the town board- school board of Riverhead and I know Shoreham Wading River is in the same situation. Our schools are overflowing and we cannot afford more students to be coming into the school district.

This is what I would like to see and I hope the residents in the town want to see it also. Let the town board know now that we want our town back and we want it now. To ask for a moratorium that means something and don't use it as a band aid. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board? No, Nick, I said before the meeting started I'm going to allow each speaker one opportunity to address us tonight and leave it open for two weeks for written comment and I'm going to adhere to that. Anybody else? That being the case, Barbara, the time, my watch just went- "

Barbara Grattan: "9:05."

Supervisor Kozakiewicz: "9:05. Okay, for the purpose of this evening, I close the public comment and leave it open for written comment for two weeks. Thank you."

Public Hearing closed: 9:05 p.m.
Left open for written comment 2 weeks

Supervisor Kozakiewicz: "If anybody wants to leave at this point, we'll take a break to allow you to leave and then we'll reconvene with the second public hearing."

Recess: 9:05 p.m.

Meeting reconvened: 9:14 p.m.

Public Hearing opened: 9:14 p.m.

Supervisor Kozakiewicz: "All set, Barbara. All right, we're going to- well, turned off the microphone. The official time now is 9:14. Let the record reflect that the time is 9:14 and I would like to reconvene this hearing and what I'd like to do at this point in time is call the second public hearing. Barbara, would you please?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Wading River Congregational Church, Wading River, New York, on July 17, 2001, at 7:05 p.m. regarding the special permit petition of Demir Petroleum to allow the expansion of a non-conforming gasoline service station to provide for a 600 square foot convenience store on property located at Route 25, Jamesport."

Supervisor Kozakiewicz: "Mr. DeLucca."

Dawn Thomas: "Would you raise your right hand? Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?"

Jim DeLucca: "Yes, I do."

Dawn Thomas: "Thank you."

Jim DeLucca: "We're here tonight to- I'm representing the owners. My name is Jim DeLucca, the architect for the owners. I have here a- "

Supervisor Kozakiewicz: "Jim, would you like to use this- "

Jim DeLucca: "Sure. The site plan that you see before you is a revised site plan. Some of the concerns that the Planning Board had about this expansion was addressed in the new site plan. Some of the concerns they have cannot be addressed and I'll talk about those.

Basically, as you can see in the proposed site plan, we've moved the building to the most southerly part of the property and we have provided ample parking according to the existing code for the building. Also you can see the architecture of the building, I've tried to emulate the architecture of the Jamesport School to be reflected in the design.

As you can see, the building is fairly small. It's 20 by 30. The owner is basically going to- he'll come up here later, but it's going to be simply a convenience store in reference to this station with normal items that convenience stores connected with service stations sell today.

As you visit most service stations today, convenience stores has become the norm not the exception. As you ride up and down 25 or Route 58 or any of the major highways in any town, you'll see that any new station that's put up has a convenience store with it and most of the existing service stations have added convenience stores such as the one to the west of this proposed structure, the Lucky 7, that has a convenience store added.

One of the Planning Board's objection is that this is a pre-existing non-conforming use. Yes, that is true. But expansion of a non-conforming use is in the ordinance and it's to be dealt with by

the Town Board. That's why the provision is there. If the selling of cigarettes, coffee, soda is a detriment to the zoning plan and non-conforming, that means that every store along there such as the pizza parlor, such as the other delis, such as the bagel store, such as the delicatessen, such as all those stores along there are non-conforming and immediately when they should expand or try to change their use a little bit, should be discontinued if that theory is held true.

All the stores along that avenue do not comply with proper parking. This store will conform to all those regulations. Any variances that we have to get as far as setbacks, we will go to the Zoning Board of Appeals and abide by what they say. But as far as increasing of traffic, basically the people who use a convenience store, are the people who come in for gas and I believe probably some of the people that are even going to speak here tonight who are for or against this project probably use this service station to buy their gas.

So I don't believe and I don't think the owners believe that the adding of the 20 by 30 building on this particular piece of property that's over 300 feet long is going to have a tremendous impact on the traffic on Route 25 or Washington Avenue or S. Jamesport Avenue or any other avenue in that area. Basically the proper parking that's required is 3 parking stalls and that's what we've provided.

If the Board has any questions, I'd be more than happy to answer them."

Councilman Kent: "Is there an existing convenience store at this premise?"

Jim DeLucca: "There's a small booth at this time. That is going to be removed. If you look at the drawing, it's to the south of the existing aisle where the pumps are located and that's probably, I would say it's maybe four by five."

Supervisor Kozakiewicz: "The zoning that's in place is what?"

Jim DeLucca: "It's CR."

Supervisor Kozakiewicz: "Business CR."

Jim DeLucca: "Right."

Supervisor Kozakiewicz: "Okay. And prior to that, do you know

because that was a recent rezoning or within the last 10, 15 years, is that correct?"

Jim DeLuca: "I would say in the last 10 years. Now, prior to that, just to- I have an old survey. Prior to the- this station going up, the property actually had a much higher density than it has now or will have with that other structure. Many years ago, that site had a single family dwelling on it and a garage that were located right on the corner and if the Board cares to see that survey, I have it here. And the density-- the building-- excuse me, the building occupied area of the property far exceeds what we are even proposing now."

Supervisor Kozakiewicz: "Do you require variances of any kind?"

Jim DeLuca: "We'll need a setback variance from the side line."

Supervisor Kozakiewicz: "And lot coverage is-- "

Jim DeLuca: "Lot coverage is fine, way under. The lot is almost 16,000 square feet. The buildings that are occupied are well under- it's- the building is 600 square feet. The lot itself actually goes to a point but the length of the lot is 340 feet on one side and on the cemetery side is 323 feet."

Supervisor Kozakiewicz: "Any other questions from the Board members?"

Councilman Cardinale: "The question that the Town Attorney was discussing, maybe you can- you've addressed it is- "

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

Councilman Cardinale: "Yeah, I can't hear either. The question that- the question- can you hear me? It's not really worth all that anyway. The question that I'm asking is do you know- you do need variances?"

Jim DeLuca: "Yes."

Councilman Cardinale: "And the Town Attorney and I were just discussing whether the request for variances should precede the request for the special permit because I believe that is what we've done with other projects."

Dawn Thomas: "I think- "

Supervisor Kozakiewicz: "The question in other words is whether the application needs to go to the Zoning Board of Appeals before we can finally act on this. Is that the question?"

Councilman Cardinale: "That's correct."

Jim DeLucca: "That's fine. If the Board chooses to do that, we'll go in that direction."

Supervisor Kozakiewicz: "Okay."

Jim DeLucca: "There's no set way in the ordinance that directs that, so- we checked, yeah, we chose to do this. But if the Board wishes us to do that, we can go that route first and- "

Dawn Thomas: "You may need to have another public hearing on the special permit."

Supervisor Kozakiewicz: "Is there- while we review that, is there anybody else who would like to address the Board with regard to this special permit application of Demir- yes, Steve Haizlip. Dawn."

Dawn Thomas: "I'm sorry. Do you swear that the testimony you are about to give will be the truth, the whole truth and nothing but the truth, so help you God?"

Steve Haizlip: "I will. Steve Haizlip of Calverton. I didn't get it quite clear is where this station is going to be. Is it 25 and Washington Avenue?"

Jim DeLucca: (Inaudible)

Steve Haizlip: "Sir, I don't know about that- my eyes are not that good to look over there."

Councilman Densieski: "It's the pre-existing one, Steve, the gas station is currently there now."

Steve Haizlip: "It's on 25?"

Councilman Densieski: "Right."

Supervisor Kozakiewicz: "On the corner of 25 and S. Jamesport

Avenue is the service station which would be on the southwest corner."

Steve Haizlip: "Is that the one right across from the Young center?"

Supervisor Kozakiewicz: "Right."

Steve Haizlip: "Oh, okay, all right. What kind of gas are you selling? If it's Hess, I don't want to talk with you."

Jim DeLuca: "Which one do you like."

Steve Haizlip: "I don't like Hess. Because when they come into a community, they run everybody else out and they don't want the competition and so- "

Supervisor Kozakiewicz: "Steve, you've got to address the Board as far as whether we should- what we should consider with regard to the special permit application of Demir."

Steve Haizlip: "Is the plan to take that little postage stamp corner and grade it back and south to do what he wants? He said he's going to have a convenience store and right now there's only a stall there."

Supervisor Kozakiewicz: "They're looking to do a separate building which would be a convenience store which would be on the southerly end of the property as depicted on the plan that's in front of us. The conceptual site plan shows a convenience store which would be south of the pavement and there would be an addition three- is it three stalls- three stalls that would be provided to the north of it for the individuals using the convenience store. So it would be a separate building."

Steve Haizlip: "I've got no objections if the man wants to expand, put in a gas station there. The only thing is these people are coming into town like Hess for an example and running out other people that's been there 15 years trying to make a living and they come and run everybody out and as Linda (inaudible) said, competition is the American way and if this fellow don't run nobody out and they stay there and survive with the rest of the community, go to it."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board regarding this special permit? Yes, step forward. Please state your name and address for the record."

Harold Griffiths: "My name is Harold Griffiths, 1556 Main Road in Jamesport. I'm directly across the street, I own the property there."

Supervisor Kozakiewicz: "Okay. The Town Attorney needs to have you sworn. This is a special permit hearing."

Dawn Thomas: "Could you spell your last name, please?"

Harold Griffiths: "G-R-I-F-F-I-T-H-T-S."

Dawn Thomas: "First name Doug?"

Harold Griffiths: "Harold Griffiths is my- "

Dawn Thomas: "Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?"

Harold Griffiths: "I do. I have some pictures I'd like to share with the Board taken last weekend of the gas station with the traffic they get with boats and cars pulling boats and whatnot and the amount of room that's actually on this property for traffic.

Basically I'll just go- I had a petition I put out in my store as well as some other stores in town this past Thursday. Basically four stores, four days, we got 200 signatures against this proposal. The petition read: Riverhead Town Planning Board has already recommended the application for denial, which I know is not binding but it's what they suggest. The over-expansion of this small lot threatens the rural characteristics of downtown Jamesport and its scenic vistas. This proposed convenience store will only make the congested intersection of Route 25 and S. Jamesport Avenue worse and more dangerous and at the present time there's not enough parking to support the existing businesses of downtown Jamesport. This proposed store would only further burden the current parking situation.

I understand they feel they have adequate parking on site but you are still going to have people parking in the street. There have been numerous accidents the Times Review has written about in the last couple years, I would say about five in the last three months right at that intersection. I think another business without ample parking or ample traffic flow would just be another detriment to the downtown area. That's all I have for now."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board? Yes, a hand went up on the right hand side here."

Terri Fenton: "Terri Fenton, Jamesport Civic. Do I have to be sworn in?"

Dawn Thomas: "Yes."

Terri Fenton: "Okay. Terri Fenton, Jamesport Civic."

Dawn Thomas: "Ms. Fenton, do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?"

Terri Fenton: "Yes, I do."

Dawn Thomas: "Thank you."

Terri Fenton: "The intersection, as Mr. Griffiths just pointed out, is very busy. There has been numerous accidents there but if there is an accident there and it goes into Main Road and S. Jamesport Avenue, access to the fire department, emergency services such as ambulance, cannot get through. They're on Manor Lane. To come down Main Road, they would be stuck. The only other alternative would be to go down Laurel Lane. If they had to get to S. Jamesport and in a matter of an ambulance (inaudible) you're talking a matter of minutes. You don't need to be waiting 10 minutes for the ambulance and our medic to get there. Thank you."

Supervisor Kozakiewicz: "Thank you. Dr. Kimmel."

Barbara Kimmel: "Barbara Kimmel, Jamesport."

