

Minutes of a Town Board meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, August 6, 2002, at 2:00 p.m.

**Present:**

Robert F. Kozakiewicz,	Supervisor
Edward Densieski,	Councilman
James Lull,	Councilman
Rose Sanders,	Councilperson

**Also Present:**

Barbara Grattan,	Town Clerk
Sean Walter, Esq.,	Town Attorney

**Absent:**

Barbara Blass,	Councilperson
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Supervisor Kozakiewicz called the meeting to order at 2:06 p.m. .

Supervisor Kozakiewicz: "Yes. I'm ready. Let the record reflect the time of 7- I mean 2:06 p.m. having arrived, I call this meeting to order. As probably the individuals who have had a chance to look at today's agenda gathered, tonight is National Night Out. That's one of the reasons why this meeting is being convened in the afternoon as opposed to the evening so that, hopefully, all of us can participate in National Night Out. This has been routine and something that has been going on in the Town of Riverhead for a few years now. I will let Bob, perhaps, discuss that a little bit more when we bring him up.

Before we do so, I'd like to at least- well, you know, hold off the minutes because there are some corrections that need to be attended to so why don't we just have somebody lead us in the Pledge of Allegiance first and then we'll call the individuals from National Night Out up.

John, since you're up, do you want to lead us in the Pledge of Allegiance?"

(At this time, the Pledge of Allegiance was recited, led by John.)

Supervisor Kozakiewicz: "And if the Board will join me down below. Bob, National Night Out- okay, okay, who wants to start off the introductions? Would that be yourself, Rick? We'll pass it onto you. I know that Bob's brought his family with him tonight. I don't know if he wants them to come up as well. Bob- all right, why don't I- yeah, come on, sibling rivalry. Come on up."

Richard Boden: "I'd like to say thank you, again, for having us. This is the 19<sup>th</sup> National Night Out that the Riverhead Police Department has been involved in. It goes back a long way. Tonight we have block parties and places to go and Bob (inaudible) from Schwinn Electric has been our biggest supporter for National Night Out. He's been with us a long time, 12 years. He sent two crews out. We visited neighborhood watches that had block parties. Bob supplies balloons and gifts for the kids. We bring (inaudible) with us and we try to make it a nice night for different neighborhoods in the Town of Riverhead.

So tonight we have nine of them to go to. The Town Board is always gracious enough to have the meeting in the afternoon which makes our schedule for tonight a whole lot easier. So we appreciate that.

And in conjunction with the National Night Out, we've done a poster contest for the last probably 10 years so, and it's through the Jamesport Community Center summer recreation program. We have two age groups with three winners from each age group and I see a bunch of children here in the front so I would imagine these must be our winners.

The posters are around town hall, okay, and some right up front. So take a look at them and the theme was National Night Out. So what you can do to make crime go away. So, I don't know, Bob, do you want to say something quick and then we'll do the awards?"

Bob: "First of all, it's been a real pleasure doing this year after year. The poster contest gets harder and harder to judge each year. The kids do such a great job. This year I'm lucky enough, my brothers took time off- I got my brother Jack in the blue shirt, my brother Pete, who is president of the company came out and just to participate. They're able to do it every now and then. I'm out here and they're at our other locations but it's something that we as a company take great pride in this. Our opportunity to give something back to the community. The community welcomed us 12 years ago when we started this and it's really been nice.

And one of the other things that Rick forgot to mention is one of the things that's important to us when we go to these block parties is we give out free light bulbs and we believe that the best way to fight crime is to keep your lights on, (inaudible). Turn those lights on. But it's something that, you know, we believe, give out free light bulbs, turn your lights on, and fight crime, makes it for a better community.

But we've got three prizes in each of the categories and we'd like to go ahead and give those out. And we also have- each year we go around and give out a toy to the kids. This year it's a great pen, the kids are going to love it. It's a pen, writes, and it also can blow bubbles. The Town Board can have those.

But I'll turn it over to Rick, he'll read the names and we'll call up the kids, one at a time. But I'm telling you, it gets harder and harder. The kids did a great job this year. And the person who judges it was my secretary and her daughter who- she's, I think (inaudible) nine years old. So they had fun doing it. But, kids, thank you very much, great job. Rick."

Richard Boden: "We'll start off with the five to eight year old age group and we'll go with the first place winner first, Kristin Peragine- I hope I said it right. Ladies and gentlemen, the first place prize is four tickets to Splish-Splash. Do you want to stay up, get your photo? Second place in the five to eight year old group is Klaudia Szczerba- and I hope I did that one right. Come on up. Second place today is four tickets (inaudible). And third place for the five to eight year old group is Rachel Flannery. And the third place prize is ice cream for you and your friends. Congratulations.

All right. The nine to 13 year old group, which is the older group, first place is Eugene Barrow. Eugene. And, again, first place prize, you're off to Splish Splash. Second place, Jason Sendlewski. And third place is Joseph Zito. Ice cream for you. Congratulations.

I'd like to just say thank you, again, to the Board for their support for National Night Out. I think we have t-shirts for all of you, the official National Night Out t-shirt. And thanks, again, to Schwinn Electric for all their support."

(Inaudible)

Richard Boden: "Well, off the top of my head, I know that the Millbrook Gables, the Sunrise Association, Sunrise Avenue, Daly Drive,

Two Bears, Constable Drive, Wildwood Acres, (inaudible) Point, and there's another one, Jim, (inaudible) Farms, and Clearview Association, which is industrial and Hinda Blvd. (phonetic). So we have a lot of places to go. And if you're not involved in any of those neighborhoods, we would just ask that maybe tonight it's going to be a beautiful night out there, just lock your doors, put your lights on, and maybe go outside, spend a little time out in the street. Maybe find a couple neighbors you haven't seen in a while, that's what it's all about. Trying to meet your neighbors and being the eyes and ears for the police department. And thanks for your support again."

Supervisor Kozakiewicz: "I want to say, once again, thank you to Bob and his brothers and all the support they've lent, and to Lt. Rick Boden, Officer Wooten for all of this help and Chief of Police. And if it wasn't for everyone working together, this National Night Out wouldn't be the success that it is in it's 19<sup>th</sup> year. Thanks again.

All right. Why don't we make a motion to approve the minutes- I did have some corrections which to the minutes, which, I apologize, I didn't have a chance to put them down in writing. The first one was on the first page, when there's a comment with respect to Reports, there's a statement attributed to Councilwoman Blass that should have been Melissa White since that was a response to that comment. Councilwoman Sanders at page five had indicated that she was making a comment on an Advisory Committee. It should be noted that between "the" and "Advisory Committee" the word "recreation" should have been in there. Page nine of the report, there's an identified speaker, it should be noted to be Mr. Barnowski (phonetic). That was with respect to the exemption hearing. Page 10, Shembry (phonetic) was misspelled. It should be without the "e" on the end of it. On page 24, it talks about CPS business. It should be CPS, that's Community Preservation Fund. Page 32, there's section that says "wooden". It should have been "wooded", w-o-o-d-e-d, since it was describing a wooded lot. On pages 38, 38, 41, Mr. Cuddy is spelled like Cutty Sark. C-u-t-t-y. It should be C-u-d-d-y. And then on page 62, there's a description Resolution #770, the words "in default" should appear between "Harborview Homes, Inc." and the words "in connection". So it should read declares Harborview Homes, Inc. in default in connection with property. That's the sum and substance of the changes. Hopefully, the Board agrees? All right. Motion to approve."

Councilman Densieski: "Yeah, motion."

Supervisor Kozakiewicz: "Second?"

Councilwoman Sanders: "Second."

Supervisor Kozakiewicz: "Okay, good."

Councilman Densieski: "I'm very impressed, Mr. Supervisor. I have to admit that."

Supervisor Kozakiewicz: "Couldn't sleep last night. Reports, please."

Barbara Grattan: "Okay. Now, are you going to give me that?"

Supervisor Kozakiewicz: "I will give you those changes. Yes."

Barbara Grattan: "Okay. Are we going to approve those minutes?"

Supervisor Kozakiewicz: "Oh, that's right, we've got to approve those- yes, vote, please."

The Vote: "Sanders, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. 4 yes and 1 absent."

Barbara Grattan: "Okay. Thank you."

Supervisor Kozakiewicz: "You're welcome. Reports, please."

**REPORTS:**

Receiver of Taxes	Total taxes collected for 2001 to 2002 - \$71,050,02.95
	Utility collections report for July, 2002 - \$300,694.79
Town Clerk	Monthly report for July - total collected, \$10,192.41
Recreation Department	Monthly report for May - total collected, \$23,863.23
Juvenile Aid Bureau	Monthly report for June

Barbara Grattan: "That concludes Reports."

Supervisor Kozakiewicz: "Barbara, thank you. Applications?"

**APPLICATIONS:**

Shows & Exhibition Permits	North Fork Classic Horse Show on August 8-10, 15-17, 20-24,  P.C. Richards & Son - Tent sale 8-20 through 9-17  Green Island Distributor Horticultural Exhibition, 9-5 from 9:30 to 4:00 p.m.  Riverhead Foundation Marine Research - 5k foot race 11-2 10:00 a.m. to 12:00 p.m.
Site Plan	Windcrest East elevations  Tebben's Enterprises, LLC - concrete loading dock  W.H.B. Properties - 2 story addition  McGuire's Hearing Aid Service- convert existing cottage  World Tile - install aluminum wall system  Sunken Ponds - construction of 84 condos  Roanoke Shopping Plaza - re- placement of mansard finishes  Riverhead Enterprises - renovation of facade  Quality Affordable Landscaping design office

Special Permit

Riverhead Commerce Park - to  
build a 4,600 square foot  
restaurant

Barbara Grattan: "That concludes Applications."

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

**CORRESPONDENCE:**

Alice Graff

Letter of resignation from  
the Landmarks Preservation  
Commission

Edwin Lapham

Letter of resignation due to  
illness

Mike Spindler

Letter of support for the  
farmland acquisition of Robin  
Gibbs' horse farm

Steve Haizlip

Letter thanking the Town Board  
members for the installation  
of the traffic light at Sound  
Avenue and Edwards Avenue

Relay Communications Center

Regarding the striping of the  
municipal parking lot between  
Roanoke and Griffing Avenues

Tony Bassi

Letter of resignation

Jeffrey Seeman

Regarding the public comment  
of Resolution #647 amendment  
to Chapter 62

Barbara Grattan: "That concludes Correspondence."

Supervisor Kozakiewicz: "Are there any Committee reports?"

Councilman Densieski: "This is not necessarily a Committee  
report. But there is some interest in the community about the barn on  
the corner of the Splish-Splash entrance there. Is that Twomey or  
Manor?"

Supervisor Kozakiewicz: "Manor."

Councilman Densieski: "Manor and 25, there's a great big barn there that's got graffiti all over it and I'd just like to let everybody know, they did apply for a demolition permit so it's going to come down and I think that's going to improve the aesthetics of the community up there."

Supervisor Kozakiewicz: "Anybody else? All right. The time of 2:22 p.m. having arrived, we are going to skip or I guess we're going to adjourn the first public hearing which is the 2:05 p.m. hearing. I am not sure if anybody had come to speak either for or against this particular matter. There is apparently a question as to whether there was a prior contract executed between the parties. In light of that, upon advice from counsel, we are going to adjourn the public hearing until we can straighten out the circumstances involving this particular acquisition."

Given that, we will be going to the next public hearing which is the public hearing which was noticed for 2:20 p.m. and I would ask Barbara, if you would read the posting and publishing affidavit, please."

Public hearing opened: 2:24 p.m.

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on August 6, 2002, at 2:20 p.m. regarding the consideration of a local law to amend Chapter 108, Article VI, Agricultural District, VIII, Business B District; Article IX, Business C District; Article X, Business D District; Article XI, Industrial A District; Article XII, Industrial B District; Article XIII, Supplementary Use Regulations."

Supervisor Kozakiewicz: "All right. I understand that Sean, you are going to take a stab at explaining the changes that are proposed to Chapter 108. For the record, it's Sean Walter, Deputy Town Attorney."

Sean Walter: "Yes. The Riverhead Town is in the process of removing its special permit section from the definitional section of the Town Code and moving it into a- into Chapter 108 proper and as part of that, we're cleaning up all the special permit use definitional sections and special permit uses throughout the code."

And by- what I mean cleaning up, it's more of a housekeeping.

None of the uses in any of the districts have changed but in the Town Code we made reference in many of the provisions that Barbara mentioned to special exceptions where the Town Board would give a special exception permit. We don't do that. So we're removing all references to special exceptions. We're cleaning up the language, making the language a little more concise and if you go through and look at all the changes, they're almost identical throughout every section of the Code that Barbara has cited. And that's it."

Supervisor Kozakiewicz: "Okay. So to answer the question. There's not going to be a change- if a use requires a special use or a special exception use, they will still be required to obtain a special permit. Is that correct?"

Sean Walter: "That's correct."

Supervisor Kozakiewicz: "Okay."

Sean Walter: "The specially permitted uses first have not changed."

Supervisor Kozakiewicz: "Okay."

Sean Walter: "You still have the same specially permitted uses in your code that you had before."

Supervisor Kozakiewicz: "Okay. Is there anybody who would like to address the Board either for or against the proposed changes to Chapter 108 which as pointed out are more housekeeping changing the wording to make sure that it's consistent? Not seeing anybody indicate a desire to- what don't you understand? Mr. Schmelzer, you have to get up- you have to get up to the podium, Mr. Schmelzer. Well, the problem is, I'm not sure if we're going to get it all on the record. You- you don't understand the issue of removing the word a special exception and just having it special permit?"

George Schmelzer: "(inaudible)-- you can't build a house on it but you've got a permit- "

Supervisor Kozakiewicz: "Yeah, but that's not what we're talking- we're talking about zoning uses and there's- right. Let me speak, please. You said you don't understand it and I'm going to, hopefully, take a stab at responding.

Under zoning, there are certain uses that are permitted uses

which means that if you are establishing that use in a zoning district, there's no need to have a hearing. You're allowed to do it as of right. A special permit use requires that an individual file an application and there's a public hearing before the Town Board.

What we're proposing to do or what the changes here are doing is to clear up the language so that wherever we refer to a special permit we're not somehow confusing people with the words special exception. It's a housekeeping mechanism and this deals with zoning law questions, not property taking questions. Although some people may say they're one in the same."

George Schmelzer: (Inaudible)

Supervisor Kozakiewicz: "So you're opposed to the changes which clean up the language? I think- all right. Anybody else who would like to address the Board?"

George Schmelzer: (Inaudible)

Supervisor Kozakiewicz: "Anybody else who would like to address the Board either for or against? If not, declare the public hearing closed, the time of 2:27 p.m. having arrived."

Public hearing closed: 2:27 p.m.

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Supervisor Kozakiewicz: "The time still being 2:27 p.m., Barbara, would you read the affidavits of publishing and posting for the next public hearing?"

Public hearing opened: 2:27 p.m.

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on August 6, 2002, at 2:25 p.m. regarding the special permit petition of J. Douglas Stark and Agnes Stark to allow the expansion of an existing mobile home park by a total of 82 units on property located at Route 58, Riverhead."