Dawn Thomas: "Dr. Kimmel, do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?"

Barbara Kimmel: "I do."

Dawn Thomas: "Thank you."

Barbara Kimmel: "I do get gas at that gas station and they even cleaned it up from when they first took it over. It's attractive; it's kept nice and clean now. However, I don't believe we need an

expanded facility there. We have another facility one block to the west on Washington Avenue and on weekends, especially during the summer, it gets pretty wild down there. The kids hang out there, they buy their cigarettes, they buy their beer, and they hang out and then they go down the road to the beaches. It's an attractive nuisance to have fast- these convenience stores in a small little hamlet where the police are not there cruising regularly. They have a lot of areas to cruise and they don't always stop at those areas frequently.

There's a historic landmark right next to this facility and that happens to be the Jamesport Cemetery. Now, you can envision on a Friday or Saturday night what these kids will do given the opportunity in the cemetery. And there's a residence right there. So I think we need to look very carefully at the amount of traffic and the amount of attention that this will grab in our hamlet. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board? Yes, hand in the back. Come on up."

Dawn Thomas: "Would you state your name, please?"

Adrienne Bucholtz: "Adrienne Bucholtz, S. Jamesport."

Dawn Thomas: "Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?"

Adrienne Bucholtz: "Yes, I do. I would just like to state briefly that I am opposed to this project. I'm a resident of S. Jamesport Avenue and I also own a business across the street and I have the same concerns about parking and it's a very, very dangerous- if you saw what I see whenever I'm in my business, you'd realize that there are issues that we should be addressing there even without this convenience store. So I have grave concerns about it. Thank you."

Supervisor Kozakiewicz: "Thank you. Anyone else? Yes? Please state your name and address?"

Sergio Celik: "Sergio Celik, C-E-L-I-K."

Dawn Thomas: "Do you swear the testimony that you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?"

Sergio Celik: "I do. Thank you. My name is Sergio Celik, I'm

the owner of the station. With my partner, we are trying in the last 10 or 11 months to survive there but with gasoline three cents, four cents margin, it's almost impossible for us to make it. That's why we are trying to put this application. And I believe the owners before me tried this and next after me will try it again. It's going to go on again and again.

It's almost impossible- I know it's impossible for anybody to make it with the gasoline, so please help us get another, not business, but at least a store there to have convenience items for the customers. Thank you."

Supervisor Kozakiewicz: "Thank you."

Ray Saltini: "Hi, I'm Ray Saltini."

Dawn Thomas: "Mr. Saltini, do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?"

Ray Saltini: "I swear. I'm a resident of S. Jamesport and I have to oppose the request for a special permit based on all the grounds that were discussed, safety for emergency vehicle access, traffic considerations. My heart goes out to the owner of the property. It's an excellent gas station. I buy my gas there even though it's a few more cents than it is down the street. I don't begrudge it. You've got a wonderful staff. This station is clean. They give my kids lollipops. I'll continue to go there unless you build a convenience store. And then I'll take my business elsewhere. I don't think it should be located on that spot and I'll urge my neighbors not to go there as well.

I realize you're in a difficult position. I wish you the best of luck. I don't think these permits should be granted. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else regarding the special permit of Demir Petroleum? Not seeing anybody, we're going to close the public hearing and we'll look at that other issue of whether there is a need to refer this to the Zoning Board of Appeals. Thank you."

Public Hearing closed: 9:37 p.m.

Supervisor Kozakiewicz: "The time has closed for that public hearing. They're both Cablevision, public access television is the second camera. Just let the record reflect that the time of 9:37 has arrived with the closing of that public hearing.

It's now time for anyone who wishes to address us on any subject to comment. We do have a five minute rule. I'm going to try and use my little handy dandy timepiece here to keep the time on people so when it beeps, that's the five minute time period.

I do want to make mention that there are five other- I mean four other resolutions that were added onto the Agenda that will be coming off the floor and let me just go through those so that if anybody wishes to make some comment about same, they can.

One, is a temporary sign permit for a chiropractor's office at 633 Roanoke Avenue, Riverhead. That's the sign permit, temporary sign permit of (inaudible) Chiropractic.

The second is to publish and post a notice of a public hearing to consider a local law for the amendment of Chapter 101. And what this local law is going to call for is a public hearing on August 7th, 2001 at 2:40 in the afternoon in order to establish a one-way street. This would be the access point between West Marine and the Riverhead Grill.

The third proposed resolution which will be taken off the floor which was not on the Agenda is a resolution which is authorizing the transfer of county owned property to the town of Riverhead pursuant to General Municipal Law 72H. In other words, it's going to be conveyed to the Town because of nonpayment of taxes. This is property that is just directly west of the bridge which is on Nugent Drive or across from the Riverhead Free Library. It's a small parcel which has been taken for nonpayment of taxes and the county-- as part of our continuing discussions with the county has asked us to consider taking that property.

And the last but not least is a resolution authorizing the Town Clerk to publish and post help wanted ad for part time bus drivers.

Saying that, people who wish to speak. I saw Nick DiPierro's hand go up quick. Nick, you've got five minutes. Oh, okay, I'm sorry, someone over here. Okay, you can be next."

Nick DiPierro: "I'm Nick DiPierro. I just wanted to make a comment on the public hearings that we have. I have to give you guys

a lot of credit but I want to say my piece here.

I think when you have someone at the podium and they get out of control like we had, I think, one of the speakers get tonight, finger pointing and waving, and that finger pointing at me at one time, I am sure that was unintentional. But when I see fingers being pointed, any Town Board member or anybody for that matter, I think that should be stopped immediately. I think the gavel should be pounded and I think that person should be asked to speak in a civil manner otherwise he loses his privilege. That's all I have to say."

Supervisor Kozakiewicz: "Thank you."

Nick DiPierro: "Thank you."

Councilman Densieski: "I agree with you, Nick."

Supervisor Kozakiewicz: "Gentleman in the second row."

Charlie Tramontana: "Good evening. My name is Charlie Tramontana and I'm a resident of Wading River. If I may, I would like to show you some photographs. They say a picture is worth a thousand words so this way- "

Supervisor Kozakiewicz: "That's what they say."

Charlie Tramontana: "Last year about this time, I appeared before the Board right here in Wading River and inquired about the progress that was being made about a drainage problem we were having on Long View Road. And true to your word, although there was a delay in the contract- the first contract was voided, the work was completed in December of '90- 2000."

Supervisor Kozakiewicz: "2000. Right."

Charlie Tramontana: "That's correct."

Supervisor Kozakiewicz: "Yeah, we had a problem with the first contractor. The first contractor was obstinate for lack of a better way of describing it and we had to go to the second guy. The second one did the work."

Charlie Tramontana: "Just to backtrack for just a moment, when I purchase a house in the large photographs, we came to the town and the town quickly realized that we needed some relief so they

immediately put 12 drain rings into the street and I was really impressed with the promptness that the town acted in. As a matter of fact, I wrote to the town, to Ms. Grattan, asking that it be put into the record and I commended the Town Board, the engineers and everybody else who worked on it. And I received a letter from Councilman Lull which- get that for me- who responded and thanked me for my letter, etc., etc.

Now, when the project was completed, I didn't want to come before the Board again because I had read in the paper that you gentlemen were facing some really tough problems and getting done very late in the evening so I said I'll wait until July- "

Supervisor Kozakiewicz: "I'm going to stop you for a second. I think your wife's looking for the letter? Yeah, it's up here."

Charlie Tramontana: "Oh, okay. Well, if you pass it to Councilman Lull or pass it among themselves, I just want to show you where I'm coming from, that I appreciate when the town does something for me and I told them about it. At any rate, I was a little lazy and I said well, I'll wait until July to come before the Board and thank them.

As things turned out, in January of this year, we were flooded. In May of this year, we were flooded. The photographs that you see, the larger photographs, were taken on Father's Day and some of the pictures show you a photo of the recharge basin that was completely full. The very small polaroids show you pictures of my property on July 1st when we had another heavy rain. Now, I'm not an engineer and I'm not here to cast aspersions on anyone. I just want you to know that my problem has not been solved. Whenever I get flooded, I get all kinds of debris on the lawn and I have to rake it up. I don't want to wave the flag, I'm a Korean war veteran. My wife has heart trouble, she's a diabetic and every time we get one of these things, I have to rush her to the doctor.

Gentlemen, I'm asking you. Please. I've spoken to Ken Testa and he says there are several options in resolving this problem. I need your help. I need your help in resolving this problem. This problem can be resolved. My wife just pointed out to me- and I don't want to make a big deal out of this but the property was purchased from the town and I have made inquiry and found out that that was a natural sump at that time. So somehow I feel that the town is responsible for selling that property to the builder.

Now, they've completed the project. It's a beautiful project. They put in curbing and all but it did not help me and those photos show you. So I'm asking the town, would you please direct Ken Testa to come up with some options to resolving my problem. I don't expect that if we have a hurricane we won't get flooded. But I do expect that every time it rains, I don't get flooded.

Another thing that the project was supposed to do which they didn't do was to have one of those curb cutouts on the cover of the catch basin in front of my house. All the debris floats down and helps to clog that catch basin and that- when it's all over, I've got all this garbage in front of my house as well as on the lawn. Now, I don't think you gentlemen want to pay me to be a sanitation worker for the town. I don't think you could pay me enough.

So, please, I'm asking very politely and very respectfully to alleviate this condition in front of my house."

Supervisor Kozakiewicz: "I do want to comment. The five minutes are up. But I did speak with the Highway Superintendent who, in fact, I guess you recently spoke to Mr. Kwasna. He assured me that with regard to the sand and debris, that he would have the highway crew up to clean up that area tomorrow or Thursday.

I understand there's a bigger issue that you see and that is the flooding. That needs to be addressed and we'll take that up. I will ask Mr. Testa to look into that as well.

But I wanted to tell you that Mr. Kwasna did bring this particular problem to my attention. He indicated that he intends to have highway crews up there by the end of the week to at least clean the debris which you're talking about- "

Charlie Tramontana: "I appreciate that. I appreciate that. But can I have some sort of a timetable? Do I have to wait another three years before this problem is resolved?"

Supervisor Kozakiewicz: "It seems like we've tried to address it by putting drainage rings in. You said we put in 12 drainage rings."

Charlie Tramontana: "Yeah, they didn't do a thing. They didn't do a thing."

Supervisor Kozakiewicz: "We put in other drainage recharge

improvements- "

Charlie Tramontana: "Yeah."

Supervisor Kozakiewicz: "And they don't seem to address the problem such as the terrible flooding that we received on Father's Day. I think that was an unusually heavy flooding condition that occurred on Father's Day. I happened to get caught out in that and there was mud coming off the farm fields and a tremendous amount of rainfall that was coming off in places that I haven't seen- "

Charlie Tramontana: "Sir, excuse me. Just- "

Supervisor Kozakiewicz: "But the answer is I can't commit to a time because this is something that we haven't had a chance to talk to Mr. Testa about. I think for us to tell you it's going to be a month, without having talked to him would be unfair to you and I don't know if that's the answer. I don't know if it's going to be a month or if it's going to be four months. What I'm saying is I will see to it that Mr. Testa is aware of this conversation, that he looks at the problem. He suggested to you that there is alternatives to address it."

Charlie Tramontana: "Yes, he did."

Supervisor Kozakiewicz: "Let's explore those and see how quickly they can be done. And before you leave tonight, if you're going to stick around we'll take your telephone number."

Charlie Tramontana: "Thank you very much."

Supervisor Kozakiewicz: "Okay. Mr. Petrikis."

Vasso Patrikis: "I want to go back to last meeting situation that we talked about, the public access channel. I was told that I was going to watch the Board meeting at Channel 88. (Inaudible) that channel was all white and I couldn't watch anything."

I called up my friend and I said can you get it? She says yes, I can get it. I said but I can't. So she's- all it was, it was x rated advertisements in that public channel- it's not really public, the Cablevision channel 88 which is a disgrace. Then accidentally, I turn the channel, 86, in my television. So the same thing. Pay per view. Now, I- and it was also movies that I wouldn't want to see and I think it's a disgrace. It's unethical to put on Board meetings in channels

that advertise x rated movies. Maybe you boys like it but- "

Supervisor Kozakiewicz: "Tonight it got to the point where it was almost- "

Vasso Petrikis: "-- all right. But, we have to do something. According to- I was watching Zabby's show and I was very happy to see Phil Cardinale talking about different things and I was not aware of all this situation about 17 years ago that you had an agreement with Cablevision, a franchise, saying that if we need to have a second channel, we would get a second channel. Now, as I understand, it's 10 months that they promised that we would have a second public channel, governmental, that would be able to show not only the Board meetings that we have here but everything else that you're talking about behind closed doors.

We want to have open government. That is very important. I like to know what's going on in my community. I like to know how each one of you that we put you there in that chair, we're the bosses. You are working for us. We're employing you to do a job for us. For the people. Now you are forgetting- I mean, you talked about how to plan effectively, all right? Anything. I don't care if it's a moratorium. I don't care if it's Cablevision. I don't think- I think you are divided. I think you put in first your party and then us, the people, that we put you in that position. And I think something has to be done about it.

You better think very, very carefully about all these things. About all this planning that everybody talked about. Because that's very important. You're doing a job for us. And we have to know. We have to know what's going on in our government. We have to be able to see. Now, I want a commitment, Bob, from you- "

Supervisor Kozakiewicz: "I'm going to ask Phil to write a letter since he's the-"

Vasso Patrikis: "Oh, wait a minute- "

Supervisor Kozakiewicz: "-- to get that second channel."

Vasso Patrikis: "Wait a minute. Phil was- excuse me, Phil is no longer because I think you took over."

Supervisor Kozakiewicz: "The resolution hasn't been changed."

Vasso Patrikis: "Oh, it hasn't been changed? So give him back the authority. Let him go to the meetings. Let him handle everything. Put your foot down. Do what you have to do. They are in our town. They have to abide by our rules. And I think- you want me to go along? I will go. I will be very happy to go. I will be able to face anyone. Believe me, I can move mountains if I want to. And I will move them."

Supervisor Kozakiewicz: "Thank you."

Vasso Patrikis: "Because I- you have to do things for us, the people. And I think this Board forgot a lot of things. They're not doing- you're not doing whatever you're supposed to do. You better think twice about everything that's coming along."

Supervisor Kozakeiwicz: "Thank you."

Vasso Patrikis: "Well, you have to look at me in my eyes when I'm talking to you."

Supervisor Kozakiewicz: "I'm- I thought you were done. I'm sorry."

Vasso Patrikis: "Now, you look at me and I look at you and I look at everybody's eyes. Because I will have a better communication this way."

Supervisor Kozakiewicz: "Thank you."

Councilman Cardinale: "I'd like to say something that I probably should have said last week."

Supervisor Kozakiewicz: "Two weeks ago."

Councilman Cardinale: "Two weeks ago. Zabby had asked a question as to who is the liaison with Cablevision and Bob had answered I was. That is not a fact. Since last November, all communications from Cablevision to and from have been diverted around me and have gone to Joey McLellan and Dawn Thomas. Since last November, Bob, and he has every right to do this because he is the administration, he is the majority, has undercut and disregarded the negotiating strategy that I had long held with Cablevision and recommended which was simple. Do not negotiate with Cablevision unless and until Cablevision stops breaching the existing franchise agreement. Do not negotiate a new agreement until they stop breaching

the old one. They breached the senior citizen discount in regard to public access rules, in regard to the public access channel.

Since last November and before, Bob, which is his right again as the majority, has dismissed my repeated recommendations to litigate the ongoing breaches with Cablevision which continue.

Now it gets interesting. I don't doubt that Bob is trying to do what he wants to do with Cablevision and I don't doubt that our strategy and tactics, intent and objectives are different. However, if I say yes, he says no. He says stop, I say go. It doesn't work. It is in his hands and has been in his hands since November. Now, this is what's really funny. The tactic of what we've been doing has yielded a tragic comic result. I was advised this week by several constituents including Vasso, that Channel 88 and our new channel obtained through the efforts of McLellan, Kozakiewicz, and Thomas, is the Town Board meeting channel but is also shared with Cablevision which is hosting on that channel in addition to the Town Board meetings, porno ticklers, advertisements for hard core porno to call in and hear more or see more and this is the truth.

I spoke with my own secretary who said that she had flipped onto see the Town Board meeting. She was standing there with her teenage son who- and they both were treated to a naked lady. I also got a phone call from a constituent who told me not only was there sex being portrayed on the station but deviant sex. I didn't ask what that meant because I didn't want to know.

The point is that this is tragic comic. We're entitled as Zabby will tell you to a public channel and a government channel. We should get that channel, we should not be sharing channel 88.

Another problem which you've alluded to. I wanted to see channel 88 because I'm an egotist, I wanted to see myself and members of the Board. I can't see channel 88 unless I get a box and that's the whole thing. The box costs \$3.00 a month and you can't see channel 88, you can't see a Board meeting unless you pay \$3.00 a month. That's not public access TV. The only public access TV here is that camera right there that Zabby is on. Cablevision has a camera but they call it local origination. They say they're filming this, it's their show and they'll make you pay to see it. That's wrong.

I differ with Bob on a lot of these things and I just want to make clear just this last week I disassociated myself from the skateboard project. I dissociate myself with the way Cablevision has

been handled in negotiations. The only way that I believe they can be dealt with is by litigation or by hitting them in the head with a board as I suggested two weeks ago. And I know it's been a tough night for Bob because Amper almost came over the table at him so that's all I have to say and I promise I won't say anything else."

Vasso Patrikis: "Well, one more thing I want to say- "

Supervisor Kozakiewicz: "Well, your- "

Vasso Patrikis: "Okay. One more thing- "

Supervisor Kozakiewicz: "Five minutes. I want to stick to the five minute rule today, please, so if you would please yield the floor."

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

Supervisor Kozakiewicz: "Please."

Vasso Patrikis: "Well, you have to let me finish."

Supervisor Kozakiewicz: "Please. No, you've had five minutes. I'd like you- "

Vasso Patrikis: "No, maybe because you don't want to hear me."

Supervisor Kozakiewicz: "I guess if I just keep letting people just go and go and trample over me there's a feeling that I should just let it go forever. On the public hearing, I didn't have a five minute rule so I allowed it to go. We do have a five minute rule in effect during this open comment period. Out of courtesy for others who wish to speak, I'm asking you in a most courteous manner if you would yield the floor and allow the next speaker to speak. Please."

Vasso Patrikis: "As I go, I say it's a political football between you and Phil and you better cut it out boys."

Steve Haizlip: "Steve Haizlip of Calverton. I think after I get done speaking tonight you may not think more of me, but I hope you don't think less of me. Now, at the last Board meeting, July the 3rd, I asked you if you are going to fight for us so that we could see the channel 70 and the Town Board meetings at 8:00. And knock off this nonsense from all the Republicans in Albany that's controlling this and the PSC denying us to see this television. We elected members of

this Town Board to fight for us to do that. I understand that you were in a meeting yesterday with Ramada Inn and I have a feeling, this is only a feeling, that in September you will be signing a contract with Cablevision denying us and not fighting for our senior citizen right that was negotiated with Janoski."

Supervisor Kozakiewicz: "The agreement that's been sent to Cablevision is asking for a senior citizen discount. The proposal is there in their hands. The agreement that some of us would say don't even negotiate an agreement. It is there. It's being reviewed by Cablevision. It includes that. I don't think anyone here on this Board is going to vote for a Cablevision franchise agreement that does not provide for the senior citizen discount."

Steve Haizlip: "Well, that come up with this here deregulation and the federal government. And I've said it once and I'll say it again. That had nothing to do with the contract that our town lawyers and supervisors and councilmen went into at that time. We had supervisors didn't have the guts to fight and stand up and say no, you don't do this. You agreed to this and I want you to stick to it. I understand that Phil started out trying to fight for us but every time that he tries to fight, the rest of the Town Board is telling Cablevision pay no attention to him."

Now, Bob, we've got to have you on our side. We voted for you. We put you in there. And we want you to-

Councilman Densieski: "That's not true, Steve, I have issue with that. (Inaudible)."

Supervisor Kozakiewicz: "The- there was discussion at the Town Board level, let's get this straight. Phil had taken the position in bargaining that the Town had more ability to withstand the fight and we would have to wait until Cablevision blinked. And that we should not and I'm sorry if I'm speaking- if I'm stating this wrong, please correct me, that we should not negotiate a new franchise agreement until they correct the prior breaches and we had absolutely, as I know, no meetings with Cablevision for the year 2000. There was no meetings."

Neither party blinked; neither party gave in and nothing took place. There were no meetings. There was no exchange of a franchise agreement. There has been a franchise agreement-

Councilman Cardinale: "That's incorrect. There was a franchise

agreement prepared- "

Supervisor Kozakiewicz: "Not in the year 2000."

Councilman Cardinale: "By Lori Dowd, sent to them in the year 1999- "

Supervisor Kozakiewicz: "1999."

Councilman Cardinale: "In 1999, and not return for nine months. When it was returned it was completely crossed out. Everything we wanted was blanked out and I said if that's the way you're playing ball, we're not playing that."

And the other thing I want to mention to you- "

Supervisor Kozakiewicz: "So in other words we should just keep continuing to wait- "

Councilman Cardinale: "No. In other words we should sue them for the breaches of the existing agreement which is what the PSC recommended that we do. And incidentally, when you send them the new agreement with the senior citizens discount, that does not address the problem that they've breached the agreement for eight years. What about the damages to our senior citizens? What about getting back the 150 or \$300,000 that they have been overcharged? What about that?"

You can't do that if you embrace Cablevision. You have to treat them as what they are, a predator."

Steve Haizlip: "Yes, because they are a business asking to operate in this town and they should operate as to what they stood up at the podium and said what they were going to do when they got it. All right, we'll stop them."

Now, I think you've heard of the hillbilly singer that wrote the Cheating Heart, Hank Williams. Now when I asked you at the last Town Board meeting who the employee was for the settlement, you didn't give me no answer. You didn't want to give me no answer and it wasn't even in the caption of the resolutions, the name. Now, Buddy Ebsen played the part of Jeb Clampett. Now, Jeb- they told Jeb Clampett move away from there and go to Beverly Hills. That's the place to be. Well, you know, Ken LaValle told Joe Janoski move away from there, go to Riverhead, that's the place to be. Well, he ended up swindling us and taking money from us and he took my lot- my back lot. I didn't know

nothing and I just found out about it, swindled that there. And everybody is making out like a bandit in Riverhead."

Supervisor Kozakiewicz: "Steve, I'm going to ask you to sum up. It's five minutes. Thank you."

Steve Haizlip: "You don't want to hear it?"

Supervisor Kozakiewicz: "No, I said sum up."

Steve Haizlip: "You know, that's the trouble, Bob, you don't want to hear people who would like to express their opinion and feeling."

Supervisor Kozakiewicz: "Thank you."

Councilman Densieski: "It's five minutes- "

Supervisor Kozakiewicz: "I'm trying to adhere to a five minute rule. When I don't do what people tell me, I'm not doing the right thing. When I do, I'm not doing the right thing. Sid Bail, please."

Unidentified (From the audience): "You should let him finish the sentence."