John Ciarelli: "Good afternoon, Mr. Supervisor and Members of the Board. My name is John Ciarelli, firm of Ciarelli and Dempsey and we represent the applicants of this extension- "

Supervisor Kozakiewicz: "We still need to have the witness sworn, correct, Dawn?"

Dawn Thomas: "Special permit?"

Supervisor Kozakiewicz: "Yeah."

Dawn Thomas: (Inaudible)

John Ciarelli: "Our application is for an expansion of the existing Glenwood manufactured home park. It's a use which is- expansion is permitted by special exception. Obviously- that's why we're here. We're asking you for a special permit- I should say special permit.

This is a use which serves the needs of the citizens of the Town of Riverhead. There is a demand for this use and it is a- it is an existing thriving community and it's well managed. It's restricted to residents or owners over 55. As a result, it has no impact on the school district. It's compatible with existing community and will not adversely affect adjacent industrial uses. There is we all know the raceway to the west, the existing Glenwood Park to the east, the railroad to the south and there will be an industrial parcel fronting on Route 58 to the north.

A full EIS has been prepared and accepted by this Board. We have been before the New York State Department of Environmental Conservation because there are wetlands and because the site is within the Scenic and Wild River corridor we have satisfied the concerns of that Department and anticipate a permit being issued. And dealing with the DEC has in a sense helped us conform to the town requirement of 70% undeveloped land on this parcel. It's 34 acres. Of that 34 acres, 70% is undeveloped.

The project has been scaled down consistent with that and I think for that reason it takes the needs of the, you know, the community and the essential characteristics of the land into consideration.

The special permit conditions of the town code are satisfied by the evidence contained in the DEIS- in the environmental impact statement and the special characteristics of its use.

Mr. Stark- Brian Stark is here on behalf of the applicant as is Howard Young who are prepared to answer any questions you might have."

Supervisor Kozakiewicz: "I know of one question that may come up and I'm going to try to maybe address it, because you discussed the fact that the individuals who will become residents are 55 and older and I know there's been a lot of debate and discussion about whether an individual less than 55 years of age can be an occupant or a resident and I understand there's a difference between federal law and state law. Could you address that issue?"

John Ciarelli: "I'm going to ask Mr. Stark to respond to that because he is involved in the day to day management and is involved in dealing with those issues."

Supervisor Kozakiewicz: "All right. Thank you."

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?"

Brian Stark: "Yes, I do. Brian Stark. To answer your question, Bob, the- we do conform with the federal mandate of an 80/20 split where in order to qualify for a 55 and older community you need to- that 80% of your residents be 55 or over. That's- I believe now in conformance with the state code, the state law. They are concurrent, the federal and state law and they are concurrent 80/20."

Supervisor Kozakiewicz: "Because the state law had been 100%, correct?"

Brian Stark: "Correct."

Supervisor Kozakiewicz: "Okay."

Brian Stark: "The state law had been more stringent."

Supervisor Kozakiewicz: "Okay. How- I know we talked about the DEC. You are probably more familiar with this. How long have you been involved with the DEC with respect to this particular project and what type of regulations were you subject to as part of this project?"

Brian Stark: "Well, I went to contract with the current owner, the seller of the property knowing full well that the entire 34 acres was bounded by the scenic river corridor. The- Stony Brook, I think, four and a half years ago when I went to contract, my initial discussion was had with Roy Jacobson and then continued with Steve Lawrence. They pushed me back on a smaller envelope considering the

wetlands and the scenic river corridor. It's been a number of years but we finally came to an agreement and when the moratorium came up, it was very easy to comply with the terms of the moratorium because they had pushed me back to such a small building parcel."

Supervisor Kozakiewicz: "Okay. This project had started out larger in other words. Because of the DEC constraints, it was shrunk down. What was the original application and where are you presently?"

Brian Stark: "I think we had about 120 or so homes and we are at 82 right now."

Supervisor Kozakiewicz: "And how many currently exist in Glenwood?"

Brian Stark: "Four hundred and eight-six."

Supervisor Kozakiewicz: "Okay. This would be on a typical size plot, is that fair to say?"

Brian Stark: "We're about 50 by 80 in the present Glenwood. I envision 60 by 75 for the new area, so slightly larger."

Supervisor Kozakiewicz: "Slightly larger. Okay. Any questions from the balance of the Board? All right. Is there anybody else who would like to address this Town Board with- yes, Sandra Mott. And, George, you want to address us as well? Okay."

Dawn Thomas: "Swear her in?"

Supervisor Kozakiewicz: "Yes."

Dawn Thomas: "Your name?"

Sandra Mott: "Sandra Mott."

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

Sandra Mott: "Yes, I do. I don't know how many times I've been back to these various scopings and DEIS reviews and so on and so forth but I still have some basic questions. One is to my understanding, these are not going to be the same type of homes that are already in Glenwood. That they are going to be on foundations and they're basically going to be larger. I don't know if that is fact or not but

that's what I've been advised.

Also, is that final site plan that I saw outside, thanks to Mr. Hanley's help in placing it. It wasn't out there for anyone to look at. When I did ask, they put the wrong one up. Is that the final site plan or is this going to be adjusted again?"

Supervisor Kozakiewicz: "Rick, is it the final plan? Because I don't know what's up there. So to answer your question, I will ask Rick to be sworn and he can respond. Dawn, would you have him sworn?"

Dawn Thomas: "Mr. Hanley, do you swear that your testimony will be the truth, the whole truth, and nothing but the truth, so help you God?"

Rick Hanley: "I do. The Clerk put the original plan that was submitted to the Town Clerk up this afternoon. I replaced it with the new plan that the DEC has essentially approved that Mr. Stark talked about. So the one on the wall is the 82 unit petition and that's the final petition. That was the petition made part of the FEIS which you've accepted."

Councilman Densieski: "You say essentially approved. You don't have DEC approval yet or- "

Rick Hanley: "Not as yet. We've accepted an FEIS. Mr. Stark may have it in his person but at this point we don't have it in the file. So I wouldn't expect that would come until findings statement in any event, so. Okay. Eighty-two units."

Supervisor Kozakiewicz: "Eighty-two. Thank you."

Sandra Mott: "I asked that question because originally when I got into this situation, we are going to be living opposite the construction. I'd like to know how deep it's going to be from the fence which is currently there, how much further back it's going to be away from that fence where they are going to start the construction in order to preserve some of the habitat along the fence area where the current residents live and also maybe to reduce some of the noise and pollution from the construction. I didn't see that indicated on that site plan.

Another question I had which goes back to the very beginning is lead in the soil. My understanding is that it hasn't been tested for lead. Why hasn't it been tested? It was an original concern of mine

and still is. It's a very dangerous item to have in the soil and once it hits the air and becomes (inaudible), you can have all kinds of issues. And I presented information to the town I don't know how many ago meetings.

Another concern I have is the fact that will the current residents have full and free access to any and all new facilities at that extension and, if not, why not? Because if not, then it's not an extension.

The long and the short of the traffic issue and the DEIS which told everybody you don't make a left getting on to Mill- on to Route 58, it's ridiculous. Going out Mill Road is ridiculous because you have all the traffic coming up from, what is it, West Main Street, going up to Home Depot and that whole complex. So you're not saving your life going out Mill Road and it's hilly if you're not familiar with that area. Why hasn't a traffic light been required so that you can make a safe left? Because the traffic comes from both directions as you're existing the current roadway on to Route 58 and it's extremely difficult to make either a left or a right at this stage. So I think you should consider a traffic light for the security of everybody.

And as to the posting, is this a requirement as to the posting of the notification for these kinds of meetings? Because the posting for this was on that fence about 70 to 75 feet from the roadway, which is (inaudible), and no one can see it. So I don't know if that is a compliance issue or not. The fact that we saw it is because we take a little walk and I've been keeping my eye on when this meeting was going to take place.

What kind of noise abatement? I understood that there were going to be berms to protect the area from the sound from the racetrack which is another forest. Because you start taking down those trees and you are going to have a direct line of noise from the racetrack which is bad enough as it is.

In addition to the construction, are you going to have any kind of constraints as to what hours they can begin and end their construction? Can they start at 5:00, 6:00 and go into the evening?"

Supervisor Kozakiewicz: "I think Chapter 81 which deals with noise, the noise chapter, will determine what their limits are and when construction can take place."

Sandra Mott: "Can you just tell me out of courtesy what hours does- "

Supervisor Kozakiewicz: "Yeah, I'd have to look at the Chapter. I think it's after seven during the weekdays and then on the weekend I think it's entirely prohibited. That's just a (inaudible)."

Sandra Mott: "But that's a major issue as I said because the (inaudible) in the park and sound does travel and as I said a long time ago, they had issues with people complaining about the racetrack at the current Glenwood. These people are going to be adjacent to this- "

Councilman Densieski: "Sandra, I think these units come as whole units. I don't think they're stick built on location, are they?"

Sandra Mott: "No. They're not- "

Councilman Densieski: "They are units that are brought in."

Sandra Mott: "They're (inaudible). I know what it is. The thing of it is what about those of us who have been there a long time and don't have that double insulation?"

Councilman Densieski: "So you're talking about the construction phase, the noise?"

Sandra Mott: "I'm talking about the construction phase and the later phase because I assume the racetrack isn't going anywhere, right?"

Councilman Densieski: "I wouldn't think so. It's been there since the 40's, so probably not."

Sandra Mott: "That's my concern for the lead in the soil. It's never been addressed. When they did have the lead in the gasoline and that's been settled and who knows what else went over the fence.

As to children, I believe that there are children already in the community. And the fact that they're not going to have any effect on the school system is untrue. In addition to the traffic, if you are having even only 82 units, 103 and then it came down a little bit from the previous original plan, 82, most of these people are moving in with two cars. That's 164 cars coming through, it's already there,

Glenwood, on to 58 and then into the traffic- not counting their visitors and whoever else services they need.

So as to a final site plan, that's why I asked that at the very beginning. There are a lot of things that haven't been considered. I've been here time and again and it's the same thing and I know you don't want to hear it and I don't want to say it. But if somebody would answer me and I'm really concerned about the lead in the soil. Who decided not to test it and why not? Let's guess. Why not? I can answer my own question."

Supervisor Kozakiewicz: "I'm going to respond first to the noise issue. Dawn, can you comment on that with respect to Chapter 81, is it, or 82?"

Dawn Thomas: "Yeah. Chapter 81 actually- dash 5, subparagraph 1, says no person shall operate or permit to operate any construction device also excavating or earth removing equipment between the hours of 8:00 p.m., 7:00 a.m.- "

Sandra Mott: "8:00 p.m. to 7:00 a.m.?"

Dawn Thomas: "Right. During the evening on weekdays or any time on Sundays or legal holidays such that the sound (inaudible) unreasonable noise across a residential real property boundary and then it's got other levels of decibel levels (inaudible)."

Sandra Mott: "I just want to get on weekends or week days because as I said (inaudible). It's like (inaudible). People walk during the week- if people had an interest in coming they would have known at least it was there. Not everyone can read this teeny tiny print in the newspaper. Not everyone is looking for teeny tiny print on a specific special permit. Not everyone is moving here from up island as it's referred to don't even know that this is happening. This people have just moved in. And I'm sure these people are surprised are rather surprised to see the construction trucks going up and down because the entry point would be Route 58, the main entry to Glenwood, and then the little side road (inaudible). And if you're not living there, I know, it's not of interest to you. But we do live there, we've enjoyed living there. We've done a lot of work in our community and we are glad to be here.

Any my concerns are not only mine. You've been appointed to represent us and I'm not appointed by anyone and I'm not representing anyone but my parents and myself. It's my parent's investment in

their home, little that it may be. So I hope you will pinpoint some of these other issues, put the shoe on the other foot. (Inaudible). Everyone wants to make money. But take into consideration the fact that (inaudible). Because I particularly do not want to be here on this lovely day. I have a whole list of other things to do but I found it important to come. So if you take those things into consideration, I would be very grateful. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else? Rolph Kestling. I'm sorry, I know that you wanted to get up, too, George. I see a gentleman in the back as well. All right. Yeah. But, you know, we'll- Rolph is already coming up. So let me let Rolph come up. And since you're up, I'll give- George, you don't mind if someone else jumps past you, right? Okay."

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?"

Rolph Kestling: "I do."

Supervisor Kozakiewicz: "Before he begins, what I'm hoping that you're doing, Mr. Ciarelli, Mr. Stark, is keeping notes of some of the questions so that at the end you can respond. Thank you."

Rolph Kestling: "Rolph Kestling, Wading River. My voice is starting to break again. On this expansion of an existing mobile home, I don't know why you are even considering it. You don't allow more mobile home parks. When did he buy this property? Was this bought after mobile home parks (inaudible). I mean you're just going ahead making expansion. Any mobile park that has (inaudible), they can buy the land and use this as an example and expand it. You know, about 35 years ago I bought a piece of property up in (inaudible) County. I don't know if you know (inaudible) County. When I bought it, I foolishly asked the question if I could put at that time I phrased it as a trailer up there. I almost got ran out of town. And here we're supposedly an up and coming town, you're still approving mobile homes.

Now, they have (inaudible) mobile park. I had a relative that lived there; he left last year. He told me there are no kids around. In fact, his son was living with him at that time and his son was only maybe out- he wasn't a kid anymore but he was about 20- I would guess about 20 years old. The thing that it's going to be senior citizens, it's not going to be a drain on the school system, forget about it.

The legal notices that are in the paper, well you know how I feel about those legal notices. I need a magnifying glass to read them. In fact, I've given up on reading them; I just can't read them anymore. And I hope you are going to make a change like you promised, give everybody a chance.

I got some notes on how I feel about the school district; 55 and over, and I understand he only bought the property a while ago. I don't think the expansion of the mobile home park is in the best interest of the Town of Riverhead. I think (inaudible). Thank you."

Supervisor Kozakiewicz: "Thank you."

Russell Carbino: "Yes. My name is Russ Carbino. I'm the President of the Manufactured Homeowner's Association. And for your information on Long Island- "

Supervisor Kozakiewicz: "I'm going to stop you there, Mr. Carbino, because we have to as part of our special permit process, have everyone sworn in. Okay."

Dawn Thomas: "State your name for the record, please."

Russell Carbino: "Russell Carbino."

Dawn Thomas: "Spell your last name."

Russell Carbino: "C-A-R-B-I-N-O."

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?"

Russell Carbino: "I certainly will. I had planned to give you a very outlandish speech or dissertation, all kinds of metaphors. It ain't going to work. I'm going to give it to you straight as best I can.

I'm a resident of Glenwood Village so I speak from a biased point of view. First of all, the stigma of a trailer park is long gone. The biggest problem we have is that most of these parks are for senior citizens, but the senior citizen has been getting the short end of the stick for too long a time. And I think we've got to get the whole stick. The biggest drain on the school system, I feel, is the school board, not the residents.

Now let me just explain something else. I'm going to challenge to everyone here. Try and find me a new home with the exception of Mastic and Shirley that sells for less than a quarter of a million dollars. They just don't come that way anymore. The park managers and owners offer something that people need today, especially Riverhead, and that's a viable affordable home.

What's happening to Riverhead is the young kids are going to school, they're graduating, and they can't afford to live here. They've got to get out.