Councilman Densieski: "He said sum up."

Vasso Patrikis: "He didn't let me finish. He told me to come up, you didn't let me finish."

Supervisor Kozakiewicz: "Mr. Bail has the floor, please. Go ahead."

Sid Bail: "I'll be quick and nothing controversial. Just an announcement I wanted to make earlier in the meeting. Richard Kessel from LIPA will be in the community tomorrow. He will be at the Shoreham Wading River High School at 8:00 p.m. He's specifically going to address the proposals they have for the Shoreham site but as we're all affected by LIPA and it may be a topic of interest. And it's supposed to be a very informal presentation. So you are all invited. Thank you."

Supervisor Kozakiewicz: "Thank you."

Steve Haizlip: "Yeah, I want to see him about killing that

(inaudible) in Lindenhurst."

Jeff Engle: "Good evening. My name is Jeff Engle. I'm the assistant director of the Suffolk County Fair that was held at Calverton. I would like to thank you people for all your help. It was a great success. The fire- the police chief and his fellow officers were excellent. I think we had a very good safe fair and I'd just like to thank the whole Board, the Fire Marshal, the Town Clerk and everybody else, it was excellent, and I hope we can come back next year. Thank you very much."

Supervisor Kozakiewicz: "I want to thank you for sticking around through- today, to say that. Yes, Joan Griffin."

Jeff Engle: "Thank you."

Councilman Cardinale: "Not only that, but we met at Town Hall around 20 of 7. He was there waiting for us to start the meeting when I was picking up the packet. So I led him here. Thank you for your kind words."

Jeff Engle: "Thank you."

Joan Griffin: "Good evening, Joan Griffin, Greater Calverton Civic Association. First of all, I would like to tell you that your new website is excellent, easy to navigate and I'm sure the information will be coming to us shortly on things that are happening in the town."

Also, I have a question on the Suffolk Theater. The vote is coming up two weeks from tonight."

Supervisor Kozakiewicz: "September- September, boy, looking ahead. July 31st."

Steve Haizlip: "That's when you're going to sign the contract--"

Supervisor Kozakiewicz: "July 31st, Steve."

Joan Griffin: "Okay. My question is will we be able to review the wording of this referendum or whatever the technical word is before we go in to vote for it? Do we get to see the wording? Will it be in the local papers or someplace?"

Supervisor Kozakiewicz: "Right."

Councilman Cardinale: "And it's available now from the Board of Elections. The absentee ballots are being sent out. You make an application, they'll send you the ballot and it's right on the ballot, the wording."

Councilman Densieski: "I believe Barbara already has the absentee ballots, so it's in Town Hall."

Barbara Grattan: "We have it."

Joan Griffin: "Okay."

Barbara Grattan: "Come see me, Joan."

Joan Griffin: "Okay. Also, I asked at the June 5th meeting I guess it was or June 6th about the barn on Youngs Avenue and East (inaudible) and I believe Mr. Kent said a Chapter 54 needed to be done."

Supervisor Kozakiewicz: "I don't recall, Joan."

Councilman Kent: "That metal barn?"

Joan Griffin: "That big yellow barn- "

Supervisor Kozakiewicz: "I think it needed a Chapter 54. There was a question of whether the county owned that one or not."

Councilman Kent: "County property we can't do it, but I don't know if that's county property or not."

Joan Griffin: "Okay, thank you. And the last thing my favorite question is the Burman deal."

Supervisor Kozakiewicz: "We have meetings this week and, hopefully, as a result of those meetings we can set a final closing date. I am hoping, I am knocking on wood. We have been told by the DEC that the permit should issue very, very shortly which is- we've been told this week. I hope they're being truthful to us and that, in fact, that permit will issue. We have been talking to the Health Department to make sure that they follow up with this."

As you know, the contract did not have any provisions to compel a certain time date by which the subdivision needed to be filed. We had a fight and it was a long period of struggle between the developer and

the town regarding whether it should be a minor subdivision as opposed to a major subdivision. That was- I believe a fight that was worthwhile. If it had gone to a major subdivision type of scenario, it would have been more environmental issues brought forth and I don't want to say the process is glacial such as what was said earlier today, but if it's a minor subdivision as opposed to a major subdivision and if we had acquiesced on a question of major subdivision, it would have been even a longer process.

The deal was subject to a subdivision; it wasn't clear whether it was a major or minor. The parties fought over that issue. We've overcome that by- as well as the issue of what was being conveyed. But I know you've asked and are very concerned and I believe we should see that- and I'm hoping. I don't know how to keep responding to these questions because the contract didn't have an actual drop dead date that we could say this is it, it's over. Mr. Burman, you haven't been able to get your subdivision approval by this date. It did provide that- it was contingent upon a subdivision approval as well as various other things and, of course, the subdivision process took some time."

Joan Griffin: "Thank you very much."

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

Steve Stadnicki: "Steve Stadnicki."

Supervisor Kozakiewicz: "Oh, I'm sorry. Go ahead. Snuck up on me. I saw Bill's hand go up and you were over there on the right hand side."

Steve Stadnicki: "I'm still wondering what- "

Barbara Grattan: "Could I have your name again, please?"

Steve Stadnicki: "-- the town is going to do about the property-- the drainage on my mother's property."

Barbara Grattan: "Can I have your name again, please?"

Steve Stadnicki: "Huh?"

Barbara Grattan: "Can I have your name, please?"

Steve Stadnicki: "Oh, Steve Stadnicki. They've- "

Supervisor Kozakiewicz: "Mr. Stadnicki, I know I've directed the Town Engineer to you numerous times. We've had numerous discussions. I'll be honest. I don't know where those answers- I mean I know that he's proposed at least a half dozen different alternatives to you as far as the solution. Your property, I understand, has the steep slope to the southwest of you where there's roads in the town that run off and are causing problems flooding in your backyard. Have you spoken with the Town Engineer lately in this regard?"

Steve Stadnicki: "I spoke to him and he was supposed to get back to the Superintendent of Highways."

Supervisor Kozakiewicz: "Oh, okay."

Steve Stadnicki: "I spoke to Mark and- "

Supervisor Kozakiewicz: "Because I know I had a lot of discussions with him as well."

Steve Stadnicki: "Right, right. Well, what happened they made trenches so that it bypassed the property, that was fine. But I told him in a bad storm the- it would- the water would either jump the trench and go back on the property again or it- and then- so they said, well, they'll put a berm there. Well, the berm is up there. Well, now the- what happens is the- a bigger storm comes along and goes around- it goes in front of- it stays back of the berm, now it goes on the church parking lot and it comes back on the property- on my mother's property in another spot. So, what the whole thing might solve- the solution for the whole thing would be a sump up on the hill and- which the engineer had spoken about that quite some time ago."

Supervisor Kozakiewicz: "I know he spoke about this and we have to construct the sump into the side of the hill which obviously- "

Steve Stadnicki: "It's a big job but it's- it looks like it has to be done. Because- "

Supervisor Kozakiewicz: "As you can tell by a lot of the discussions today, we have flooding problems- "

Steve Stadnicki: "I know, I know that. I know."

Supervisor Kozakiewicz: "-- certainly it's preeminent up here and I know that the Highway Superintendent and the Town Engineer have

been to a lot of different properties up here to try to address the road runoff and flooding situation. And- "

Steve Stadnicki: "What they did- what they did, is they dug out the sand that was on the lawn and then they filled it with- they were supposed to put topsoil there. They got a load of stuff from a sump and they put it in that spot, right on that- in other words, there was supposed to be topsoil. They put sump soil in there and that's a lot of sand and stuff. Anyway, I let that go but then they have other spots where the sand wasn't dug out right underneath the apple trees and that has salt in it and now the- there's two big apple trees which have- were loaded with apples about that size, and they just dropped off the tree. Now I think it's the salt that was in the sand that come down. So I asked them to take care of that but they didn't do it, so, I have to wait and speak to either the Highway Superintendent again- "

Supervisor Kozakiewicz: "I'll speak to him again. I know that they've been up there a number of times which you've confirmed."

Steve Stadnicki: "Right."

Supervisor Kozakiewicz: "And I think the problem is twofold. One, devising a sump in the side of the hill to address this flooding problem and two, finding a time when they'll be up there where they can tie it into some other projects. I understand they are going to be doing some other drainage work as well in the community so maybe that's something they can address at the same time."

Steve Stadnicki: "Right. I thank you and- because it also not only brought sand down but it brought the garbage down so that's the other thing. I appreciate their attempts but- "

Supervisor Kozakiewicz: "It hasn't achieved the goal."

Steve Stadnicki: "Right. Thank you very much."

Supervisor Kozakiewicz: "Thank you. Ann- Ann Miloski? Oh, I'm sorry, Bill."

Ann Miloski: "Can I say something? You are going to let me talk? Thank you. My name is Ann Miloski- "

Supervisor Kozakiewicz: "I have to recognize you."

Ann Miloski: "-- a private citizen in Calverton."

(Unidentified) - from the audience: "You will?"

Supervisor Kozakiewicz: "You spoke, I mean- please, there's a speaker on the floor. If you would please be courteous. The speaker has the podium."

(Unidentified) - from the audience: "I will. Sorry."

Ann Miloski: "Okay. I have three resolutions I wanted to ask you about. No. 800 and 801 the Calverton Business Incubator. Is that the Stony Brook Incubator?"

Supervisor Kozakiewicz: "Yes, it is."

Ann Miloski: "Okay. And the extension of the sewer district, who will be paying for that?"

Supervisor Kozakiewicz: "They will."

Ann Miloski: "Well, that sounds very good. Thank you. And the other one is on Resolution 808. Is the town still in litigation with TS Haulers?"

Supervisor Kozakiewicz: "Yes."

Councilman Kent: "Yes."

Ann Miloski: "So you still can have a public hearing on that when you have- "

Supervisor Kozakiewicz: "That's part of the Article 78. And the reason why we're doing it is to address the last decision from the Supreme Court which directed that it be remitted back and heard again."

Ann Miloski: "Oh, okay. I just wondered. Thank you very much."

Supervisor Kozakiewicz: "You're welcome. Mr. Kasperovich."

William Kasperovich: "William Kasperovich from Wading River here at my home grounds and the subject I'd like to talk to you gentlemen about, I will use as an example because this is not the

first time this has come- has occurred. The last meeting and Resolution 709 proposed by Mr. Lull and seconded by Mr. Cardinale, in the- one, two, three, in the fourth Whereas if I may: Whereas a copy of the site plan has been marked and initialed by the Town Board to show changes that are set forth in this resolution which site plan can- shall be on record with the Town Clerk. Okay? That was back in July 3rd. This afternoon, there's no marked copy in the Town Clerk's file.

What is in the file neither shows the existing conditions nor the proposed conditions. Now, initialing the site plan as has been the custom, you just move the drawing around the table and people put their initials on. Ten years from now, you never know who signed what. Putting your initial onto something that is legible or near something that's legible or in order of a listing or sequence, but putting your initials on a drawing, any place, anywhere, whether you've seen it or not, is just not my way of doing business.

But not having this marked copy in the Town Clerk's Office, that's inexcusable. I've had this problem in this township time and time again where I look for a drawing to reference to or something and we can't find the drawing. And the Supervisor is long gone and even as far back as when the Town Clerk has been and gone. Can't find the drawing. Well, this is the kind of situation that gets these drawings lost. And how in God's name is any building inspector or anybody in authority from the Town Hall goes down there to see what is what when the whatever changes have been marked, there's no way to determine.

Now, we- this is very convenience for the person presenting a drawing because to make a revised drawing, the architect or the surveyor or engineer wants "x" number of dollars so to save them presenting a revised drawing to show what the Town Board wants, we go along with them. Well, that's well and good. But then it shouldn't just be dropped at that point.