Now, as far as the- I respect the young lady's concern with the environment, but I think the human life is a little bit more valuable than a newt. You know, we can do without that. And if we are going to worry about every little thing, Riverhead would be one big potato plant and never get any better. It has- there's progress. And as long as it's done within the confines and the parameters of the law, there should be no problem.

The parks offer a beautiful, aesthetic view. Look at Foxwood. Look at Glenwood. McCloud. There's are not slum areas. It's true, you have one or two little environmental place that could be doubtful, but they'll be cleaned up eventually. But these homes are not your old concept of trailer homes. They are very expensive homes for what they are. They are very well built homes for what they are, and they offer us a place to live without going broke.

Everything is raised. You know yourself, the taxes, the medical bills and so forth. So it does serve a great service to the community. And Riverhead needs all the people it can get. And with that, I thank you very much for your time."

Supervisor Kozakiewicz: "I was going to ask George up first, John, if you don't mind. George Schmelzer, please, and then I'll get John Conroy because I know George has been looking- yes, George. I know he's been looking to get up there from the very get go."

George Schmelzer: "It used to be you had to- "

Supervisor Kozakiewicz: "Wait a minute. You've got to swear- "

George Schmelzer: "I swear."

Supervisor Kozakiewicz: "Going to swear at you."

George Schmelzer: "Yeah. I swear at; I've been sworn at, too. Okay."

Supervisor Kozakiewicz: "You swear to tell the truth, yes? Right?"

George Schmelzer: "It used to be. I don't know if it still is that all mobile homes had to be in an industrial area. It doesn't make sense. People live in an industrial area. Can't live in a residential area? Is it still in effect?"

Supervisor Kozakiewicz: "The zoning in this particular instance is Industrial A zoning."

George Schmelzer: "What's- why do- crazy idea. Mobile homes have to be in an industrial area? People live there."

Supervisor Kozakiewicz: "With all due respect, we're really not here to talk about that particular issue as opposed to the question of whether this expansion- "

George Schmelzer: "-- it's part of everything."

Supervisor Kozakiewicz: "Well, I think the real question is should the expansion be allowed and what's your opinion on whether it should be allowed and give us the reasons why we should grant the expansion or deny the expansion. That's why we're here."

George Schmelzer: "I mean- if there's a demand for it, why not? You wouldn't tell a car dealer to have less cars, would you? People to control the traffic."

Supervisor Kozakiewicz: "Only if they are putting them right on the curb, I guess. But even then we have a debate."

George Schmelzer: "Buy development rights. People can't live on the land, but you can farm it. If people can't live on it, what kind of a country are we coming?"

Supervisor Kozakiewicz: "So you're in favor of this application?"

George Schmelzer: "Leave the guy alone."

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

George Schmelzer: "Can't leave people alone- "

Supervisor Kozakiewicz: "Thank you, George."

George Schmelzer: "-- the first thing you hear- "

Supervisor Kozakiewicz: "You made your point."

George Schmelzer: "-- you want people to live on land but you've got to farm it."

Supervisor Kozakiewicz: "We're not hear to talk about farming. We're talking about the expansion of the park."

George Schmelzer: "You should make it part of the law that the board members must be farming. How would that be? Yeah. Okay, that's it."

Supervisor Kozakiewicz: "Thank you. John Conroy."

John Conroy: "Do you want my name?"

Dawn Thomas: "Yes, please."

John Conroy: "John Conroy."

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

John Conroy: "I so do."

Supervisor Kozakiewicz: "Can you hear? All right. You've got to bring that mike up closer, John. I heard your little- belt it out."

John Conroy: "I'm not going to read all of this that I had written out but I want to bring out the fact, one of the facts, that there is no financial impact on town budget. The town- the management of Stark's mobile home, if you- manufactured park home, they take care of our roads, our streets, and everything else that pertains to it."

I will concede to Miss Mott that there is a problem at 58 and leaving the park. That it's a difficult place and we have been in touch with the county on that, trying to see if we can alleviate that condition. However, that, like everything else where bureaucracy is

concerned, does take a little bit of time.

Other than- rather than a new road (inaudible), there is traffic but nothing as serious as she has. I would think that the way she explained it that we were having 58 running up and down the road. No way. Traffic is not that heavy and if you're careful, yes. There's no-

We also have a light at the entrance of- on Mill Road and it's- true, it's a caution light, a red and yellow, but it is taking care of and Stark has also made provisions to make sure that the entrance is marked "entrance" and the exit is marked "exit". There were some people when they see, they are not too sure that's express or way. But at any rate, I have seen them go in and I have complained to Mr. Stark and he has made a point of bringing out the fact that entrance is entrance and exit is exit. That is a problem, but there is no need for a traffic light.

And some people have said they're causing a problem on the police and ambulance services. You know, you don't have to be a senior to use an ambulance or to call upon the police department.

So as far as I'm concerned and I think the concern of the majority of the people in Glenwood, the improvement should be granted.

And one other thing I would bring out is that I understand that it was made by Ms. Mott that there will be foundations. I think that's entirely up to the purchaser. They're not up to Stark. As they did at Foxwood, if you wanted a basement or full cellar or half cellar, quarter cellar, you could have the full basement or the cellar, whatever you wanted.

I urge this Board to consider approval, not only for the Town of Riverhead, but for the senior citizens who are well deserving of it. Thank you."

Supervisor Kozakiewicz: "Is there anybody else who would like to address who hasn't had a chance to address us yet? Yes, gentleman coming up."

Louis Petrizzo: "Good afternoon. My name is Louis Petrizzo."

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

Louis Petrizzo: "I certainly do. I am the attorney for James and Barbara Crommety (phonetic), the owners of the Riverhead Raceway. For the record my office address is 200 West Main Street in Babylon.

We take no position on the application for the special permit to expand Glenwood Village mobile home park and leave that decision to grant or deny that application to this Board's sound discretion. However, it does appear to us that if this expansion is granted, that the future home sites will move the residents closer to the raceway than is currently allowed.

For that reason, we would request that should you decide to grant this application, that as a matter of fairness certainly not only to the raceway but to the potential future of the tenants or owners, I'm not sure what the formal (inaudible) of ownership here is, but as a condition of your approval, that you issue a covenant that a disclosure notice be included in all new mobile home uses or contracts, whatever it is the form of ownership here, fully informing all the potential tenants or owners that their home site is adjacent to an operation motor vehicle racetrack and further that they agree to accept the usual and customary impacts resulting from the legal operation of that raceway as a condition to their legal- location.

Certainly we have no objection if people want to live next to the raceway for people to live there. What we think is a matter of fairness both to the raceway and to those future tenants, that there be a disclosure notice included in your approval and imposed upon the applicant so that all future people who come there exactly know the conditions that (inaudible).

And with that, I'll leave the decision to the Board."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board who hasn't had a chance to address us yet? Is there anybody else? All right. Sandra Mott."

Sandra Mott: "Sandra Mott, Riverhead. I think that's a fabulous recommendation from that gentleman. I think that's a fabulous recommendation by that last gentleman who spoke and if you include that, then I think you should have some inclusion as to the lead in the soil since no testing apparently is going to be done, so that these people will know when they are digging in the dirt or their grandchildren who are visiting are digging in the dirt, that there is a potential health hazard to them. Since there's no concerns for the current tenants and that's what they are, the people own their homes

but rent the property. So the home site is owned by the Stark family. The home- individual homes are owned by the individual families who buy into the situation.

Someone needs to be made aware of the lead potential in the soil. I don't even know if it's there. It's private property, I haven't been on it. I've called a number of groups and they said do you have a soil sample? I said that's private property, I do not intend to venture onto it. And they told me well if it falls off the back of the truck when it's going by your house, bring it to us and we'll do it for free. That's going to be a little bit after the fact. So if the disclosure-- full and complete-- should include the fact that there's a potential hazardous waste or whatever you want to call it, residue, from the number of years that the gasoline that had the lead in it is already in that soil.

And that just parallels the last gentleman's suggestion. And if that isn't in there, I think that's a very dangerous way to proceed with any development on industrial property of any sort in this community.

In addition to the amount of traffic, I don't know when the gentleman goes out. We go out all different times in the day for different reasons. There's heavy traffic sometimes; there's less heavy traffic other times, but the long and the short of it is if we can get a traffic light at the intersection of our exit/entry onto Route 58, bring the petition to me, I'll be happy to sign it as will a number of other people I know who have had really close incidents.

And as to the effect on the community, have you been to the emergency room recently at Central Suffolk? It's packed. And that's not only this potential community, the current other communities that are up and down Middle Road, popping up all over. So, if anything, you know how you have your recreational seat set aside for each home, development? Maybe you need a hospital care and ambulance care funding to be set aside for each and every home that's brought in with a senior community situation.

No one is denying anyone a home anywhere. And he's quite right. The homes are extremely, extremely expensive. And this will service a particular need. But how about servicing the need of the people who have already been living there for a number of years? You can't exactly put this little thing that you've owned on the back of a truck and drag it away. I thank you for your time."

Supervisor Kozakiewicz: "I do have one comment. You asked me if I've been in the emergency room lately and the answer is well, if you call in the last 12 months recently, yes, I was. I fell skating. And besides myself, there was a young man they brought in from Hampton Bays who was stressed out or wacked on ecstasy, not a senior citizen. I wasn't a senior citizen. There was a young girl there who had stubbed her toe. She was there with her mother. She was not a senior citizen. And I waited there for about three or four hours. So the answer is, when I was there, I did not see evidence that that emergency room was being over populated or inundated by seniors."

Sandra Mott: "Well, I'll tell you one thing. As long as we've been in- "

Supervisor Kozakiewicz: "I've been a frequent flyer there. Between my brothers, myself and my sons, yes."

Sandra Mott: "Well, I need you to contact the ambulance squad who are constantly asking for more monies and more volunteers (inaudible). I mean there was just an article in Suffolk Life, you know, so. I don't find anything in regard to seniors that's negative. I've worked with them. I have two with my parents, okay?"

The long and the short of it is we need to protect the current people there. Going back to Mr. Stark buying the property, I don't know when he bought it. And as for the foundations, that's (inaudible) that you get to choose what you want and what you don't want. But if it's on a foundation, then it's not an extension. It's basically Foxwood (inaudible) that's going in."

Supervisor Kozakiewicz: "All right. Is there anybody who hasn't had a chance to address us, because if not- what's that- "

Barbara Grattan: "I have a letter here that she wishes to have read into the record."

Supervisor Kozakiewicz: "Oh, okay. And then I'm going to ask Mr. Stark or Mr. Ciarelli to get up and respond to some of the questions that have been put to the Board."

Barbara Grattan: "Okay. This letter is from Lynn Barauskas, dated August 6, 2002. Town Board of the Town of Riverhead, regarding the application of J. Douglas Stark. Dear Ladies and Gentlemen. My family and I own the property adjacent to the east of the proposed expansion of the above referenced mobile home park. Although we are

not objecting to the special permit, we do have a concern regarding the proposed plan.

We note, specifically, that the proposed site plan places two (2) leaching pool areas relatively close to the westerly boundary line of our property. In approving the special permit and plan, we request that these leaching pools be installed so as not to cause any runoff (natural or man-made) onto our property which would create ponding on the property.

We also note that there is no longer a natural setback along the bordering property lines. In order to assure the privacy of both properties (ours being a working horse farm and the mobile home park's recreation area being located close to our southwesterly boundary), we would also like to request that this area be left as natural as possible and planting of indigenous fir trees be placed along the fence line which should be at least eight feet in height to protect the horses contained in the pasture adjacent to the fence line. In the alternative, a privacy fence should be installed.

Thank you in advance for your consideration regarding the above.  
Very truly yours, Lynn M. Barauskas."

Supervisor Kozakiewicz: "Okay. With that, Mr. Ciarelli, do you want to get up and respond to some of the questions that were asked?"

John Ciarelli: "First of all, with respect to the plantings and the privacy fence, my client has no objection to accommodating that. The drainage is entirely self-contained on their site and obviously it's going to be constructed in such a way that it doesn't adversely impact the (inaudible).

I guess, going with the things that are freshest in my mind, first, I should tell you that Mr. Stark has kept statistics of the ambulance calls to Glenwood and it's approximately similar to the ambulance calls of the general population. One for 28 days. These people don't provide any more of a burden on health care facilities as any other segment of our population. And so I don't know if- and I appreciate your comments in that regard, Bob.

The- as far as disclosure is concerned, I don't know that there's any scientific evidence that automobiles generate hazardous lead poisoning to the extent that it can contaminate soil. If there was, we would have significant problems all over Long Island and in any highway traffic area.

I think Ms. Mott, herself, would admit that some of her concerns, although they are legitimate concerns, are based on speculation and no scientific evidence.

As far as the raceway contaminating the soil around it, I believe that's speculation and it hasn't been proved and so far there's been no basis for it.

With respect to disclosure, we, Mr. Petrizzo has contacted me and we are agreeable to inserting a provision such as the one that he proposed in the leases to the parcels. And, hopefully, that will at least provide formal notice- "

Supervisor Kozakiewicz: "I'm going to stop you. And I would assume that if it's referenced in any decision of this Board, if it's an approval, it's also going to be shown on a site plan or anything else that's done as far as Board action here. It would be a footnote."

John Ciarelli: "Yeah. I don't think there's any problem with that."

Supervisor Kozakiewicz: "Okay."

John Ciarelli: "You know, my client is not concerned about the sales impact of it because it obviously is there and it's not something that's latent or undisclosed."

The Building Department of the Town is requesting that these buildings be put on concrete slabs. There's not going to be a menu of basement choices. The buildings are going to be put on concrete slabs. They are approximately 1,200 square feet. They are manufactured buildings that are nice affordable homes that are anticipated to go in range of \$125,000 to \$139,000. So within that window of affordability, if any such window is left anywhere around.

So, the amenities on the site, they are a swimming pool and another community facility. The amenities on the site are going to be open to everybody in Glenwood. The construction- actually the buffer that's displayed on the site plan is approximately 50 feet from the new sites to a house that exists on the old site and the construction is going to be basically performed in phases, one-third and one-third, the one-third as these properties are sold and occupied. And, obviously, if they are consistent with the management of the property so far, they are going to be- it's going to- I think you can be

confident that they are going to be built in a way that's going to be respectful of the existing residents and the new residents moving in.

We have no objection to a no left turn sign onto Route 58. I think as the gentleman said, that Mill Road can accommodate the approximately 20% additional traffic that's going to be generated by this expansion.

And, as Mr. Densieski pointed out, these buildings are basically going to be brought in by truck. There isn't going to be an extensive amount of construction noise that should unduly disturb the residents.

There is precedent for this special exception, special permit. Foxwood, of course, is a very graphic precedent. This is a- we suggest that this is a benign use in this otherwise landlocked parcel. If there's anything that could go there between, you know, between the racetrack and between the existing development and the railroad track and I guess a future industrial use or commercial use on Route 58.

This is a- among any potential use, this is a benign use. It is something that can be accommodated and still provide the kinds of buffers to the wetlands and the kinds of concerns that the DEC has with respect to the Scenic and Wild River and obviously it's not something that the Town has to look to the future and say this is going to expand on forever. This establishes the finite limits of this expansion, an increase as you pointed out of 82 from existing stock of 486.