This marked copy should be in the Town Clerk's files for perpetuity and the follow through to see that the revised drawing that's used beyond this point do include whatever was marked.

Now I've presented to the Town Board two very serious matters that were relevant to this site plan and I don't know whether the Town Board looked into it or not. But coming here tonight, I've marked the lot, my front bumper is at the curb line and I can't see down the road. Inexcusable when this overgrowth and privet hedge is on public property.

The other is the storm drain. We need an intercepting drain because what exists cannot accommodate the water that- for the distance that it is supposed to take care of. Now- "

Councilman Cardinale: "Steve, you alluded to it by number- "

Supervisor Kozakiewicz: "Bill, that's Bill."

Councilman Cardinale: "Bill, I'm sorry. Bill, you alluded to- what is the site plan of, what area? You just mentioned the resolution number and I'm not familiar with the site."

William Kasperovich: "Oh, Little Bay Shopping Center."

Councilman Cardinale: "Okay, thank you."

William Kasperovich: "As you're going home, it's up the hill at the traffic light."

Councilman Cardinale: "Right. Okay."

William Kasperovich: "Now, as I say, this has been- this conduct has (inaudible) many years, but I think being a nice guy I'm going along with the people so they don't have to backtrack and spend money for a revised drawing to resubmit and lose time, is well and good, other than we should not let it drop at that point."

Supervisor Kozakiewicz: "Bill, I'm going to ask you to sum up."

William Kasperovich: "All right, that's it."

Supervisor Kozakiewicz: "Thank you for your point."

William Kasperovich: "One subject took me five minutes to get across to you. I hope it gets across to you."

Supervisor Kozakiewicz: "Thank you. George Schmelzer. Is there anybody else who would like to address the Board? You want to do-- Vasso, you talked. I have other people who wish to speak as well. Yes, I have other people."

Vasso Patrikis: "I'll wait until the end."

Supervisor Kozakiewicz: "I- I- you've had a chance. I need to recognize you."

Vasso Patrikis: "Something very important."

George Schmelzer: "I'd like to tell you something about Richard Amper. He lives in Lake Panamoka by the (inaudible) and the lot is about as big as a postage stamp. He has a cesspool in the back of his house which drains into the lake and he does business out of his house in a residential area. And that's his bag- well, I won't say the rest of it, and he claims to do lobbying work. If he does lobbying work, his tax exemption should be cancelled. That would be good, wouldn't it? Yeah.

Now I'll get back to something else. Is the town doing anything relative to 58 or the extension of the expressway?"

Supervisor Kozakiewicz: "I think we've talked about this one a number of times and I for one have said that I don't see the extension of the expressway occurring. I don't know if the other Board members have inquired."

George Schmelzer: "Well, you mean you're doing nothing."

Supervisor Kozakiewicz: "I- George, if you think it can occur, then I disagree with you and I think- "

George Schmelzer: "Well, tell me what you're doing."

Supervisor Kozakiewicz: "George, you've asked this question- "

George Schmelzer: "Well, I get no answer."

Supervisor Kozakiewicz: "You've asked me if I'm doing anything for an extension for the expressway and I think the answer is simple. No."

George Schmelzer: "Are you doing anything to relieve the traffic on 58?"

Supervisor Kozakiewicz: "There is studies that are underway which I know you don't want to hear. There was a study that was conducted under the prior Route 58 Committee which was brought forth a number of conclusions. That information has been shared with the county. They are doing traffic counts. They're looking at alternatives to address the congestion including expanding turn lanes, providing for more turn lanes at the various intersections in town, and that is currently being done by the county as a study and then at

some point, I think what they're going to do is come back to the town and say this is what our findings are. Town, what do you wish us to do? When, in fact, it's the county road and I think we may say to the county it's your road, make the changes, but that's what's presently underway."

George Schmelzer: "Oh, the expressway- when you look at maps when they put the expressway where it is, it showed a dotted line where it intended to go-- east."

Supervisor Kozakiewicz: "That's true. That was a number of years ago and conditions have changed."

George Schmelzer: "Well- "

Supervisor Kozakiewicz: "As we've talked about a number of times already."

George Schmelzer: "Well, 58 was built in '38, the expressway in '66 or something. So what are we doing, if anything, to get rid of the Scenic River law on West Main Street? They're talking all the precious county and state, oh, we've got to help Main Street. Well, get rid of the Scenic River nonsense and it will get back to normal. What's being done about anything?"

Councilman Cardinale: "I was hoping you'd ask, George. Thursday night, the other party has a fund raising with George McCall, Gubernatorial candidate is speaking, and he has promised that one of the topics he will address will be that very topic. What he will do if elected about that particular problem."

George Schmelzer: "What- "

Councilman Cardinale: "So all you have to do is pay \$60.00, and come to the East Wind, 7 to 10 Thursday night, and you can get it from a person higher up the pecking order than of us."

George Schmelzer: "Are you getting a commission- "

Councilman Densieski: "I was going to say, Phil, are you getting a cut?"

Councilman Cardinale: "Yes, all proceeds are going to the Riverhead Democratic Committee."

Supervisor Kozakiewicz: "The bottom line is the Democrats are proposing something."

George Schmelzer: "You get 10% of the tickets- "

Councilman Cardinale: "100%, 100% goes to the Democrats. Eventually there will be an advertisement, I hope, in the upcoming campaign. But all seriousness, he is going to address that issue."

George Schmelzer: "What does he intend to do, address- "

Councilman Cardinale: "He's going to tell us if he has any- it is one of the local issues he's promised to speak about because the local people want to know what is his position. Is he going to try to change it or not?"

George Schmelzer: "Well, it doesn't mean- he's just going to address it."

Councilman Cardinale: "No, no. If he gets elected, it will mean something."

George Schmelzer: "What? He didn't tell us, did he?"

Councilman Cardinale: "Well, he may not be Governor, but if he is, we want to know what his position is."

George Schmelzer: "All right, then, (inaudible). How about the state paying taxes on state land like they do upstate. You know I gave you that paper a couple months ago. Have you followed that up?"

Councilman Cardinale: "He's also going to talk about that. He is."

Supervisor Kozakiewicz: "He's going to talk about it. I'm sure he's going to. It's been a piece of legislation proposed at state level as you know and it's been a discussion we've had. It's not an easy one, I mean. I think you come up and ask the same question every meeting, George- "

George Schmelzer: "Until I get a good answer."

Supervisor Kozakiewicz: "Well, the answer is it's being worked on at the state level. It's proposed legislation. That's the answer."

George Schmelzer: "Well (inaudible). Really."

Supervisor Kozakiewicz: "That's your- "

George Schmelzer: "Are you going to clean out that drain pipe on East Main Street? That's been going on for three years. (Inaudible) got it, he couldn't do anything. I thought maybe you could do something."

Supervisor Kozakiewicz: "I think it would be unwise for the town to be expending Riverhead town taxpayer funds to clean up county or state improvements. So- "

George Schmelzer: "Tell the state to do. I didn't say the town should do it."

Supervisor Kozakiewicz: "Thank you."

George Schmelzer: "Get the state to do something. They should. If that ever clogs up, you'll have a hell of a mess, you know it. Then go in there in the winter time, maybe some Navy SEALS might have to clean it out, see. Okay."

Supervisor Kozakiewicz: "Thank you, George."

George Schmelzer: "Okay, you're very welcome. What did you say?"

Supervisor Kozakiewicz: "Zabby."

George Schmelzer: "You've got to (inaudible) five minutes, see. Okay, you can keep those. I've got to go anyway. So long, boys."

Supervisor Kozakiewicz: "Thank you."

Councilman Densieski: "Bye, George."

Councilman Cardinale: "Take care, George."

George Schmelzer: "Bye, George."

Supervisor Kozakiewicz: "So long, George."

Councilman Cardinale: "See you Thursday."

Zabby: "Well, we all know how Phil likes to save money and I suggest that he call Cablevision and he can get the converter box free because he can say that he would like to, in fact, be able to have a B chip and Cablevision will have to by law give you the converter box for free and you can, in fact, block out Channel 88 with the x-rated movies and our Town Board meetings. Shame on the Town Board. There's a sign on the piano. Shame on the Town Board, five members of the Town Board here.

I can put- I want to read this letter dated November 14, 2000 to Robert Kozakiewicz from Phil Cardinale. Dear Bob: Please let this confirm as previously discussed between you and Zabby that I believe the 11/15 meeting with Cablevision with prove counterproductive and will undercut our current division of Cablevision. Rather than leaving without an agenda, I would suggest conditioning any meeting on Cablevision's prior correction of existing violations of their contract including much notably their refusal to honor the senior citizen discount. I continue to recommend that we litigate this issue.

By the way may I just interject, a question, Phil. Would you be willing since, you know, we know that you don't like to spend money, would you be willing to pay the \$400,000 to sue Cablevision?"

Councilman Cardinale: "I will definitely not pay \$400,000 but my experience as an attorney is that bullies fold when you challenge them."

Zabby: "And in other words, you're saying negotiation is the key here, isn't it?"

Councilman Cardinale: "Right."

Zabby: "And I agree with you."

Councilman Cardinale: "Ultimately you've back in negotiations with--"

Zabby: "Yes, yes. You need a negotiator, not a team of attorneys. Their refusal to honor the senior citizen- I continue to recommend that we litigate this issue, if necessary, and that we conditionalize any further discussion of a new franchise agreement upon Cablevision's first honoring the existing one.

Over the period I have dealt with Cablevision and its representatives, repeated misstatements of the law and controlling

rules and regulations have been made repeated overreaching has occurred and repeated non-responsiveness to correspondence and proposed contract is persisted, I would suggest that the town adamantly conditionalize any further negotiation of the franchise agreement on the following:

1. Correction of past breaches by Cablevision together with appropriate compensation for such breaches.
2. Assignment by Cablevision of a competent attorney to negotiate the agreement with the town's designated representative, that is instead of Joan Gilroy who, in fact, doesn't know the law and misrepresents the facts.

Now, (inaudible), Kozakiewicz, I gave Bob and the five people 19 letters that Phil Cardinale had written a while back and let me read one of them dated April 28, the year 2000 asking for a channel. You're saying he should write- he already wrote a letter for a channel.

For your easy reference, I have enclosed a copy of the current Cablevision agreement, specifically section 26, I direct your attention to paragraph 3. By this letter on behalf of the Town of Riverhead, I would request a second channel (inaudible) by paragraph 3. Please implement this as soon as possible. Thank you in advance for your cooperation in this matter. Sincerely, Philip Cardinale and Robert Kozakiewicz. I have two signatures on that letter.

And, so, Mr. Kozakiewicz, they wrote you July 24, 2000 a letter in return. It says: In response- thank you, to your April 28th correspondence relating to section 26 which gives us a second channel when the first one gets filled and conditions were met, they say that they're going to. I am pleased to report the necessary equipment has been ordered on or before September 15, 2000- that's 10 months ago- why a woman could have a baby in nine months- Cablevision will begin airing educational governmental access programming in the Town of Riverhead on Channel 71. Public access will continue to be aired on Channel 70. If you have any questions- and this is by Joan Gilroy.

Now, I have to say that our government- I have been put in the middle. Since November 17th. I have had to go Bob Kozakiewicz and he just (inaudible) to give me an appointment, my first appointment in a year and a half I could get with Bob about a month or two ago."

Supervisor Kozakiewicz: "That's not fair. You come into our

office- until a point in time when I said, listen make an appointment, you come in any time unannounced. You follow us around Town Hall, including myself until you -- "

Zabby: "That's right. I couldn't get an appointment. Joey McLellan- "

Supervisor Kozakiewicz: "-- so let's be fair, Zabby."