So, unless you have any other questions, I hope that this addressed the material questions that have been raised in this hearing."

Supervisor Kozakiewicz: "I think there was a question about posting."

John Ciarelli: "Yeah. Posting was posted on the property. That's a requirement of the statute. It does- this property does not front on Route 58. I suppose that the- I mean, the provisions of the code were satisfied. There are other, you know, obviously the notifications to adjacent property owners, the notice in the paper. My understanding of the significance of these posting requirements is that, you know, they have to be reasonable to provide notice. I'm happy to see that notice was actually provided."

Supervisor Kozakiewicz: "Sandra Mott."

Sandra Mott: "Hi there. Sandra Mott. This is from the EPA which I believe I brought up previously on- in regards- protect your family from lead in your home. Page 4, where lead based paint is found, in soil around homes. Soil can be 'picked up in exterior paint or other sources such as (inaudible) of leaded gas in cars. My concern is the racetrack has been there so long, 40 years you said, and for a long period of time, the gasoline had lead in it. And you are right, it is speculative because nobody did a test of it, for whatever reason. You're absolutely right. And for all I know, there might not be any in. But I think it's a concern. If you'd like a copy of the EPA which is a federal agency, that's the Environmental Protection Agency of the United States, and it can have all kinds of issues. Once again, you can have all kinds of issues. They are logical and so on and so forth.

And as to people being critical as to not only children but to adults, adults who suffer from high blood pressure, digestive problems, nerve disorders, memory and concentration problems, muscle and joint pain, headaches, hearing, slow growth for children, damage to the brain and nervous system. So this is not a speculative issue. My concern is there's nothing by the fact that we're going to have to look out our front window at it and some of these people, I don't know where they live in the community but I can pretty much guarantee their front road is not going to be the construction route. But it is good to know as to the hours that they can do this.

And 50 feet isn't very long. What happened to the 300 foot easement that supposedly was between the fence and whatever? I heard a 300 foot easement was mentioned at one point. There was never a 300 foot easement?"

Supervisor Kozakiewicz: "I don't recall."

Sandra Mott: "On the original site plan, that's what was- 300 feet. Three hundred feet is okay. But 50 feet is basically from here to there. I don't care how many bushes you put up. You can put up those barriers along the roadway route, some sort of a barrier. You're not going to stop the lead and you're not going to stop the noise. And you're not going to stop the traffic.

And not making a left onto the road. Where do you think most of these people came from? They didn't come from Southold. They came from Bay Shore, Lindenhurst, Brooklyn and God knows where. To the left. And I guarantee they probably want to go and visit their families. So they're not going to make a left? I don't think so.

Whether you have a sign there or not, they're going to make a left. And going- making a right, making a left, up Mill Road, that's a very dangerous intersection as well. It isn't funny, Bob. You don't live here."

Supervisor Kozakiewicz: "I'm not laughing."

Sandra Mott: "Yeah, I know."

Supervisor Kozakiewicz: "I'm not laughing."

Sandra Mott: "But the point is- "

Supervisor Kozakiewicz: "Because I- first and foremost, with respect to the EPA, you cite this- "

Sandra Mott: "You want copies?"

Supervisor Kozakiewicz: "I know, you gave it to us."

Sandra Mott: "I gave you this?"

Supervisor Kozakiewicz: "Yes. And you talk about lead poisoning but there's a disconnect here."

Sandra Mott: "Yes- "

Supervisor Kozakiewicz: "You're talking about lead- right. But you're saying that any time anybody drives a car, there's going to be lead."

Sandra Mott: "That's not what I'm saying. What I'm saying is adjacent- "

Supervisor Kozakiewicz: "You're- there's a presumption or speculation."

Sandra Mott: "Well, you have to do (inaudible) in order to proceed to see if I'm right or wrong. You can't say, oh, gee whiz, there probably isn't. That's a presumption, too. It's a done deal. I'm not going to either waste any more of my breath or your time with these people. And as to people living here comfortably, I'm sure many people would want to come here, but won't."

Supervisor Kozakiewicz: "Anybody else who hasn't had a chance

to address the Board? If not, I will close the public hearing, the time of 3:16 p.m. Anybody? No. 3:16 p.m. All right."

Public hearing closed: 3:16 p.m.

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Public hearing opened: 3:16 p.m.

Supervisor Kozakiewicz: "All right. The time still being 3:16 p.m., Barbara, would you read the affidavits of publishing and posting for the next public hearing, please?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York, on August 6, 2002, at 2:30 p.m. regarding the extension to the commercial sewer district as petitioned by Wiana Realty Corp."

Dennis Kelleher: "Good afternoon. My name is Dennis Kelleher."

Supervisor Kozakiewicz: "Folks in the audience. Hello, excuse me. We're trying to do a public hearing in the front here. I don't need a debate in the back. Please. Incredible. Always have to have the last word. I'm sorry, Dennis, if you would start over, please."

Councilman Densieski: "Sorry, Dennis."

Dennis Kelleher: "My name is Dennis Kelleher of the engineering firm of H2M. We are the engineers for the Riverhead Sewer District. Don't be surprised (inaudible) for the Sewer District. I'm the person."

Supervisor Kozakiewicz: "I was going to ask you about that."

Dennis Kelleher: "Mr. Russo apologizes. He had another commitment. He couldn't make it today. But before I was a water engineer, I spent seven years as a wastewater engineer, so, just wanted to give you a little- "

Supervisor Kozakiewicz: "Learned bit about the dirty water before you- "

Councilman Densieski: "So you got a promotion, in other words."

Dennis Kelleher: "The developer of the subject property has

petitioned the Town Board to extend the boundaries of the Riverhead Sewer District, commercial sewer district. Riverhead Bay Motors, Wiana Realty owns this subject property which is a four acre site located on Route 58 just west of the Suffolk Life building. The property was originally zoned Residential so it was not originally included in the creation of the Riverhead commercial sewer district. However, it is now zoned Commercial and it is being proposed to be developed at a 21 square foot- 21,000 square foot car dealership.

We have estimated the sewage flow from the proposed development at 867 gallons per day based upon the Suffolk County Department of Health Service standards. This represents less than .2% of the commercial sewer district flow. The proposed building couldn't be easily connected to the commercial sewer district collection system because there's a gravity sewer that runs across the frontage of the property on Route 58, so it would just be a simple building service connection.

There will be no- there will be no required public improvement to the sewer system that provides sewer service to the site and the entire cost of hooking up to the sewer district will be paid by the developer. If the Town Board approves the extension of the sewer district, the New York State DEC will also need to approve the extension.

I have a simple drawing of the site, not the tall one but the bottom one which shows the four acre property and the proposed location of the building and the existing sewer line is located on Route 25- Route 58. Thank you."

Supervisor Kozakiewicz: "Thank you. Is there anybody who would like to address the Board with respect to this proposed extension of the Riverhead Sewer District? Bill Kasperovich."

William Kasperovich: "William Kasperovich from Wading River. I don't recall seeing these drawings out in the hall or shown to anybody anywhere at any time such as that would be knowledgeable to come to a public hearing. Now, as I've (inaudible) several times over the years that I've come up here to this microphone, that the last speech that Abraham Lincoln made fortunately was quoted many times. Once you lose the confidence of your fellow citizens, you never regain their- what's the word- and (inaudible) respect.

Now, this (inaudible) detailed information at a public hearing, it doesn't constitute a proper or legal public hearing. The public

does not know what is being presented and the manner that it is being presented is just- cannot be done in a few minutes or while the meeting is going on.

Now, we have been in this room for several minutes and anybody interested in it could have seen it outside while the meeting is going on. So even the minimum amount of time exposing it to public is not taken into consideration."

Supervisor Kozakiewicz: "Well, I was going to respond - and I was going to comment on that. I was going to have Mr. Kelleher describe when the map and plan showing this particular site was filed with the Town Clerk's Office, ask Barbara if, in fact, she has received that plan, and also reiterate for the record when this was published in the paper so that we can, in fact, establish when the plan was available for public inspection and, therefore, anybody who did wish to review the map and plan could have done so.

So, if you do not mind, I would ask Mr. Kelleher to step up and I think he has in front of him a document which is a map and plan and shows the schematic and when that was transmitted to the Town and when he concludes I would ask Barbara Grattan as Town Clerk if she, in fact, has had on her-- in her files at or about that time, so if you don't mind, just to address that concern. I know you raised it a number of times about how much time in advance the public has to gain knowledge of a particular proposal. Mr. Kelleher- "

William Kasperovich: "If I may- you introduced the Town Clerk and her facilities of exposing these documents to the public, I personally four months ago had that experience at a counter in this building and I can't no longer stand at a counter. So I've got to say that the facilities at the public- at the Town Clerk's office is not adequate or correct or proper to expose this to the public."

Supervisor Kozakiewicz: "Well, you're making a conclusory statement. I'd like to respond to it."

William Kasperovich: "(inaudible) looking at these large- or these papers. Our bulletin board is not big enough and her counter isn't long enough. So that is no excuse- "

Supervisor Kozakiewicz: "You're not going to let me have Mr. Kelleher get up- "

William Kasperovich: "(inaudible) many times that (inaudible)

and see it. Well, I no longer can and I do object."

Supervisor Kozakiewicz: "Mr. Kelleher, just for the record, can you indicate when a plan was developed with respect to this proposal and when that was transmitted to the- "

Dennis Kelleher: "The plans for the sewer extension was sent out of our office on July 12<sup>th</sup>. I do apologize. There is no map up for this hearing. There is a map up for the second hearing. I don't know why this one doesn't (inaudible)."

Supervisor Kozakiewicz: "All right. Thank you."

Councilman Densieski: "Yes. I have a question for the Town Clerk myself. Barbara, if a person does come with a disability or a reason why they can stand at the counter, is it a policy of your office to bring the map in the boardroom or somewhere if a person can't sit- "

Barbara Grattan: "Councilman Densieski, also back where I usually sit, I usually put them at the back desk so they can sit and read the record."

Councilman Densieski: "Thank you."

Supervisor Kozakiewicz: "Okay. Thank you. Anybody else who would like to address the Board? Not seeing anybody indicate a desire to do so, close the public hearing, the time being 3:25 p.m. Thank you."

Public hearing closed: 3:25 p.m.

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Public hearing opened: 3:25 p.m.

Supervisor Kozakiewicz: "The time still being 3:25, if you would please read the affidavits of publishing and posting for the next public hearing. I'm sorry, Barbara."

Barbara Grattan: "That's okay. I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on August 6, 2002, at 2:35 p.m. regarding the extension No. 61 to the Riverhead Water District Island Water Park."

Supervisor Kozakiewicz: "Thank you, Barbara. Mr. Kelleher."

Dennis Kelleher: "Dennis Kelleher from H2M, this time wearing the hat where I'm the engineer for the Riverhead Water District. Back in early, I guess it was January or February of the year 2000, the developer of the proposed property known as Island Water Park petitioned the Town Board to extend the water district boundaries to include his property. A report was prepared back in March of 2000 and subsequent to that, a public hearing was held and the Town Board did approve extension of the water district."

However, since that time the developer has informed us that New York State DEC has some issues on the subject property requiring him to make a slight modification to the location of this property. I think he needed to move it approximately 75 feet in one direction or another.

Because of the description, the legal description of the property has changed even so slightly, he needs to revise the report and to hold a new public hearing. The report was revised two weeks ago and submitted to the Town Board and the plan put together. The plan basically looks identical but just to refresh everybody's memory since it's been several years, it's approximately a 40- almost a 42 acre site located on the south side of Route 25 on the old Grumman property.

The proposal is to construct a water park- a recreational water park which would include two large pond like facilities and there is an existing water main, a 12 inch water main on Route 25 and in order to provide water to the site, a simple water service can be tapped into the 12 inch line. The water main to be installed on the property would be a private main, not requiring the Riverhead Water District be involved with the exception of the metering and the proper back flow prevention to protect the rest of the Riverhead Water District from any possible cross connection contamination.

The estimated water use on this site is- once the ponds are originally- initially filled, has been estimated at approximately 600 gallons per day with a peak of about 1,800 gallons per day. The DEC has questioned them about the flow rate. The developer and his engineering firm has provided some calculations that over a 12 month period they feel that the precipitation, which on Long Island we get about 44 inches of precipitation a year, should equal the evaporation that is expected. So the make-up water into the ponds should be minimal. Of course, during hot spells during the summer, the water

use may be slightly higher than that.

The main concern that the Riverhead Water District has is the initial fill up of the ponds. In the original report and in this report we reiterated that we will not allow the developer to fill the ponds during the- what we call the pumping season of the Riverhead Water District, which starts approximately at the end of May. We will require him to fill his ponds in the off season where the water use of the Riverhead Water District is (inaudible).

We also- 30 million gallons of water is a lot of water. It will take approximately- even if we do this in the winter, it will probably take us 30 days to fill those ponds. We have requested that the developer work with the Riverhead Water District to make sure that we have no adverse effect on the Riverhead Water District operations.

Again, we have plenty of water beneath the ground of the Riverhead Water District. The limiting factor that we do have is the amount of wells and pumps that we have to pump it out of the ground. For the past several weeks, for example, the Riverhead Water District has been straining to keep up with the demand. We could not fill those ponds during that time so the developer has been notified that the Riverhead Water District will decide when he can fill his ponds and how much water he can use to fill the ponds. But once it's filled, we feel it should not put a strain on the water district."

Councilman Densieski: "Yes. Dennis, Gary usually lets us know when the town is going to do the draining of the pipes and everything."

Dennis Kelleher: "We call it the flushing of the pipes."

Councilman Densieski: "Yeah, flushing. And a lot of times residents will get an orange tint to the water."

Dennis Kelleher: "Rusty water, that's correct."

Councilman Densieski: "Is that going to be the case for the residents in this area when we go to fill those ponds for 30 days?"

Dennis Kelleher: "Actually the good news is the pipes that have been installed on Route 25 have only been there for a short period of time and they are what we call cement (inaudible). There are areas in the Riverhead Water District that had water installed 50 years ago and they are (inaudible) line pipes that are not lined so they are

metal pipes. So you have metal coming in contact with water so rust does form.

Actually, the Board will be seeing a letter proposal from our office because Superintendent Pendzick has asked us to do an evaluation because there are a few isolated areas within the Riverhead Water District that do have periodic iron water complaints. And we think we can make some recommendations to some operations of the district, flushing procedures, maybe changing the chemicals that we add to the water, to eliminate the- or minimize the rusty water (inaudible).

But to answer your original question, the filling of the ponds should not create a rusty water- "

Councilman Densieski: "Okay, thank you."

Supervisor Kozakiewicz: "Thank you, Dennis. Is there anybody else who would like to address the Board with respect to this public hearing which is the extension of the Riverhead Water District to this particular property at Calverton? Not seeing anybody indicate they wish to do so, declare the public hearing closed, the time being 3:31 p.m."

Public hearing closed: 3:31 p.m.

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Public hearing opened: 3:31 p.m.

Supervisor Kozakiewicz: "And the time still being 3:31 p.m., I would ask the Clerk to read the affidavits of publishing and posting with respect to the next public hearing which I believe is the last public hearing. Right?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on August 6, 2002, at 2:40 p.m. regarding the consideration of a local law creating Chapter 99 entitled "Retirement Incentive Program".