Zabby: "Joey McLellan- "

Supervisor Kozakiewicz: "Furthermore, I have a letter from you- I have a letter from where you indicated you purposely preempt me out of 70 because you did your own programming. You sent me that letter."

Zabby: "Okay. And that was an error because you know what?"

Supervisor Kozakiewicz: "That's what your letter states to me. That because you were not satisfied, you took it upon yourself to preempt me out of programming. That's what your letter states."

Zabby: "You guys were not sharing- you were not sharing information- well, that's an error."

Supervisor Kozakiewicz: "You preempted me out is what you said. You preempted the Town Board meetings out because you wished to make a statement, which you are doing today. That's what your letter to me states, that you took it upon yourself to preempt- "

Zabby: "I'd like to continue- I'd like to continue."

Supervisor Kozakiewicz: "Your five minutes are up. Sum up, please."

Zabby: "You have allowed for the hijacking of our government programming. I have a letter here from Cablevision that says in- that says, that they- "

Supervisor Kozakiewicz: "Zabby, you have- your five minutes have concluded. Please sum up."

Zabby: "Okay. I have a letter two years ago from Cablevision saying that it's the town that produces the Town Board meetings and now I have a letter from- in 2000- saying that Cablevision is all of a sudden the producer of the Town Board meetings. That is not true. We

are the producer. These meetings belong to us and had they been classified as governmental programming, had you stuck up for our governmental programming, I go to you and I asked you 10 months ago, Bob, why don't we have governmental programming? You said we had no programming."

Supervisor Kozakiewicz: "As you pointed out, there have been letters sent and we've attempted to get this-- Cablevision as we pointed out does not easily (inaudible). As I said, if we want to bring out letters, I will bring out the letter from you which says that you took it upon yourself to preempt 70 by doing your public access because you are a public access."

Zabby: "And guess what?"

Supervisor Kozakiewicz: "So, sum up, please."

Zabby: "Hold on. Hold on."

Supervisor Kozakiewicz: "No. No. Sum up, please."

Zabby: "Okay, well, I am, if you'd allow me to, please. The thing is that producers started preempting Jean Cochoran's, other producers. She used to be on Friday afternoons and all of a sudden she was not on anymore and the only reason is because Cablevision now has declassified our Town Board meetings from governmental programming to their Cablevision production and because of that other producers started way, way back and they were able to produce- they were able to preempt local origination.

Had you stuck with it as I was telling you all five of you that this was governmental programming, they could not, in fact, they did not own it, they did not copyright it. No one could preempt it. No one would have been able to preempt Jean Cochoran's and start the whole thing going. No one would have been able to preempt your Town Talk show had you put your foot down as Ms. Vasso says put your foot down, all five of you. You could have all- "

Supervisor Kozakiewicz: "Zabby."

Zabby: "-- put your foot down."

Supervisor Kozakiewicz: "Okay. So your point is- sum up."

Zabby: "And you- no- that government programming would have not

been preempted."

Supervisor Kozakiewicz: "Okay, thank you."

Zabby: "So I ask you to work together because this is what the lady said- "

Supervisor Kozakiewicz: "Lou Passantino, please."

Zabby: "-- you guys, this is a political footfall and you guys should work together."

Councilman Cardinale: "I'd like to say something in regards just for a minute. A good point that is being made and the public should understand is the gentleman over there who Eddie was saying gets as much abuse as Bob and the rest of the Town Board. The problem is Cablevision is not here filming for public access with that camera. They're filming for their own private use for local origination TV. They want you to see this Board meeting on Channel 88 and pay a price for it. Zabby is public access- and she is making a good point that who is the producer of this particular Town Board meeting? Is it the Town Board and, therefore, the government programming which must be given public access or is it that they are the producer? We argue that they are the filmer, not the producer."

Zabby: "Right."

Councilman Cardinale: "The producer is the government. And that critical distinction which Cablevision two years ago said that they were just a filmer and now they say they are the producer is resulting in our being off the air on Channel 70 and on the air on Channel 88 with the porno flicks. So I hope that clarifies something or- but- "

Zabby: "Yes. And I'd like to submit to the--"

Councilman Densieski: "Zabby, your five minutes is up. Let the next speaker speak, please."

Zabby: "The two letters that prove that point."

Supervisor Kozakiewicz: "Mr. Passantino, please."

Zabby: "Two letters that prove that point."

Councilman Densieski: "The floor, Mr. Passintino."

Supervisor Kozakiewicz: "I'll take care of it, Ed. Thank you."

Lou Passintino: "Well, as you can see, I'm going to take the floor when the floor is given to me."

Supervisor Kozakiewicz: "Yes, and that's courteous, thank you."

Lou Passintino: "And at this point, I know you're going to start that clock. The reason I'm up here tonight- Lou Passintino- "

Supervisor Kozakiewicz: "We'll never get out of here otherwise."

Lou Passintino: "-- Wading River. A few Town Board meetings ago, I came to address any of the issues of anything that was going to be voted on. Tonight you started off the meeting the correct way, telling us, I've got to tell you, that echoes in your ear, telling us about any other resolutions that are on for voting tonight. That's the correct way to do it. I'd appreciate it before we leave Town Hall, we know what they are, for copies to be made and be passed out with the rest of the agenda. I see no reason that we can't because there was- you know, you addressed those at the beginning of the meeting, I don't remember what they were.

But the decorum that happens at this meeting, I know you're here to control it. You have two officers over there to control it, I stood at that meeting which was I believe the beginning of June, and you pulled out a resolution where you denied me the right to speak on that resolution. Is this now your policy that any resolutions that are going to be coming up that haven't printed in the formal agenda, will be announced at the beginning of the meeting?"

Supervisor Kozakiewicz: "I would like to do that whenever they're not in the formal agenda, yes. Sometimes things get forgotten in the heat of the moment. On this case, because these came up after the fact, I did, in fact, speak to the Town Board members to apprise them of the fact that it was coming up and I would like to make them available. As far as not having the copies physically available for you today, this is a matter I had a discussion earlier with the Town Clerk. If it was in Town Hall, we clearly would have had copies of those resolutions available on the desk as we do with the other resolutions."

Lou Passantino: "Okay, well- "

Supervisor Kozakiewicz: "I think what we heard in that one instance is that everybody would like an opportunity to address any resolution that we're taking up and, therefore, this will be the procedure. Yes."

Lou Passantino: "Well, in the past, I had come to many of the meetings when the- "

Supervisor Kozakiewicz: "That's past."

Lou Passantino: "-- yes, when the Board was arranged differently and I'd always ask that question, were there any other resolutions?"

Supervisor Kozakiewicz: "I recall you doing that."

Lou Passantino: "Okay. And the reason I did that was because I wanted to be offered the opportunity to speak on anything. At that point, that night, I stood there quietly, respectfully, and I'm- not point a finger- I stood there quietly and respectfully and I wasn't offered the opportunity. And I think that if it ever comes up again, that there's ever a resolution that had to come up that way because of logistics or timing, usually they're for traffic signs, never for something as important as that. Because I had a lot of information and as you know, that being involved with the political process as a Town Chairman, I know what the requirements are for a referendum, for a vote, what's a polling place, what's not a polling place.

And that night I walked out of there furious. This is the first opportunity I've had due to family and work concerns to be here again. And I was glad to see what you've done so far by announcing that at the beginning of the meeting, but I'd like to see some sort of- and I don't know- I know there was some discussion on it. I know Phil had some discussion on it. I haven't talked to Phil to see what the final resolution was. Is there a town- I'm not going to say code- Robert's Rules of Order."

Supervisor Kozakiewicz: "No, we have been addressing rules and procedures to deal with this as well as any other issues. In fact, at yesterday's discussion we had a chance to mark up the copies. They're going to go back and be revised and discussed at the next work session."

Lou Passantino: "Okay. Because it has been quite a while since I had seen that happen. I was furious. I think I'm qualified enough that to make public comment at this podium on that issue and to not have that comment allowed at that time when it was offered the first time, you know, again, I haven't made it to any of the other Town Board meetings but I'm just glad to see that you did do that. And you are looking into it- that's what you're saying- you're looking into-"

Supervisor Kozakiewicz: "The rules and procedures have been circulated and discussed amongst the Town Board. So I- what we took was the changes that were proposed. Councilman Lull is making some further changes as far as language and text that will be brought back to the Board at work session, hopefully, if we don't get too jammed up, the next work session."

Lou Passantino: "And if it's at a work session, then it will be brought to the Board- to the Town Board."

Supervisor Kozakiewicz: "It will be an open discussion."

Lou Passantino: "Open discussion and there's no- but, in other words that night you'd be looking to vote on it without any--"

Supervisor Kozakiewicz: "We would be looking to vote on it at the next Town Board meeting after that work session. Yes."

Lou Passantino: "There's no public comment other than- "

Supervisor Kozakiewicz: "You'd see the resolution. There wouldn't be a public hearing, no."

Lou Passantino: "Okay. But we'd actually have a copy of it?"

Supervisor Kozakiewicz: "Yes."

Lou Passantino: "Okay, thank you."

Supervisor Kozakiewicz: "You're welcome. Rolph Kestling. Vasso. No."

Vasso Patrikis: "I'll save it for next time."

Supervisor Kozakiewicz: "Okay, thank you."

Rolph Kestling: "Rolph Kestling, Wading River. I'd like to say

today I noticed that the shoe was on the other foot. If you want to know what I mean by that, when we go to regular town meetings in Town Hall, you sit up there in those nice plushy leather chairs and the audience sits on those hard benches. Today we sit on those plush chairs- "

Supervisor Kozakiewicz: "Good point."

Rolph Kestling: "-- and you sit on those hard benches. So I'm asking--"

Supervisor Kozakiewicz: "Yours still have cushions on the seats."

Rolph Kestling: "But how do you feel? I know one of you members is amply endowed. He probably (inaudible), but the other four- "

Supervisor Kozakiewicz: "I don't know who he is talking about."

Rolph Kestling: "Okay. About six, seven, eight years ago, a former Councilman announced what he was doing for the town as far as Cablevision going, the work sessions were going to be taped and we could see them. I remember seeing one or two tapes of the work sessions and that all died. What ever happened to that?"

Supervisor Kozakiewicz: "I don't know what happened six years ago. I know that there was an attempt and, in fact, there were some recent work sessions that were taped."

Councilman Cardinale: "Yeah, there have been."

Rolph Kestling: "But not now. Now I haven't seen a Town Board meeting in months and I can't- my wife won't allow me to watch 88. Okay, thanks."

Supervisor Kozakiewicz: "Thank you. Anyone else? All right. If not, we're going to take up the resolutions. Why don't we adjourn the Town Board."

Meeting adjourned: 10:46 p.m.

Meeting reopened: 10:56 p.m.

being 10:56. Okay. All right. Barbara?"

Resolution #763

Councilman Cardinale: "763 approves the application of Larry's Lighthouse Marina for the purpose of conducting a boat show at Vinland Commons, Tuthill Lane, Main Road, July 20, 22. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #764

Councilman Lull: "Approves the application of Cooperage Inn for some weekend events. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #765

Councilman Kent: "Approves the application of Living Water Full Gospel Church to hold a tent religious services July 21, 27 and 28. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #766

Councilman Cardinale: "Authorization to reject and rebid for a 69KV pole replacement and related work. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #767

Councilman Lull: "Adopts a local law amending Chapter 101 entitled Vehicles and Traffic of the Riverhead Town Code. This adoption is to provide for the better collection of parking fines and setting more parking fines. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Yeah, I'd like to thank Dawn Thomas for her work on this. Thank you. Yes."

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

Councilman Kent: "I better pay my fines. Yes."