Supervisor Kozakiewicz: "Periodically the State goes about enacting at its level legislation which allows individuals to retire early. There's a retirement incentive as the case may be. The State does not tell the local agencies whether they are required to adopt

local laws or not, that's the local option.

This particular public hearing is to consider a local law at our level, the town level, as a local adoption, on whether we, in fact, provide for or allow for eligible employees who can retire under this incentive program as authorized by Chapter 69 which was the state legislation to take advantage of same.

The commencement date of this retirement program would be December 1, 2002. The envisionment is that it would be eligible or remain an open period for which employees would be eligible for 30 days and 30 days only. Those who take advantage of it would receive a payment pursuant to this local law which would be either one lump sum payment or five annual installments and as indicated this is a local option by this level of government, the local town law, and we're here to hear from anybody interested to tell us either yea or nay as to whether we should enact this local law and carry out this option at our level.

Anybody who wishes to speak? Yes, Rolph Kestling."

Rolph Kestling: "Rolph Kestling, Wading River. Mr. Kozakiewicz, are you trying to tell us something? Usually the early retirement is put in my companies or New York City or towns that are having financial difficulties."

Supervisor Kozakiewicz: "No."

Rolph Kestling: "In other words, it gives them the ability to reduce the payroll, get rid of shall we say- retire non-performing employees, high paid non-performing employees. I mean it's- all I want to know is is the town in trouble?"

Supervisor Kozakiewicz: "Actually, that's not the case at all. This is not an instance where we're trying to discard employees who are not productive or otherwise. What we do at the local level just to clarify, when this is done we have a notice that goes out to all employees to see whether there's an interest to take advantage of this particular program.

In this case there were some employees who did express an interest, good employees, not anything along what you're trying to infer, who may have an interest in taking advantage of this early retirement program. Because these employees expressed an interest, we then, in turn, agreed that we would post for the public hearing, post

this local law, and consider this local law."

Rolph Kestling: "Does this include the police department?"

Supervisor Kozakiewicz: "My- it's my understanding that if they meet the eligibility standards. Yes."

Rolph Kestling: "Okay. That's all. I just want to make a comment on what you said during the special permit on J.W.Stark about the senior citizens being- "

Supervisor Kozakiewicz: "I think I only made the comment with respect to the hospital use, emergency room, yes."

Rolph Kestling: "That is correct. Well, I happened to bring a senior citizen down there about four weeks ago and it must have been senior citizen's day- "

Supervisor Kozakiewicz: "Well, it's a hit and miss but I can tell you the day I was there, it was not."

Rolph Kestling: "All right. I will make a- I'll put in a plug for St. Charles, the last couple of weeks, I've been there twice, and the service is terrific, it's fast, and it's a heck of a lot (inaudible). Thank you."

Supervisor Kozakiewicz: "Well, since it really has nothing to do with the hearing, but I do have to respond. I have found that in my experiences with the emergency room in Central Suffolk have been friendly. I had an occasion about 15 years ago to- maybe longer ago- I injured my knee playing softball, you know, fun game quote unquote. And I was taken to what was, I think, Southside or Brookhaven Hospital. I opted to come back and have ambulatory surgery done at Central Suffolk Hospital the next day because of the difference in the treatment in that hospital.

I think Riverhead Central Suffolk Hospital has been a community hospital. It was nice to wake up after ambulatory surgery and recognize the operating nurse who was someone who had been a family in the town for a long time. I think that they had a period of time when the emergency room was somewhat questionable but I think they're doing a good job.

The biggest problem is that if you have a minor injury, you have to wait while more serious injuries are attended to."

Rolph Kestling: "Back in the 1950's when they first opened up that hospital and my parents were patients there and it was entirely different than it is now. Thank you."

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

Councilman Lull: "Mr. Supervisor, just- as far as this public hearing is concerned, you have referred to this retirement program as an early retirement program, but it isn't necessarily an early retirement program. It can also be made use of people who are of retirement age, period. I've already reached retirement ago and can take advantage of the incentives. So it's really a retirement incentive- yeah."

Kathy Lindstrom: "I just two questions. Is this the state incentive?"

Supervisor Kozakiewicz: "This is done through the state retirement system and then we- that's how, I think, the calculations are determined as to what a person is eligible for or not. Is that the question?"

Kathy Lindstrom: "That was part of my- because it's kind of hard to be for or against it because it's very vague as far as what the settlement is. Is it based on their sick days or is it based on the number of years that they've been- "

Supervisor Kozakiewicz: "My understanding is it's based on years in the system."

Kathy Lindstrom: "And is it so much per year?"

Supervisor Kozakiewicz: "That's the way I understand it. Yes."

Kathy Lindstrom: "What is the amount per year?"

Supervisor Kozakiewicz: "I don't recall right- I don't have that local law- that state law in front of me. If- assuming it's- well, it's a percentage of the salary but I don't know what the number is."

Kathy Lindstrom: "So it's not- "

Supervisor Kozakiewicz: "It's very difficult to say because if

someone has 25 years in, their amount may be different than somebody- "

Kathy Lindstrom: "But there must be somebody- it would be. I understand that."

Supervisor Kozakiewicz: "It's calculated by New York State Retirement, not by the municipality. What we have is we have a local option- I guess the question is- depending- I mean- "

Kathy Lindstrom: "It's- "

Supervisor Kozakiewicz: "Where are we going with this?"

Kathy Lindstrom: "-- very hard to be for or against it because there's really no- "

Supervisor Kozakiewicz: "If there was only a handful of employees who would be eligible or have expressed an interest, does that change your opinion?"

Kathy Lindstrom: "No."

Supervisor Kozakiewicz: "Okay. So you're- "

Kathy Lindstrom: "I just would like more information."

Supervisor Kozakiewicz: "-- neither for or against."

Kathy Lindstrom: "I couldn't say I would be for it or against it- "

Supervisor Kozakiewicz: "Okay."

Kathy Lindstrom: "-- because I really don't know anything about it. I mean it- if they said something like you get 2% for each year you worked or your salary- you would be given one month for each year that you worked, if you worked 30 years, that would come out to 30 months and then you base it on that, or is it a lump sum payment. I mean it's very difficult to be- "

Supervisor Kozakiewicz: "As indicated, it's a lump sum payment or five annual installments. But it's based- it's predicated upon the number of years in service. The payment is that way, but the benefit is predicated on the years in service."

Kathy Lindstrom: "All right. I'm just wondering because if it's being given out in five years, I mean, it just sounds like a very large sum. I don't know, you know, I'm just assuming, I'm just saying it's hard to be for it or against it because, you know, there's no information to go along with it."

Supervisor Kozakiewicz: "Well, as indicated, this was done by the state, the state legislature, which I don't have in front of me, it indicates how it's calculated Mrs. Lindstrom and if that's- I can get back to you on the specifics of how it's calculated. That's not a problem. But we're really here because we have a certain time period by which we must address this and act upon it in order to have something that's eligible."

Kathy Lindstrom: "I realize that. Okay."

Supervisor Kozakiewicz: "Okay? Thank you. Anybody else- yes, Mr. Schmelzer."

George Schmelzer: "Is this only for Civil Service workers?"

Supervisor Kozakiewicz: "I'm going to determine that. Can you find out if it's for PBA or Civil Service? Can we, Jack?"

George Schmelzer: "You don't know?"

Supervisor Kozakiewicz: "Okay. I'm going to ask- to be honest, off the top of my head, I believe it is. But you are asking a question I don't want to say to you no or yes. We're going to find out an answer."

All right. Any other questions and we'll get an answer."

Barbara Grattan: "Is Jack around?"

Supervisor Kozakiewicz: "Any other questions? Because really this is- we're- "

George Schmelzer: "What did you bring this up for if you don't know?"

Supervisor Kozakiewicz: "Mr. Schmelzer, I'm going to get an answer for you. If you have any other questions. Any other questions?"

George Schmelzer: "Yeah. Who is paying for it?"

Supervisor Kozakiewicz: "It's through the New York State Retirement System."

George Schmelzer: "Are the Riverhead taxpayers paying anything more for it?"

Supervisor Kozakiewicz: "Well, the idea is that we can replace some of the older workers with younger workers at a lower scale, you know. If you need a dollars and cents calculation, we didn't think it was going to come to this, I'm going to be honest with you."

George Schmelzer: "I don't think you know anything what it's all about."

Supervisor Kozakiewicz: "Well, we'll take that up in a second. Do you have any other questions?"

It does not apply to police? All right."

George Schmelzer: "If the taxpayers- "

Supervisor Kozakiewicz: "Well, I'll tell you what I'll do. We'll pull out the state legislation in a moment and we'll get the answers for you. Okay?"

George Schmelzer: "Why did you bring this up if you don't know what it's all about?"

Supervisor Kozakiewicz: "We didn't expect people to ask these questions."

George Schmelzer: "What do you have the hearing for then?"

Supervisor Kozakiewicz: "You're right. You're right. You're right. And I said to not to beat that horse and we'll get an answer for you. All right. Mr. Kasperovich."

George Schmelzer: "Looks like it's (inaudible) for the Civil Service workers and private workers- "

Supervisor Kozakiewicz: "It's not. Mr. Kasperovich, please."

George Schmelzer: "-- are stuck without it."

Supervisor Kozakiewicz: "All right, guys. Mr. Kasperovich."

George Schmelzer: "Okay. Thank you. Good bye."

William Kasperovich: "William Kasperovich from Wading River. Thank you, George, for laying the path for me to say something in this regard. This is a step in setting something in concrete. Once this is put into the books, we're stuck with it for the rest of our lives. And this I don't think in this- the organization that we have within the township as it stands today is appropriate.

We have small- compared to the other townships around us, we just have a small group of people and the labor market being what it is today, would be an incentive to many people to leave the township and go make better money elsewhere. But the incentive to either get rid of a man or entice him to leave.

Now keep in mind as I do with having seen this process go through, many people live in the township and work for the people for the best part of their lives but comes the time that they have to retire, they can't afford to live there. A man puts in a lot of dedicated- devotes service to the township and comes his old age, he can't afford to live here on that money.

Now, this could be an incentive to give a man enough money so that when he retires he could stay with the people that he spent his whole life with. But, no. This is a deal to get rid of people, to get them away from the township. And I don't see this to be set in concrete the way this is proposed, it would create a Chapter 99, it would give it a title and it's in the books forever.

Incentive to leave is not the way to deal with the people that are working for us. And I think this is- as George before me so aptly put it, this hasn't been considered in all aspects and ramifications to take the first step in this direction which it can never be erased. The fact that the state sends it down here and we go through the process, that's one thing. But if it's required to do this or not, your reading of this and presenting of this, what legal requirements in that direction is set, but to accept it, I don't- we have a choice. I say, not for Riverhead."

Councilwoman Sanders: "Mr. Supervisor, if I may. I happen to be familiar with-- Mr. Kasperovich I happen to be familiar with another municipality that is offering the similar type of incentive package to individuals who may be eligible. It's not punitive; it's

not mandatory; it's completely voluntary and it is not a way to force people out the door that you wouldn't normally want to keep employed. It is offering an incentive to those people who have dedicated all those years to a municipality, whether it be the town or the county, to say here is an opportunity.

Basically what they've done is they've done a study that says it would be less expensive for the municipality to offer the incentive program now rather than to keep these people employed for all those years. You don't have to. It's not mandatory. It's completely voluntary. You could stay until the day you decide- 85 years old with 45 years of service and if you are God willing able to work and interested in working, nobody is going to push you out the door. So it is- it's not a mandatory; it's complete voluntary and, again, it's an incentive. They're offering an incentive package to those people that have those numbers of years of service and the age."

William Kasperovich: "This depends on the size and the character of the township."

Supervisor Kozakiewicz: "That's why we're here, Mr. Kasperovich. To hear concerns, yea or any. And just to-- so you're opposed to it? You don't believe the town, based upon its size, can support every retirement incentive?"

William Kasperovich: "Not a question of affording. This township can afford whatever you put on our backs. This township is not filled with paupers or low, low income people. But we do have a group of people that are working for this town that are dedicated people and they have a tough time with how much they get paid and if they stay long enough for retirement and do good work and such, they can afford to live here. That's an incentive to stay.

Here we've got an incentive to go. Now we've got to entice people in this small township to go? If they're good people, we want to keep them. But to entice them to leave. If they have a better deal someplace, they're going to leave regardless.

If the police aren't happy with their pay next door, they get paid more and so they transfer over to them. But you take this first step and then it's in concrete and it will be to our disadvantage."

Supervisor Kozakiewicz: "Thank you. All right. Just to add to this because I know there were some questions, not with respect to Mr. Kasperovich, who is eligible. I'm- you- I think what has happened

over time, I have allowed these hearings to be a question and answer as opposed to a, you know, comment whether you're in favor or not. And unfortunately based upon that, I was not prepared with all of the information as to who was eligible or not.

But I have been provided with a copy of the update which is from the New York State local retirement system. There are two parts to it. Essentially it covers tier 3, tier 4, tier- tier 3- tier 2, tier 3, tier 4 employees and as I said you- if anybody is really interested in seeing what's provided for, the appropriate chapter is Chapter 69 which was the Laws of 2002 at the state level.

What the state did was they provided for an early retirement incentive program for public employees within the State of New York and that was passed on May 20<sup>th</sup>. Employees who have eligibility and they talk about a 25 year retirement plan, would be entitled to one month of additional service credit for each year of service that they have been credited with at retirement. The maximum additional credit is 36 months which translates to three years. And that's what we're talking about.

It's not something that's going to be kept open forever. As indicated in my opening comments, this is something that will take effect December 1<sup>st</sup>. Individuals who wish to apply for it and are eligible to apply for it would have 30 days in which to make an application to be treated under this retirement incentive. If they don't act within that 30 days, this particular local law, this local option, expires. And individuals who say on the 31<sup>st</sup> day after enactment that I want to retire and take advantage of the program, will not be eligible. So I just wanted to make that comment because there's some inference that this continues on forever and ever. It does not.

Saying that, is there anybody else who would like to address the Board either for or against this? Joan Griffin."

Councilman Lull: "Mr. Supervisor, while Joan comes up, can I just also make a comment similar to what Rose made?"

Just so people who are not aware, this is not something that the state is doing for the first time. The state does this every couple of years. It is something that the state allows for public employees, public education employees, various groups to file for early retirement as an early retirement incentive. They do it quite often.

When municipalities want to take advantage of it, they must pass the local law themselves and put themselves into a position of opening up a registration period which, as Bob pointed out, is 30 days. And once the 30 days is done, the law is done. This municipality, we are now deciding whether or not we want to make- to take the step of rewarding many of our long term- not many, but some- of our long term employees with a special incentive, to move them into retirement with a little bit more dignity and that is what this is all about."

Joan Griffin: "Good afternoon, Joan Griffin. Is this on? Joan Griffin from Baiting Hollow. In the private sector when they offer an incentive to retire, they don't replace the employee. Like, I retired back in '94 from the phone company and I was not replaced by an employee. They called in contractors and I wound up doing my old job again. The question is, if a person retires from Riverhead township, will you be replacing that person with a contracted employee, hire a new person, or does the job that person did get separated into many other so many people now take on the work?"

Supervisor Kozakiewicz: "The decision- let's just go step by step. If someone should elect to opt for a retirement incentive and that position is vacated in a particular department, I think what would happen is the department head is going to come to this Town Board and indicate that he has a vacancy and that he would ask the Town Board to look at this through the Personnel Committee and see whether there is a need to replace the vacancy or whether the position by virtue of the vacancy can be eliminated. And to answer your question that's what would be done on a case by case base should someone opt to take advantage of the retirement incentive."

Joan Griffin: "All right. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board? Not seeing anybody wish to address the Board, the time being 3:56 p.m., declare the public hearing closed."

Public hearing closed: 3:56 p.m.

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Supervisor Kozakiewicz: "At this point, anybody who wishes to speak with respect to resolutions, resolutions only? Rolph Kestling, please."

Rolph Kestling: "Rolph Kestling, Wading River. I'm on a

negative (inaudible) this time."

Councilman Densieski: "This time?"

Rolph Kestling: "Somebody's got to holler once in a while, make everything rosy. I just have some questions. I know on 851, the Little Flower resolution, is going to- "

Supervisor Kozakiewicz: "That's not correct. That's going to be pulled."

Rolph Kestling: "It's going to be pulled?"

Supervisor Kozakiewicz: "Right. Because that one approves it without a public hearing. Instead- "

Rolph Kestling: "Well, they're calling for a public hearing on September the 3<sup>rd</sup> at 7:30."

Supervisor Kozakiewicz: "Okay. I don't know if- okay, so it had been replaced. The way it's defined, it says approves the special permit which was without benefit of a public hearing and we are, in fact, going to have a public hearing before we act."

Rolph Kestling: "All I'm asking is when you have the public hearing, I'm going to ask a question and you will have the answer for that, please. And that's the one, is this building part of the one where a covenant was put on where they weren't allowed to use as residence anymore? They could only use for storage. So if you come up with the answer on September, I'll be satisfied with that. Okay?"

Supervisor Kozakiewicz: "I'll have a title search done in the meantime."

Rolph Kestling: "Well, it's very easy. I think they're trying to pull a fast one in plain English."

Supervisor Kozakiewicz: "Okay."

Rolph Kestling: "Okay. Next one is 863, Cablevision. This morning on (inaudible) I'm getting senior moments more and more, they mentioned that there was a tentative agreement. Now first thing I did was go to the dictionary and look up the word tentative which says (inaudible), try, and another one not final. So in other words this tentative agreement isn't final and can be changed at will and could

be entirely something different."

Supervisor Kozakiewicz: "Well, it's tentative because there's a need for a public hearing to receive input from the public and even at that point it's not final because then it has to be reviewed and approved by the PSC. Only at that point, does it become a final document."

Rolph Kestling: "Whatever happened- "

Councilman Densieski: "I guess WRIV 1390 didn't have that part on the news broadcast."

Rolph Kestling: "No, they had- "

Councilman Densieski: "I had to throw that one out."

Rolph Kestling: "-- I listen to them in the morning. I don't agree with them all the time but I listen to them. What ever happened to that July date, you know, that drop dead date, the resolution, we didn't come up with something- "

Councilman Densieski: "We didn't make it."

Rolph Kestling: "You didn't make it? Why won't- why didn't we tell- why don't we cut them off? The resolution said you were supposed to cut them off. Why?"

Councilman Densieski: "Well, I can only speak for myself. I think we're very, very close to having a deal. I think it would be cutting off our nose to spite our face to cut them off right now. I mean I don't think- they're here taping meetings and they didn't cut us off. I think both sides right now are showing good faith. I don't think this agreement will make everybody happy but we could have done what others have done. We could have had no meetings, we could have sent them nasty telegrams once in a while. But we didn't. We chose the other route. We had meeting after meeting, grueling meeting after grueling meeting, line by line, and I think we have a pretty good deal for the townspeople."

Rolph Kestling: "My personal opinion and speaking in the vernacular, I think you are all being jerked around. Thank you."

Councilwoman Sanders: "Thank you."

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

William Kasperovich: "William Kasperovich. Listening to the previous speaker, my memory takes me back to the original public hearings we had with Cablevision many years ago. And many things that we should have taken care of the Board advised is not necessary, you're getting too picky, or you are going to discourage this thing. All- no serious down to early nailing of an arrangement where the township and the people in it are better taken care of. And so we come up to date now and have to hassle with it so many years later and we're still not at an advantage."

On your resolution 855, you offer a license for promotional manufacturing and promoting at Stotsky Park and a portion of the sale proceeds between the licensee and licensor. You are here giving permission for a company to come onto the premises, onto the site, and what he can do and can't do is a limited description. Also no specific mention of how much are we going to have from the proceeds and how are we going to get it. I think it's a good idea but it's not taken care of in this license agreement. Now with four attorneys on the payroll, I find that you are leaving us high and dry on issuing the license.

And not to consume more time, way back here, you've got resolutions 838 and 839, this haunted house installation. For one, I don't see since this is located on a 55 mile an hour state highway, that this should go on after dark. And here you're allowing them to go to midnight. And the lights on that stretch of street, a 55 mile an hour road, is not good enough to go to midnight. The parking also, you have no lighted parking area. And the- every time the people go into operation we have a traffic jam. The worst one was so bad it went all the way down to William Floyd. And this next year wasn't that bad but you don't take care of the traffic involvement and certainly the concerns for going through midnight shouldn't be."

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

William Kasperovich: "You know, in my mind very definitely if these people came to the Town Board with documents that were a total fraud, fraud, fake, and the Town Board didn't see it until I brought it to their attention and then they did nothing. Now these are the same people and I have no faith in them taking care of the public that they want to run an affair to make a couple of bucks."

Supervisor Kozakiewicz: "Okay. Mr. Kasperovich, I'm going to ask you to sum up so I can get to some other speakers who wish to address the Board. And then we'll have an open comment period after we do resolutions."

William Kasperovich: "I- well, that's all the comments on the- I have for the resolutions themselves."

Supervisor Kozakiewicz: "All right. Okay. I saw a hand in the back then on the resolutions. Yes. Ray Saltini."

Ray Saltini: "Hi. How are you doing? 858, can you outline just what the proposed changes are regarding Chapter 108? Thank you."

Supervisor Kozakiewicz: "Yeah, we had a public hearing on this matter and the change to Chapter 108 as indicated in the resolution and the notice of adoption is to add an additional use at Section 108-125 which is the recreation use district text, Article XXV of the Chapter- Chapter 108 to allow for, as a special permit, country inns."

Ray Saltini: "That would enable a homeowner to go in and apply for a special permit of a country inn or is that- is country inn a specific owner? I don't know- I'm just asking a question."

Supervisor Kozakiewicz: "Yeah. Country inn is a defined term in Chapter 108. It's a building of not more than 50 rooms and there's certain constraints on what is allowed and what's not allowed. And what this envisionment is after having gone to public hearing on this particular matter, is to add that use as a special permit use to the recreation district- "

Councilman Densieski: "Mr. Supervisor- "

Ray Saltini: "And it was not included as a principal use previously?"

Supervisor Kozakiewicz: "No."

Councilman Lull: "East Wind is a country inn."

Supervisor Kozakiewicz: "Right."

Ray Saltini: "Okay."

Supervisor Kozakiewicz: "It was not. It was not."

Ray Saltini: "So it effectively would enable folks to legally set up a bread and breakfast?"

Councilman Densieski: "Let me ask a question."

Supervisor Kozakiewicz: "In the recreation zoning district."

Councilman Densieski: "Okay. Would they be required to meet all the criteria like parking and things like that? So somebody wouldn't take like a home and create a bed and breakfast that didn't have- meet all the criteria?"

Supervisor Kozakiewicz: "Well, if it's a bread<sup>4</sup> and breakfast, that's one thing. This is a country inn. Country inn and bread and breakfast are described differently."

Councilman Densieski: "Okay. This does not meet the bed and breakfast- this is not for bed and breakfast?"

Councilman Lull: "No."

Supervisor Kozakiewicz: "This is for country inn."

Councilman Densieski: "Okay."

Ray Saltini: "And does this have a higher standard than a bed and breakfast?"

Supervisor Kozakiewicz: "It's a larger building and there's certain criteria spelled out as far as the way the interior halls are, what accessory uses are permitted and as pointed out by Councilman Lull, I think the best example of it, some may say is not the best example of it, is the East Wind facility that's being built in Wading River. That was a 50 room country inn."

Ray Saltini: "I know what you mean. Well, that's very helpful. Thank you very much."

Supervisor Kozakiewicz: "Okay? Thank you. Mike Spindler."

Mike Spindler: "Okay. I just have a couple of questions. It says approves application- #843, approves application of MGBC, LLC air display at Grumman. What is that?"

Supervisor Kozakiewicz: "That's- go ahead, are you going to

go?"

Councilman Densieski: "It's a static display of airplanes that were made at Grumman- I think most of them were made at the Grumman facility. It's not an air show; it's a static display."

Mike Spindler: "Do they fly in?"

Supervisor Kozakiewicz: "Which is- well, they are going to fly in, yes."

Mike Spindler: "That's the World War II- "

Supervisor Kozakiewicz: "Yes."

Councilman Densieski: "I think so."

Supervisor Kozakiewicz: "Out of Republic."

Mike Spindler: "Okay. #845, accepts draft environmental impact statement supporting the special permit petition of Route 58 Riverhead, LLC. What is that about? #845?"

Supervisor Kozakiewicz: "That's the proposal at the old Hazeltine site, the north side of the road, for a 14- what is it? 14 cinema screen? 14 screen multiplex and other use which I think was a restaurant."

Mike Spindler: "#826 Community Development Agency Calverton budget adjustment. I guess they're increasing the funding."

Supervisor Kozakiewicz: "Yeah. This is with respect to some bills that were left over from 2001 and some expenses with respect to the guardhouse that had formerly been occupied by Grubb & Ellis, picked up air conditioning expense and some others."

Mike Spindler: "Okay. #853 and any of them that state sale of development rights, I fully support that, #853."

#858, now, I don't know what this is all about really, but when I hear that East Wind is what a country inn, we're going to have more East Wind type country inns. I mean, when I look at East Wind, I just got back from Maine. I didn't see too many country inns that really resembled East Wind. I mean that is basically a hotel, if I'm thinking of the right place. I'm thinking of the big brick building,

the one that- "

Supervisor Kozakiewicz: "It's that place, that's correct."

Mike Spindler: "I mean, you know, it's a nice place and all. I'm just saying when someone envisions country inn, they envision maybe something a little different. I don't know."

Adopts a local law amending Chapter 108 entitled zoning. So in other words, we can have an East Wind type facility at a recreation zoned area."

Supervisor Kozakiewicz: "In an area that's been zoned recreational. That's correct. As pointed out in the face of the resolution, 858, there had been a public hearing held on this on July 2<sup>nd</sup>."

Mike Spindler: "Okay. I'm just making a comment here. That would be something that if I was in your shoes, I'd really be envisioning that East Wind on a recreational parcel and really giving that some second thought myself. Not saying anything bad about East Wind, but I'm just saying it's not what I envisioned as a country inn so to speak."

Okay. 861, authorize Town Clerk to publish and post notice to consider a local law to amend Community Preservation Fund. What is that?"

Councilman Lull: "The Community Preservation Fund has- I'm sorry, Bob."

Supervisor Kozakiewicz: "If I miss it, the state before it closed out, adopted changes to extend the time period for the sun setting of the current Community Preservation Fund law so that it's not going to end in 10 years, it will end in 20 years. There were also some other items in there about the ability for special districts to receive monies. The state did it and like the retirement incentive, we're looking to hold a public hearing on the local adoption of our law which was the way it was done in the first instance. The CPA was done at the state, then the local law was adopted, then, of course, there was a referendum vote in November."

Mike Spindler: "Okay. Thank you. 863, authorize the Town Clerk to publish and post notice for a public hearing to consider the application for a franchise renewal by CSC Acquisition, NY

(Cablevision). I just- I guess I have a little different opinion, you know. I'm sure you guys did the best you could. I want to thank you for doing the best you could. And I don't know all the details of it, Ed, but I trust you.

Okay. I think that's all the questions I had on that."

Supervisor Kozakiewicz: "Thank you."

Councilman Densieski: "Thanks, Mike."

Supervisor Kozakiewicz: "Anybody else who would like to address the Board with regard to resolutions? All right. If not, let's take up the resolutions."

Resolution #806

Councilwoman Sanders: "Accepts resignation from member of the Landmarks Preservation Commission, that member being Edmund Lypham. So moved."

Councilman Lull: "Yes. I'll second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Yes. And I'd like to thank him for his years of service on the Commission."

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

Resolution #807

Councilman Lull: "Accepts the resignation of Caprice Crippen as a part time assistant recreation leader. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #808

Councilman Densieski: "Accepts resignation of Billy Friszolowski, a part time clerk. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Lull: "We'll miss Billy around Town Hall. Yes."

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

Supervisor Kozakiewicz: "I'm sure she'll stop in. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #809

Councilwoman Sanders: "Accepts resignation of homemaker Ayn Warner. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #810

Councilman Densieski: "Ratifies request for leave of absence for Russell Bartlette. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #811

Councilman Lull: "Appoints automotive equipment operators to Riverhead Highway Department. That is Gregory Atkinson, James Clarkin, George Mottern, and Joseph Slavonik. These four AEO's will be part of our sidewalk repair and replacement group which will be most of their job. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #812

Councilwoman Sanders: "Appoints a lifeguard level 1 to the Riverhead Recreation Department. So moved."

Councilman Densieski: "That person is Robert May. Second the motion."

Supervisor Kozakiewicz: "Second the motion."

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

Resolution #813

Councilman Densieski: "Appoints Shana Gilmore as a homemaker. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #814

Councilwoman Sanders: "Amends Resolution #697 to be amended for the affective dated from July 2<sup>nd</sup> to June 30<sup>th</sup>. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #815

Councilman Densieski: "Authorizes a sewer district employee to attend a course. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #816

Councilman Lull: "Authorizes one member of the Board of Assessors to attend the September 21<sup>st</sup> through 26<sup>th</sup> Association Executive Board meeting of the New York State Association of Assessors. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #817

Councilwoman Sanders: "Authorizes an inspector to attend a class at the Brookhaven National Lab from October 28<sup>th</sup> through the 31<sup>st</sup>. So moved."

Councilman Densieski: "Before I second that, did we find out who that person was? We don't? Okay. Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #818

Councilwoman Sanders: "Authorizes attendance of police lieutenant at training seminar, that lieutenant being Richard Boden. Training seminar being in Albany from September 21<sup>st</sup> through September 26<sup>th</sup>. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #819

Councilman Densieski: "Authorizes the Fire Marshal to attend a workshop. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

Councilwoman Sanders: "Yes."

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

Supervisor Kozakiewicz: "Didn't miss a beat. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #820

Councilman Lull: "Authorizes attendance of police officer Scott Wicklund at the J.A.B. training seminar. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #821

Councilwoman Sanders: "Authorization to publish bid for a four-column vehicle lift for use at municipal garage. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #822

Councilman Lull: "Authorization to publish a bid for meat and poultry. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #823

Councilman Densieski: "Extends bid for the contract for water service materials. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Supervisor Kozakiewicz: "We do that every so often just to see if you are on the ball there, Barbara."