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

Supervisor Kozakiewicz: "I'm paid. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #768

Councilman Kent: "Adopts a local law amending Chapter 48 entitled Beaches and Recreation Centers of the Riverhead Town Code. This is a companion legislation with the parking fines to be the same at the recreational facilities for those who violate the parking at recreational facilities. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #769

Councilman Cardinale: "769 is a Twomey Avenue Ext. 67 capital project budget adoption, \$2,000 from Developer fees to Engineer expense. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #770

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

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #771

Councilman Densieski: "Joint Scavenger Waste District budget adjustment. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #772

Councilman Lull: "Park and recreation fund budget adjustment. So moved."

Councilman Kent: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "I'm voting no for the remarks I made- on the remarks I made last week. I do not believe the increase in the skateboard park is to be taken from this. So I vote no."

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

Resolution #773

Councilman Lull: "Revolving loan program budget adjustment. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #774

Councilman Lull: "Is a farmland preservation capital project Ray Zaleski farm budget adoption. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "A quick comment. One of the speakers said today that the proposed moratorium was for 300 acres. I take exception to that, it's about 13,000 acres and this is more land that we can preserve. So I'm going to vote yes."

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

Councilman Kent: "I thought we did preserve it. I vote yes."

Councilman Densieski: "I was being sarcastic."

Councilman Kent: "It doesn't work well (inaudible)."

Barbara Grattan: "Didn't I call you?"

Councilman Cardinale: "No, that's all right."

Barbara Grattan: "Cardinale, you vote yes?"

Councilman Cardinale: "Yes."

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

Councilman Kent: "I still vote yes."

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

Supervisor Kozakiewicz: "Just another example of where we're not working to get farmland purchased. If you listen to the speaker- this is a case of where as a result of the weekly- biweekly meetings that we've been having with the county, we've identified growers who are interested. The thing that needs to be mentioned is while it's great to stand up and make all that noise, we have to have a willing buyer and a willing seller. And we've been able to do that and we've been able to achieve it through this new level of cooperation with the county. I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #775

Councilman Cardinale: "775 Community Development Block Grant budget adjustment, Polish Town street lighting, \$5,000 to sidewalk expense, \$5,000. So moved."

Councilman Kent: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "I assume this is for the study that we discussed in work session."

Supervisor Kozakiewicz: "Right."

Councilman Cardinale: "I vote yes."

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

Resolution #776

Councilman Lull: "Appoints a fill in lifeguard, Michael May, to the Riverhead Recreation Department. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #777

Councilman Lull: "Ratifies the appointment of Melissa Hays as a fill in lifeguard to the Riverhead Recreation Department. So moved."

Councilman Kent: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #778

Councilman Kent: "Appoints Julia Collins a beach attendant to the Riverhead Recreation Department. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #779

Councilman Kent: "This promotes Richie Warner to Auto Mechanic IV. He's (inaudible) step, right?"

Supervisor Kozakiewicz: "I think this is one step up."

Councilman Kent: "How'd he do that?"

Supervisor Kozakiewicz: "That's what he was told halfway through the year. (Inaudible)."

Councilman Kent: "Okay. It gives him a promotion from Auto Mechanic III to Auto Mechanic IV effective July 23rd. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Yeah, Richie Warner (inaudible) and I'm absolutely convinced that they do save the taxpayers a fair amount of money by running a tight shift. So I'm happy to vote yes."

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

Councilman Cardinale: "Yes, as I understand it this salary increase is four and a half as opposed to the one and a half that we were considering, is that correct?"

Supervisor Kozakiewicz: "That's correct."

Councilman Cardinale: "But I don't know much about mechanics and Ed does. He probably is worth what he's getting plus four and a half percent and I, therefore, am going to vote yes."

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

Councilman Kent: "Yes, he's really (inaudible) to the town. He could look big all the time. I vote yes."

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

Councilman Lull: "Phil, it's four and a half but it's actually

two and a quarter half way through the year."

Councilman Cardinale: "Right."

Councilman Lull: "Yes."

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

Supervisor Kozakiewicz: "That's the actual- that was my point, Jim's beaten me again to the- that the actual impact on the town and I do want to make an additional comment. I talked to someone who works with the county and I don't want to necessarily defame the county mechanics, but when this particular individual who knew how quickly we turn around vehicles at our garage compared to what they do at the county, said that you have a great crew there and they're doing a great job and I think this resolution is a reflection of the fact that we do recognize the good work they're doing. So, yes."

Barbara Grattan: "The resolution is adopted."

Resolution #780

Councilman Lull: "780, okay it's a promotion to Auto Mechanic III for Timothy Zaveski. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #781

Councilman Densieski: "Accepts resignation of Trina Miles as the Town Board Coordinator. So moved."

Councilman Lull: "With our thanks. Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Briefly, I'd just like to thank Trina for her help in Town Hall. She had the opportunity to better herself,

make a move upwards with move salary. We support her in that decision and wish her the best of luck. Yes."

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

Councilman Cardinale: "Jim, was that our thanks for resigning or for her service?"

Councilman Lull: "I knew you were going to say that. A person over here is saying the same thing, you guys think alike."

Councilman Cardinale: "I'll vote yes."

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

Councilman Lull: "What he said, yes."

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

Supervisor Kozakiewicz: "Ditto. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #782

Councilman Kent: "This authorizes the Town Clerk to publish and post a help wanted ad for part time homemaker for the Senior Citizens Department. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #783

Councilman Lull: "Authorizes the Town Board to publish and post a help wanted ad for a Town Board Coordinator. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: (Inaudible)

Councilman Lull: "Does it say it's (inaudible)."

Councilman Densieski: "Yes."

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

Councilman Cardinale: "As you know, each time there is a position lost to someone resigning, I ask whether it is necessary to fill the job or whether we can enjoy the benefit by attrition of the extra saving. I believe firmly that we could save this by not filling the position because I do not believe that we need a Town Board Coordinator so I'm going to vote not to publish and post because that would be a waste of money for a position I don't think should be filled. So I vote no."

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

Councilman Kent: "I disagree. I think we do need a Town Board Coordinator."

Councilman Cardinale: "You're not going to be here anyway, Chris, so- "

Councilman Kent: "Well, even more so when I'm not here, who's going to keep track of all the stuff you guys are going to mess up here. I want the ad to read a little differently though."

Councilman Cardinale: "I may not be here either."

Councilman Kent: "We should take the language from Mary Poppins (inaudible). What? It's already been put in there? Okay. All right. I'll vote yes."

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

Councilman Lull: "Yes, I'll vote yes."

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

Resolution #784

Councilman Cardinale: "This authorizes the attendance of one detective at Magloclen Training Conference, Troy, New York. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #785

Councilman Kent: "This authorizes the attendance of one detective at Magloclen Training Conference in Newtown, Pennsylvania. So moved."

Councilman Lull: "I'll second that one. I'd rather go to Newtown, Pennsylvania. I grew up in Troy, I can't see any profit in going back there."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "Troy, New York and Newtown, Pennsylvania, where they get the garden spots. I vote yes."

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

Resolution #786

Councilman Lull: "Authorizes the attendance of our Animal Control Officer, Lou Coronessi, at the National Animal Control Association training course in Rochester. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Yeah, I would like to say that Lou does run a tight shift also over there. He's doing a good job and I'd be glad to send him to the seminar and, hopefully, he'll (inaudible). Yes."

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

Councilman Lull: "Yeah I just a quick note. Because besides being our Animal Control Officer, Lou also has a couple of licenses in wildlife protection and he also is an investigator for the ASPCA. He's taken on several things in this job and he's doing a good job. Yes."

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

Resolution #787

Councilman Kent: "This approves the temporary sign permit of the Horizon. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #788

Councilman Densieski: "Accepts the offer of sale of development rights for Raymond and Cecilia Zaleski. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #789

Councilman Kent: "This substitutes performance bond of Sound Breeze Subdivision Section 5 and 6 with a maintenance bond. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #790

Councilman Cardinale: "This authorizes the Town Clerk to publish and post notice of public hearing special permit of Joseph Sciotto. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #791

Councilman Cardinale: "791 is an order calling for a public hearing for the purchase of a vacuum tank truck system for the Riverhead Sewer District. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #792

Councilman Densieski: "Is an order calling for a public hearing for increasing prior authorization for alarm system for the Riverhead Sewer District. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Yes. Briefly, they're adding an antenna on top of a building and some other equipment. That's basically what it is. Yes."

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

Resolution #793

Councilman Lull: "Authorizes the Town Clerk to publish and post a public notice for a local law to repeal and replace Chapter 107 entitled Wetlands, Floodplains and Drainage of the Riverhead Town Code. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Yes for the (inaudible)."

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

Councilman Cardinale: "Yes to post and publish."

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

Resolution #794

Councilman Densieski: "Declares lead agency and determines environmental significance of condemnation of real property at Railroad Avenue, Riverhead. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #795, 796, 797, 798, 799

Councilman Lull: "Scheduling a public hearing pursuant to

Article 2 of the New York State Eminent Domain Procedure Law in connection with the condemnation of 201 Rail Road Street, Riverhead, New York and if you bear with me, I will go onto the next one which does the same thing for 217 Rail Road Street and the next one for 207 Rail Road Street and the next one for 210 Court Street and the next one for 204 Court Street. I take them all together."

Councilman Kent: "And I'll second them all, 795 through 799."

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

Councilman Kent: "It is a block."

Supervisor Kozakiewicz: "That's right."

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

Resolution #800

Councilman Densieski: "800 is an order calling for a public hearing for the extension to the Calverton Sewer District Calverton Business Incubator. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "At no cost to the town. Yes."

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

Resolution #801

Councilman Lull: "Calling another public hearing, this time for the extension 64 to the Riverhead Water District, the Calverton Business Incubator, sorry. So moved."

Councilman Kent: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #802

Councilman Lull: "Approves the site plan of Suffolk County National Bank for its new headquarters on Second Street in Riverhead. We have all seen the site plan, it looks great. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Yeah, Jim is right. It's going to be a beautiful building. I vote yes."

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

Resolution #803

Barbara Grattan: "803, Councilman Lull."

Councilman Cardinale: "Discussion, please, on this."

Supervisor Kozakiewicz: "This has to be switched anyway. The special permit resolution should follow the change of zone resolution."

Councilman Cardinale: "Right."

Councilman Kent: "Actually I have a note on that."

Supervisor Kozakiewicz: "Discussion?"

Councilman Cardinale: "The- we're going to, I guess, pass this and then go to 105 and my remarks relate to both. Since we are deep into this moratorium consideration, since the map may change to incorporate additional acreage as part of our discussion, I would- and since we've had recommendations in the past from the Planning Board that we should not do zone changes while the master plan is pending, I would ask the Board to consider tabling this until we've made the moratorium decision."

I think that would be consistent with the Planning Board's recommendation and consistent with good sense. I don't have to do much except this would be the same remarks I would make at 805 as well on the zone change. This is the special permit.

I would like to table both of them for that purpose."

Councilman Kent: "I'll second that motion."

Supervisor Kozakiewicz: "So the motion to table and second to table, both 803 and 805?"

Councilman Kent: "Yes. Why not 804?"

Supervisor Kozakiewicz: "Well- let's do that one separately."

Councilman Cardinale: "We're going to do that anyway, I believe."

Supervisor Kozakiewicz: "All right."

Barbara Grattan: "So what are we doing, 803 and 805?"

Supervisor Kozakiewicz: "803 and 805."

Barbara Grattan: "Okay."

Supervisor Kozakiewicz: "There's a motion to table."

Councilman Densieski: "Not 804?"

Supervisor Kozakiewicz: "Not 804."

Councilman Lull: "We'll do that separate."

Barbara Grattan: "All right."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "Yes, to table."