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

Resolution #824

Councilman Lull: "Extends bid for contract for diesel fuel. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #825

Councilwoman Sanders: "It's a budget adoption for the Human Services Fund. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #826

Councilman Lull: "Budget adjustment for the CDA at Calverton. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Densieski."

Councilman Densieski: "Yeah. I think the Supervisor pointed out that some of these are expenses that have been left over and I personally feel that we should sell this building. I believe we've been offered a fair amount over the appraised value and I wish the Board would reconsider its position because I have a feeling there's going to be a lot more of these budget adjustments to come to keep this building up. With that said, I'll vote yes."

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

Councilman Lull: "I think we'll entertain that request at a date some time in the future, Councilman. If you bring it up again and mention it to us at this point with the senior citizens program there, with the opening of the new senior center, maybe that will become (inaudible). Yes."

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

Resolution #827

Councilman Densieski: "827 is a PAL fund budget adjustment. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #828

Councilwoman Sanders: "Mill Pond water extension budget adoption. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #829

Councilman Densieski: "Mill Pond Commons sewer extension budget adoption. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #830

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

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #831

Councilman Densieski: "Is a Riverhead Sewer District budget adjustment. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #832

Councilwoman Sanders: "Riverhead Scavenger Waste District budget adjustment. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #833

Councilman Lull: "Sets up a budget for the 2002 Corwin Benjamin houses improvement capital project. This will will include redoing the Main Street entrance to the Corwin Benjamin houses with sidewalks, curbs, stonewall, metal fence, closing off the automobile access to the building making it a walkway only and redoing in front of the building to make it handicapped accessible. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #834

Councilman Densieski: "Is a recreation program fund budget adjustment. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #835

Councilwoman Sanders: "Creation of a designated fund, a Town Board special program fund. So moved."

Councilman Lull: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #836

Councilwoman Sanders: "Establishes fees for the Calverton Sewer District. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #837

Councilman Densieski: "Authorizes the Town Supervisor to execute a change order #2 for municipal garage mechanic's maintenance facility. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #838 and 839

Councilman Lull: "838 approves the application of Darkside Productions, Inc. Our special events application has a limit to the length of time that it can be. So on that case, I'd like to move 838 and 839 which is the same thing, both approving the applications of Darkside Productions for their haunted house walk through. The total time period is September 27<sup>th</sup> through November 3<sup>rd</sup>. So I'll move those two."

Councilman Densieski: "Yeah, discussion on that. Jim, I know you had some concerns about traffic. Are you satisfied with that?"

Councilman Lull: "I will check it out again with Lt. Boden who worked on it last year and we'll see what happens. It should be okay."

Councilman Densieski: "Thank you."

Supervisor Kozakiewicz: "Is there a second?"

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded. That's 838 and 839."

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

Resolution #840

Councilman Densieski: "Approves application of Green Island Distributors. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #841 and #842

Councilman Lull: "841 is the same situation as the previous. 841 and 842 both approve applications of P.C. Richard & Son for a tent sale. Those tent sales on weekends from August 30<sup>th</sup> to September 17<sup>th</sup>. So moved."

Councilman Densieski: "So moved."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #843

Councilman Lull: "Approves the application of M-GBC, LLC. Yes. For an air display at Grumman, American Heritage air display on August 10<sup>th</sup> with a rain date of August 11<sup>th</sup>. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Densieski."

Councilman Densieski: "Yes. This is air display but I think it actually should probably say ground display. Yes."

Supervisor Kozakiewicz: "Yes, it is."

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

Resolution #844

Councilman Densieski: "A resolution authorizing the issuance of \$57,000 serial bonds of the Town of Riverhead, Suffolk County, New York to pay the cost of the preparation of a facility plan for the Calverton Sewer District's proposed advanced wastewater treatment facility. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #845

Councilman Densieski: "I'm getting there, Barbara. How come I get all the long ones?"

Barbara Grattan: "Because we love you."

Councilman Densieski: "All right. Accepts draft environmental impact statement supporting the special permit petition of Route 58 Riverhead LLC (the Riverhead Marquee Plaza) and authorizes the Town Clerk to publish and post a notice of a public hearing. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded. And the hearing is the 28<sup>th</sup> day of August, 3:00 in the afternoon."

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

Resolution #846

Councilman Lull: "Approves the amended elevations of Windcrest East (formerly Mid Road Properties). In this particular one we have in 2001 we submitted- we approved, the Town Board, a site plan and elevations submitted by Mid Road Properties. They are wanting to use two different- two additional models as part of their plan. So this is to simply add those models. Yes. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #847

Councilwoman Sanders: "Similar resolution as 846. This approves the amended elevations of Sunken Ponds Phase III. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #848

Councilwoman Sanders: "Approves site plan of Empire Gas Station. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, no; Densieski."

Councilman Densieski: "I'm trying to find out what others know that I don't know. I know we've added green space and I'm trying to think of a reason not to go forward with this, but- "

Councilwoman Sanders: "Ed, my concern was the buffer facing Route 58."

Councilman Densieski: "Okay. You mean the lack of green space?"

Councilwoman Sanders: "Lack of it. Lack of it."

Councilman Densieski: "Yeah. I agree wholeheartedly with Member Sanders, but I think this is going to be a lot better than what we have there and I don't know really how they could add too much there. I do agree with your concern but I'm going to vote yes."

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

Councilman Lull: "Yeah, I also would like more along the- along Route 58, but the sensible statement made by the Planning Director pointed out that in that particular way and that particular driveway coming out onto Route 58 with shrubs would make vision- traffic safety vision difficult. So, yes."

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

Supervisor Kozakiewicz: "As pointed out by Councilman Lull, I think everybody on the Board has asked for this to go back for a

second look to provide for more landscaping in the front of the site or the parcel, and determine that based upon sight distances as well as other constraints because this is already a previously approved parcel, that could not be accomplished.

What was done is the same amount of landscaping percentage-wise was placed on other portions of the property in order to still provide for the same percentage but not right along 58. Based upon the fact that it's a previously improved site, I would vote yes."

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

Resolution #849

Councilman Lull: "Approves the site plan of JeJoep, LLC. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #850

Councilman Densieski: "Approves Phased Site Plan of Barbara Woodhull and Michelle Hulse. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #851

Councilman Lull: "Authorizes the Town Clerk to publish and posts notice of a public hearing for special permit petition of Little Flower Children's Services. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #852

Councilman Lull: "Accepts the donation of property owned by Martin Bass, Main Road, Aquebogue. This piece of property we've already had the public hearing on. It's across the street from Church Lane. It's basically a wetlands area. So moved."

Councilman Lull: "Yes."

Councilman Densieski: "Discussion. Did we talk about this at the work session- I recall something being on there. We did? Okay."

Supervisor Kozakiewicz: "It was in yesterday's packet, yes."

Councilman Densieski: "Okay. Sorry. I know we're going to take off a couple of dollars off the tax rolls which I'm not happy about. Words of wisdom of accepting land. Do you see the value- "

Supervisor Kozakiewicz: "Well, the parcel- I know there's been some discussion about whether it's wet or not. It is. However, it was also part of a subdivision that provided for a single lot within a building envelope, as I understand it, from the Planning Board having received it. So it could be improved with a use. I think the wisdom is do we want to try and preserve that natural area to provide for- so it stays in perpetuity as its natural state as it is today, and does it make sense to do that through a donation as opposed to a purchase. And that's where we are. It does reduce taxes that come into the town if you want to consider all of them. I think it was about what- \$1,800- so there would be that attendant reduction. However, the benefits- "

Councilman Densieski: "It's your opinion. I mean, we are next to a wetland. It is your opinion but is it your opinion that they could build a site there?"

Supervisor Kozakiewicz: "There is a building envelope shown on an old approved subdivision so it would take work. But, yes, they did have an approval from the Planning Board to- and did create four lots."

Councilman Densieski: "Okay."

Supervisor Kozakiewicz: "There's certainly constraints but they could build."

Councilman Densieski: "Okay."

Supervisor Kozakiewicz: "Any other discussion?"

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #853

Councilman Densieski: "Accepts offer of sale of development rights for Robin Gibbs. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Densieski."

Councilman Densieski: "Yeah. I'd just like to point out this is a 28.9 acres on Edwards Avenue in Calverton. Yes."

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

Resolution #854

Councilman Densieski: "Authorizes the Supervisor to execute an agreement with the Landauer Realty Group to conduct a full appraisal at the Enterprise Park at Calverton. So moved."

Councilman Lull: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "I understand this- actually being an amendment to a prior resolution and if that is the case- "

Supervisor Kozakiewicz: "That's correct."

Councilwoman Sanders: "-- then, yes."

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

Councilman Densieski: "Yes. I'd just like to point out that there are at least several members of the Board, not the entire Board, that feel that the asking price of property at the Grumman property- at the Grumman Epcot Park is undervalued. I am certainly one of those people. I believe there's a great deal to be gained if we consider expanding industrial property there and I think this appraisal will, hopefully, guide us through some of the tough decisions that we have to make. Yes."

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

Councilman Lull: "Combining this appraisal with the report we got on the future in the region of commercial industrial development is- will be a great help to us. Yes."

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

Resolution #855

Councilwoman Sanders: "Supervisor, I'd like to suggest that we table this resolution."

Supervisor Kozakiewicz: "In light of some of the comments, I have some questions and things that I have with this one, too. I know we've been kicking around- is this one an exclusive license?"

Councilman Densieski: "Well, that was my question."

Supervisor Kozakiewicz: "Yeah. This one I didn't have a chance to follow up with you on. Whether this gives them an exclusivity. That was a discussion we had at a past work session and I'm not sure that information was shared with the Town Attorney's office, Dawn."

Councilman Densieski: "I would second to table."

Supervisor Kozakiewicz: "Yeah. I think there was some additional information which may have been done outside your presence and I think it requires to be tabled, unfortunately. So, vote on the

tabling, please."

The Vote: "Sanders."

Councilwoman Sanders: "Yes, to table."

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

Resolution #856

Councilman Densieski: "Appoints James F. Gesualdi, Esq. special counsel with respect to State Environmental Quality Review in connection with the subdivision application of MGBC-LLC. So moved."

Councilman Lull: "That's the second or third time tonight MGBC-LLC has been referred to. That's Burman Properties." Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #857

Councilman Lull: "It's an order establishing Extension #73 of the Water- Riverhead Water District, the Kulesa Subdivision. So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Densieski: "I'll second it."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #858

Councilman Lull: "Adopts local law amending Chapter 108 entitled Zoning of the Riverhead Town Code. We talked about it before in the discussion section earlier for country inns. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #859

Councilwoman Sanders: "Authorizes the Town Clerk to publish and post public notice for a local law to add Article XXVI-A entitled Special Permits to Chapter 108 of the code of the Town of Riverhead. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Supervisor Kozakiewicz: "Yes. This is calling for a public hearing. Once again, some housekeeping to address the special permit language. The idea is to provide for a separate Article that would deal with the criteria for a special permit and to remove it from the definition clause. Yes."

Barbara Grattan: "The resolution is adoptd."

Resolution #860

Councilman Densieski: "Authorizes the Town Clerk to publish and post public notice to consider the purchase of development rights of a parcel located in the Town of Riverhead, Janlewicz property. So moved."

Councilman Lull: "Should that not read post a public notice for a public hearing to consider the purchase? I'll second it."

Councilwoman Sanders: "Yes, it is, Jim."

Supervisor Kozakiewicz: "Yeah."

Barbara Grattan: "So you want public notice?"

Supervisor Kozakiewicz: "It does say notice of public hearing on the second page- "

Councilman Lull: "Yes."

Supervisor Kozakiewicz: "-- and it's a public hearing that's scheduled for August 20<sup>th</sup> at 7:20 p.m."

Barbara Grattan: "So we're going to change the first page to public hearing, correct?"

Supervisor Kozakiewicz: "Right."

Councilman Lull: "Yes."

Barbara Grattan: "No problem."

Supervisor Kozakiewicz: "All right?"

The Vote: "Sanders, yes; Densieski."

Councilman Densieski: "Yeah. That's a 43 acres in Aquebogue. Yes."

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

Resolution #861

Councilman Lull: "Authorize the Town Clerk to publish and post public notice to consider a local law to amend Chapter 14 entitled "Community Preservation Fund" of the Riverhead- for the Town of Riverhead. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "It's moved and seconded. There's a need to amend the provision- okay. Is this the deal with the special district issue?"

Sean Walter: "Yes, it is."

Supervisor Kozakiewicz: "Okay."

Sean Walter: "I would like you to- on the local law 14.35- "

Supervisor Kozakiewicz: "They had a proposition."

Sean Walter: "In the proposition, I would like the proposition to read- we're going to strike within the Town of Riverhead and we're going to add within the central pine barrens area. Just going to- excuse me- "

Supervisor Kozakiewicz: "Well- "

Councilwoman Sanders: "Again, Sean, strike within the Town of Riverhead and end- "

Sean Walter: "And we're going to add within the central pine barrens area."

Supervisor Kozakiewicz: "Discussion. Are we going to be more limiting as to what districts are covered as a result of that?"

Sean Walter: "Yes."

Supervisor Kozakiewicz: "So it's only districts that fall within that particular area that will be benefitted as a result of this legislation. And that's what the state legislation was allowing. Is that correct?"

Sean Walter: "Yes."

Supervisor Kozakiewicz: "So we're limited by what the state enabling legislation permits us to do?"

Sean Walter: "That's correct."

Councilman Densieski: "But if we just said in Riverhead and only the ones- "

Sean Walter: "We're limited by state legislation. It was explained differently to us at a meeting."

Councilman Densieski: "Yes, it was."

Sean Walter: "And I just got off the phone with Fred Thiele- "

Supervisor Kozakiewicz: "So it really has limited benefit for us as opposed to the township from which he comes."

Councilman Densieski: "Yeah."

Sean Walter: "It is very limited in benefit."

Supervisor Kozakiewicz: "Okay."

Sean Walter: "In terms of- we've run some of the numbers."

Councilman Densieski: "Yeah. Bob, maybe I recommend that we leave in- leave Riverhead in there in case Assemblyman Thiele is not accurate or there's some other discrepancy."

Supervisor Kozakiewicz: "If we leave Riverhead in there, is it the opinion of counsel that it's beyond the scope of the enabling legislation?"

Sean Walter: "It's beyond the scope of the enabling legislation."

Supervisor Kozakiewicz: "And what's our time period for getting this done?"

Sean Walter: "September 6<sup>th</sup>. That's when the Board of Elections (inaudible)."

Supervisor Kozakiewicz: "If we decide to go forward with it."

Sean Walter: "That's correct."

Supervisor Kozakiewicz: "Given the change, I think there might be some reluctance to do that."

Councilman Lull: "Let's wait."

Councilwoman Sanders: "I think we should table."

Councilman Lull: "Yes."

Councilwoman Sanders: "I'd like to move to table."

Councilman Lull: "Second."

Councilman Densieski: "Do you recommend tabling for discussion?"

Barbara Grattan: "Sanders and Lull, to table."

Supervisor Kozakiewicz: "Motion and second to table. Vote on tabling it."