The Vote (Cont'd.): "Kent, yes; Lull, no; Kozakiewicz, no. Okay, resolution is tabled."

Barbara Grattan: "Resolution 805, Councilman- "

Supervisor Kozakiewicz: "Now, we've got to do 804."

Councilman Kent: "804."

Barbara Grattan: "Yes, sorry."

Councilman Kent: "I'll move to table 804, too."

Councilman Cardinale: "Second."

Supervisor Kozakiewicz: "Moved and seconded to table. On this one, just so there's- "

Councilman Kent: "There's a real explanation."

Supervisor Kozakiewicz: "-- there is a- as a follow up to our conversation at this work session I did, in fact, speak to the developer and explained some of the issues that had come up and had approached the topic of tabling this and, in fact, it was agreed that it would make sense so that we could sort out the issues. So at this point there is a rationale which would involve whether we want to sterilize parcels in addition to or in lieu of. So that was discussed."

Councilman Kent: "And we might also have to consider whether- if we are going to go with pine barrens credits here, we might have to amend the receiving map like we did in Wading River so that we could allow it to receive the pine barrens (inaudible)."

Supervisor Kozakiewicz: "Okay, so there is a motion and second to table? Vote, please."

The Vote: "Densieski, yes."

Barbara Grattan: "Yes, to table?"

Councilman Densieski: "Yes."

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

Councilman Cardinale: "Yes, to table."

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

Supervisor Kozakiewicz: "On this one, yes."

Barbara Grattan: "The resolution is tabled."

Now 805, Councilman- "

Councilman Kent: "805 has been tabled."

Supervisor Kozakiewicz: "No, 805 has been tabled. 806."

Barbara Grattan: "806?"

Supervisor Kozakiewicz: "Yup."

Resolution #806

Councilman Kent: "This- 806 accepts the resignation of Marybeth Vail who was an assessment clerk with the town. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #807

Councilman Kent: "Do we have to amend this one?"

Dawn Thomas: "We just have to amend the hearing date to September 18th instead of September 4th."

Councilman Kent: "I don't have the attached notice."

Barbara Grattan: "No, you probably don't because- "

Councilman Cardinale: "Wasn't this going to be at the next Board meeting?"

Dawn Thomas: "We have too many public hearings on the next two Board meetings."

Councilman Cardinale: "I would do a separate day perhaps?"

Barbara Grattan: "No, you've got the wrong one."

Councilman Densieski: "I don't have 807 in the packet."

Dawn Thomas: "You mean have a special day for it?"

Barbara Grattan: "You don't have 807 in your packet? 807- "

Councilman Cardinale: "Maybe we're talking about the wrong one, too. 807-"

Supervisor Kozakiewicz: "807 is the publishing and posting of public notice special permit William Dreis- "

Barbara Grattan: "William Dreis and Anthony Specchio."

Councilman Cardinale: "I'm sorry."

Barbara Grattan: "Petition to the Planning Board."

Councilman Cardinale: "Fine, I don't care."

Barbara Grattan: "And it's got to be amended because it reads the 4th day of September. It's got to be amended to the 18th."

Councilman Cardinale: "Fine. Okay. Yes."

Supervisor Kozakiewicz: "So it's being amended to provide for a hearing date on what day?"

Dawn Thomas: "September 18th."

Supervisor Kozakiewicz: "September 18th."

Dawn Thomas: "That's at the applicant's counsel's request."

Supervisor Kozakiewicz: "Okay, we know the time, September 18th, what- "

Dawn Thomas: "I think it's a 7:00 meeting. It might be 2:00."

Barbara Grattan: "That's 7:10 it says here."

Supervisor Kozakiewicz: "7:10?"

Barbara Grattan: "It says 7:10 on the resolution."

Supervisor Kozakiewicz: "All right. So it's going to be amended to September 18th at 7:10. All right."

Barbara Grattan: "It might be at 2:00. You know that second meeting, second meeting, Bob, in September."

Supervisor Kozakiewicz: "We're not going to have afternoon meetings anymore."

Barbara Grattan: "Isn't the meeting in September a 2:00 meeting?"

Supervisor Kozakiewicz: "Yes, it is."

Councilman Cardinale: "Thank you- They said Cablevision- "

Councilman Kent: "As a producer- as the producer, he has to know that."

Supervisor Kozakiewicz: "That would be 2:10."

Barbara Grattan: "There's another public hearing, okay, fine. Okay, 2:10 on September 18th."

Supervisor Kozakiewicz: "Moved and- has it been moved and seconded?"

Barbara Grattan: "Who seconded it?"

Supervisor Kozakiewicz: "I don't think it's been moved and seconded yet."

Councilman Kent: "Actually I didn't move it yet. This authorizes the Town Clerk to publish and post a notice of public hearing for the special permit of William Dreis and Anthony Specchio and refers the petition to the Planning Board."

Councilman Lull: "I'll second."

Barbara Grattan: "And Lull is going to second."

Councilman Lull: "Move it as amended."

Supervisor Kozakiewicz: "Moved and seconded as amended."

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

Resolution #808

Councilman Lull: "Authorizes the Town Clerk to publish and post notice of a public hearing special permit petition of TS Haulers, Inc. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

Councilman Kent: "Discussion."

Supervisor Kozakiewicz: "Discussion."

Councilman Kent: "I have a couple questions. Actually, the first one is for Dawn. Is this based on some type of an order of the court that we have to have this special- "

Dawn Thomas: "The last court- "

Councilman Kent: "-- public hearing for a special permit?"

Dawn Thomas: "The last decision and order and the recent Article 78 remitted the matter to the Town Board for findings and- "

Councilman Cardinale: "And referral to the Planning Commission."

Councilman Kent: "Determination- "

Dawn Thomas: "Yes, findings and- "

Supervisor Kozakiewicz: "And the referral went to the Planning Commission."

Dawn Thomas: "And this- we discussed it at work session and based on that decision- and we have received now the recommendation of the Suffolk County Planning Commission and based on that additional information the Board felt it was important to have another public hearing. So that's- "

Councilman Kent: "Okay. Wasn't the recommendation a negative?"

Dawn Thomas: "Correct, yes, it was."

Councilman Kent: "Okay. All right. Let me ask kind of a silly question, I don't mean it to be though. What wholesale business are they considering operating?"

Dawn Thomas: "That's the application to operate their mining business and processing under a- as a wholesale business non-nuisance industry under 108-45 B6, I think."

Councilman Kent: "But this is outdoors."

Dawn Thomas: "The same special permit application as before."

Councilman Kent: "All right, it's the same application- "

Dawn Thomas: "The same exact- this is a do over."

Councilman Kent: "Okay."

Councilman Cardinale: "What is the hearing date?"

Barbara Grattan: "Where's the attachment?"

Councilman Kent: "There's no attachment."

Barbara Grattan: "It's an add on resolution and no attachment."

Dawn Thomas: "I gave it to Melissa and it should be for the next Town Board meeting."

Councilman Cardinale: "Yeah, that's what I understood. So when I'm voting on it, I would expect that it would be the next town board meeting."

Councilman Kent: "So that would be 8/7? Is that the next meeting?"

Supervisor Kozakiewicz: "That would be 8/7."

Dawn Thomas: "Correct, that is a 2:00 p.m. meeting also? I think it is. Yes."

Supervisor Kozakiewicz: "It is because that's National Night Out."

Barbara Grattan: "Yes, it is, yes. National- so he's in the afternoon."

Supervisor Kozakiewicz: "Any other discussion?"

Councilman Kent: "No, that's all right."

Supervisor Kozakiewicz: "The vote, please."

The Vote: "Densieski, abstain; Cardinale."

Councilman Cardinale: "Yes, I vote yes for the hearing on 8/7."

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

Resolution #809

Councilman Densieski: "Authorizes the Town of Riverhead to remove rubbish, debris and the cutting of grass and weeds from property pursuant to Chapter 96 entitled Trash, Rubbish and Refuse Disposal of the Riverhead Town Code. And the property is 350 Hamilton Avenue. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #810

Councilman Kent: "This approves the two month non-paid request for- excuse me, approves the request for leave of absence for two months of one of our town employees. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "A little discussion. Are we going to change the policy or is it something that we're going to consider in

the future as far as, you know, people having their leave of absence or is there a reason that we're not aware of or- "

Supervisor Kozakiewicz: "This one just came up and was put on- because the person's already- is no longer there, she is sick, has medical problems."

Councilman Densieski: "Okay."

Councilman Kent: "This is a medical one. I think we should make exceptions for this."

(Some inaudible discussion among the Board members)

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

Resolution #811

Barbara Grattan: "Resolution #811 is to pay bills."

Councilman Lull: "So moved."

Barbara Grattan: "Who moved it, Lull?"

Councilman Lull: "I did."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded. Moved by Lull, seconded by Cardinale."

The Vote: "Densieski."

Councilman Densieski: "I'm sorry, Barbara, which one are we on?"

Supervisor Kozakiewicz: "Bills."

Barbara Grattan: "We're doing bills, 811."

Councilman Densieski: "Yes."

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

Resolution #812

Barbara Grattan: "Now, Resolution #812, is that the approve- "

Supervisor Kozakiewicz: "Hallmark Chiropractic- "

Councilman Kent: "This approves the temporary sign permit of Hallmark Chiropractic. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved by Lull, seconded by- moved by Kent, I'm sorry. Seconded by Densieski."

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

Resolution #813

Supervisor Kozakiewicz: "Chapter 101."

Barbara Grattan: "Yup."

Councilman Lull: "Authorizes the Town Clerk to post and publish public notice of public hearing to consider a proposed local law for an amendment of Chapter 101 Vehicles & Traffic of the Riverhead Town Code scheduled for 2:40 o'clock on August 7th. So moved."

Councilman Kent: "Seconded. This is to make the entrance to the municipal parking lot between the Grill and West Marine a one way street in a southerly direction. So it be only into the parking lot, not out onto the street."

Supervisor Kozakiewicz: "Moved and seconded."

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

Reslution #814

Barbara Grattan: "Resolution #814 is Nugent Drive."

Supervisor Kozakiewicz: "Nugent Drive, 72-h."

Councilman Kent: "Okay, this authorizes the transfer of county

owner property located at the corner of Nugent Drive and West Main Street, in the Town of Riverhead. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #815

Barbara Grattan: "Resolution #815, bus driver."

Councilman Lull: "Authorizes the Town Clerk to publish and post a help wanted ad for a part time bus driver. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Motion to adjourn."

Barbara Grattan: "No, we've got one more. Resolution 816."

Resolution #816

Councilman Kent: "Authorizes the Supervisor to execute a modification of ambulance contract modifying the insurance provision thereof. So moved."

Councilman Cardinale: "Seconded. What this does, I have to (inaudible) is we have a double insurance situation and we're canceling the duplicative insurance. Chris introduced it; I seconded it and (inaudible)."

Supervisor Kozakiewicz: "Moved and seconded. Go ahead."

Councilman Densieski: "This continues the coverage as required."

Councilman Cardinale: "As I understand it we have insurance and

so do they. We're directing them to cancel theirs and give us whatever they get."

Supervisor Kozakiewicz: "Okay. Is it my turn to vote? Did we do the vote?"

Barbara Grattan: "I'm going to call it."

Supervisor Kozakiewicz: "Okay, vote, please."

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

Supervisor Kozakiewicz: "Now motion please."

Councilman Cardinale: "Motion to adjourn. I want to thank the three people who stayed and the member of the press from Suffolk Life, a great cosmopolitan newspaper. Move to adjourn."

Councilman Kent: "Second."

Supervisor Kozakiewicz: "Adjourned at 11:26 p.m."

Meeting adjourned: 11:26 p.m.

*Barbara Grattan
Town Clerk*