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

Supervisor Kozakiewicz: "Based upon the explanation given and based upon the questions that or problems that may come up as a result of this change which we've just learned about, I agree to table."

Barbara Grattan: "Okay. The resolution is tabled."

Councilman Densieski: "Thank you, Sean."

Councilman Lull: "Sean. Make sure, Sean, make sure Joey has you on the work session."

Resolution #862

Councilwoman Sanders: "Authorizes Town Clerk to publish and post public notice for local law to repeal and replace Chapter 108 Subsection 3, Definitions of a Special Permit, in the section entitled, "Definitions", to the code of the Riverhead. So moved."

Councilman Lull: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Supervisor Kozakiewicz: "This one goes together with that prior section that I talked about. This one is eliminating the criteria for a special permit from that definition section in the code so that it's shifted to the other section, a separate Article. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #863

Councilman Densieski: "Authorizes the Town Clerk to post and publish a public notice for public hearing to consider the application for franchise renewal by CSC Acquisition, NY, Inc., and that's known as Cablevision. So moved."

Councilman Lull: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #864

Councilwoman Sanders: "This resolution is authorizing a compromise and settlement of legal action by Town against the Peconic United Methodist Housing Development Fund Company, Inc. So moved."

Councilman Lull: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Excuse me. Take it down a couple gears there."

Barbara Grattan: "Okay, Densieski."

Councilman Densieski: "Thank you. Madam Clerk. I just want to- she wants to get out of here bad. I just want to point out that this was a pretty good settlement for the town and one of our legal eagles under the direction of Dawn here who we argued about his contract a couple of weeks ago, made a big killing for the town. I want to thank him and Dawn for their work. So I'm going to vote yes."

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

Supervisor Kozakiewicz: "Yeah, I do want to say thank you to the Deputy for working on this. This dealt with an old arrangement that was made with the parties back in the '80's, and I guess back then things were a little bit less formal. It was a resolution that described the pilot payment to be made and he did a good job. There was a lot of work involved and it's, I think, a fair settlement and resolves the matter, I think, favorably. So I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #865

Councilman Densieski: "Approves the temporary sign permit for a downtown farmer's market. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "I could only hope that all our temporary signs would look this good. Yes."

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

Councilman Densieski: "Yeah. I just want to make a quick comment about Bob Gammon and the farmer's market. Now that it's located downtown on the riverfront by the Aquarium, it is very successful and I hope it continues to grow. I'd like to support it and vote yes."

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

Supervisor Kozakiewicz: "I'm just going to share a conversation. I hope I don't embarrass my colleague to my right. Last night, she came to me and goes, am I reading this right? Is this the temporary sign we're approving? And- because it is very tastefully done. It's wood construction. It's a nice carved sign and it's a temporary sign. But I think the idea is that the farmers want to keep coming back with the farmer's market every year and establish this, so yes. And I, you know- "

Councilman Densieski: "There may be another reason, too. I'm not going to say it though."

Supervisor Kozakiewicz: "Anyway, yes."

Barbara Grattan: "The resolution is adopted."

Resolution #866

Barbara Grattan: "Resolution #866, bills."

Councilman Lull: "So moved."

Supervisor Kozakiewicz: "Second- is there a second to pay bills? Is there a second to pay bills?"

Councilman Densieski: "Yeah, yeah."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Densieksi, yes; Lull, yes; Kozakiewicz, yes. 4 yes to pay bills."

Barbara Grattan: "Bills are paid. Resolutions are done."

Supervisor Kozakiewicz: "Okay."

Councilman Densieski: "We've got one off the floor."

Supervisor Kozakiewicz: "Do we need to take a momentary break? Can we- why don't- "

Councilman Densieski: "Yeah- "

Supervisor Kozakiewicz: "We'll continue. Unless- "

Councilman Densieski: "No. Let's roll it."

Supervisor Kozakiewicz: "Hal Lindstrom. I'm going by cards. Five minutes. It's open comment period, discuss anything. Next, Ray. I've got your card next. I'm sorry."

Hal Lindstrom: "Yeah, I just wanted to thank the Board along with Steve Haizlip, I know he wrote a letter to the Board, for getting the light up on Edwards and Sound Avenue. We finally got that. And I also want to thank the Board for removing the graffiti train, getting those out of Riverhead. I think that was something that was really needed.

The other thing that I wanted to comment on which I commented on a little while ago was having two stop signs at the corners of Horton and Middle Road and also Osborne and Middle Road. I think just this weekend there was a car broadsided on Middle Road, heading east. I'm not sure if it was on Osborne or Horton. It was on one of those corners there. So there is a blind spot. And I just hope you'll look into that."

Councilman Lull: "We have that as well as two or three other

intersections on Middle Road in front of the State asking for an evaluation of the corner. Before we move anywhere, we have to have an evaluation of the State."

Hal Lindstrom: "Okay. And, again, I just wanted to announce that the dedication ceremony for the World Trade Center memorial that we're having built here in Riverhead will be held September 14<sup>th</sup> instead of August 11<sup>th</sup> due to construction delays. So I hope everybody will put that on the calendar and join us September 14<sup>th</sup>."

Supervisor Kozakiewicz: "Thank you, Hal. Ray Maynard."

Ray Maynard: "Hi guys."

Supervisor Kozakiewicz: "Hello."

Ray Maynard: "I just wanted to come here today to say congratulations to the Town Board members that came out and threw themselves out of a perfectly good airplane last week and as part of my staff and the guys and myself at Sky Dive, Long Island, we put together a little collage for the jumpers. I'd like to give that to you now as well as- "

Supervisor Kozakiewicz: "Are my eyes bugged out?"

Ray Maynard: "Oh, yeah."

Councilman Densieski: "I'd just like to be on the record as saying I did not jump, I was pushed."

Ray Maynard: "So we have one for each of the Town Board members that did make a jump last Wednesday at Sky Dive, Long Island, and the caption we thought was appropriate was Riverhead Town Board majority rises to new heights."

Supervisor Kozakiewicz: "Thank you, Ray."

Ray Maynard (inaudible)

Councilman Lull: "Yes, she probably is."

Ray Maynard: "One other photo I have here is very special. It's addressed to everybody. After September 11<sup>th</sup>, the World Trade Center flag was in my possession (inaudible). I jumped it into a patriotic ceremony in Rocky Point. Here's a photo of it. It was its

first public appearance. So I wrote to Bob, Eddie and Barbara and all my fellow flyers from Town Hall. Congratulations. Thank you for having Sky Dive, Long Island fill the skies of the great Town of Riverhead."

Supervisor Kozakiewicz: "Thank you."

Ray Maynard: "Thank you."

Supervisor Kozakiewicz: "Rolph Kestling."

Rolph Kestling: "Rolph Kestling, again. I just want to say something. There comes a time when someone will start and realize our limitations and movements and things like that. I guess Bill Kasperovich, George Schmelzer and I have to include myself in that. So we try and look at other avenues that would keep abreast of things and have things a little bit easier.

I got on the Town website and see how I could make out there. All I can say is the website can use a lot of improvement. Where they have press releases, they give press release from March. I think a press release you keep it on the site for 30 days or something like that. And I went over to see what's doing in Town Hall, town meetings, public meetings and it gives a short synopsis but for further details, you have to come to Town Hall. Well it's getting so a lot of us can't make it to Town Hall very often. Can't you put more information on that part so you can see what's going on?

Now, you had one proposition about what's coming up at another meeting about vegetation. There you managed- you can scroll off and you can get a lot of information. But things like you just had now where your last public meeting about retirement. Well, you could have given us a little bit more on that. So I would appreciate a little more up to date information on the website.

All right. The second one goes back to the radio station 1391 this morning and it has to do with the sculpture, what the town's approving for \$150,000 for sculptures. Now, this doesn't take- this takes in, you know, a couple weeks, a couple months. There's been banter about it, who said this and who says that. I'm going to run for Supervisor, then they're not going to run for Supervisor. So, when I heard this about the sculpture money being approved, two things struck my mind or two phrases. And the first thing I said to myself, you've got to be kidding me. The second one was, (inaudible). Thank you."

Councilwoman Sanders: "Mr. Kestling, it is one of my objectives to get as much information on that website as we can possible present to the public to give you as much information that you'll need for either the meetings, ongoing events, press releases. So don't give up yet."

Rolph Kestling: "Thank you."

Supervisor Kozakiewicz: "I agree with Rose in that regard. Sometimes, getting the public hearings on, if we can just get them digitally from each of the department heads who do the local laws, it's much easier to just e-mail that directly over to our webmaster and then put them on. So we're trying to do that. And in the case with that one particular piece of legislation, we were able to get that done. I think that's most important, making sure that the public hearings and the information are as complete as possible so that people do have a chance to know what it is we're voting on and what the public hearings are about. Thank you. Bill Kasperovich."

William Kasperovich: "Do my five minutes start when Mr. Densieski returns or- "

Supervisor Kozakiewicz: "He'll review the minutes, Mr. Kasperovich. We have a quorum."

William Kasperovich: "All right. The first item I'd like to talk about is water. I had mentioned several times on several occasions that the sewage facility pump their own water from their own well. They're closer to the water, they don't need potable water, and I think it would come out more economical if for the- sewage costs-- they use their own water. And I haven't heard anything about that and I think that's a point we're overlooking."

For the past years and especially come summertime, I've talked about the chlorine in the water. I've discussed this with Mr. Pendzick and he said they'll look into it with H2M. There are various ways of handling this, both by feeding the chlorine into the system and also blanketing the standpipes or the towers. And I will keep that alive somehow or over before I get some reasonable judgment by the Town Board.

The second item. I've asked that the Town Board recuse- review- I repeat that, review the policy set forth by the Town for the conduct and action of the Fire Marshal. I was one of the people that for many, many years, starting with 40 years ago, to get a Fire Marshal.

You finally got a Fire Marshal but from my limited point of view, whatever I'm exposed to, I feel that the policy that has been put upon the Fire Marshal by the town is a price that they were putting on at the cost of risk. Risk and prevention is important when the word fire comes in or disaster or panic.

The things I had- I wanted to talk about highway, I haven't had chance to talk with Mr. Kwasna. I felt I should review things with him first before talking about anything on highways because I think he's doing a commendable job, more so than I've seen for many, many years.

And the last item which nobody seems to want to pay attention and I don't know how to get this corrected. But the stone in front of the statute out on the lawn has a stain on the bluestone in front of it and nobody seems to want to make an effort to remove that stain or the conditions that will make it stain. If you need the assistance of a stone mason, I'm sure somebody could come in and take care of this because apparently the building and grounds people aren't interested in removing the stain.

On that sad note, which I think is a disgrace that I have to bring this up, that's it. Thank you."

Supervisor Kozakiewicz: "Thank you. That is the- as far as people who handed in cards. I know there's others who wish to speak. What I'm going to ask you to do is bear with us. We need just a 15 minute break. I'm going to take a break at this point so we can stretch, just loosen up a little bit, and then we'll come right back at quarter after five. All right. Thank you."

Recess: 5:00 p.m.

Meeting reopened 5:20 p.m.

Barbara Grattan: "Okay. Go ahead.

Supervisor Kozakiewicz: "All right. Let's get started again, 5:20 p.m. Anybody who wishes to speak who hasn't had a chance to do so, yes, sir. Ann, you'll be next. All right?"

Ray Dykholf: "Hello. My name is Ray Dykholf from Aquebogue. I have a question for the Highway Department, maybe you can help me. They recently came down the street in Aquebogue, Ida Lane and Promenade. They put fliers in all the doors, they were going to re-

surface the road and they used the term smooth as glass, rollerblading, and bicycling. At any rate, they came down, they threw some oil and stone down. They didn't resurface the road and they just left the gravel. It's a real mess down there. Garbage trucks come down, they tore it all up two days after it was done.

Now as far as I remember, that road was put in in '84 and it was only base coat done and then in '92 or '91, the Riverhead Water Authority cut down the center of the road and put the mains in. When that subdivision was approved, it didn't have mains, it had wells. I don't remember it ever getting a top coat. So I don't know if there's a bond still being held or was the bond returned. I know you said things were loose in the '80's but- "

Supervisor Kozakiewicz: "Yeah, I know that this one actually had been lost to the county. I believe it had been parcelized and it was one of the parcels that we applied for and it was given back to the town pursuant to a 72H.

As far as whether there was a top wearing coat or not, I can't tell you. If your recollection that there was not- "

Roy Dykholf: "I started framing there for the developer- I built all his houses down the road, framing, and I live there myself. I don't remember that top coat being done."

Supervisor Kozakiewicz: "Okay."

Roy Dykholf: "I can pretty much guarantee that."

Councilman Densieski: "I was in there Saturday and I can verify what you're saying."

Roy Dykholf: "On a second note, I want to bring up one other thing. Is there a Public Relations Committee the town has, that you know."

Councilman Densieski: "Not a Committee. No. For what purpose?"

Roy Dykholf: "All the mention about the riverfront and the great job the town's doing, fixing up the riverfront, you know, local businessmen are doing a wonderful job down there. I think it was the first week in July on WLNG radio they referred to this armed robbery at the McDonald's in Riverhead. Okay."

Councilman Densieski: "Yeah."

Supervisor Kozakiewicz: "Same thing with the courts."

Roy Dykholf: "And then they said, you know, Southampton and the State Police came down and handled it and then about 10 days later they said there was a slashing in Riverhead down by the river. You know, it makes it look like not only is it not safe to be here but also the Riverhead police don't show up because again they mentioned that."

I called LNG radio and I told them that, you know, the Southampton police showed up for a reason because it was on the other side of the river and it was in Southampton and they just said okay and hung up on me. So, I don't know- "

Councilman Densieski: "We actually had that item for a work session, that item for a work session item which we didn't get to because we were shorthanded- short time. But the same thing with the Katy Beers case. It says, you know, Riverhead, child molester to- this is something that, you know, we've already done one resolution to the media a year or two ago, but we're going to send another one. They do the same thing when they let them out of the jail, it's always Riverhead, and- "

Roy Dykholf: "Exactly. I'm a builder in the area and I know people, that's the first thing they said."

Supervisor Kozakiewicz: "Yeah. I think unfortunately, in absence- when you hear it you've got to call in and say, hey, wait a minute. It's not Riverhead. I mean, I know I've done that. In instances where they talk about the jail or they talk about the County Center, and say yeah, it might be known as Riverhead but technically it's really Southampton township."

Ray Dykholf: "The town and businessmen and the people are spending a lot of money to fix up the area, we should maybe do something to let at least the local radio stations know."

Councilman Densieski: "Yeah."

Supervisor Kozakiewicz: "Yes."

Ray Dykholf: "Okay. Thank you."

Supervisor Kozakiewicz: "Thank you. Ann Miloski."

Councilman Lull: "I noticed the reporter from Newsday has left, but we did do this- the Town Board did that about 10-15 years ago, petitioned Newsday, and for a while they stopped using Riverhead as the byline for the courts. But that didn't last."

Ann Miloski: "Well, I'm glad to hear him say that but I thought it was such a good idea having that sign that was being put up or was put up already."

Supervisor Kozakiewicz: "It's up."

Councilman Lull: "Yes."

Councilman Densieski: "It's up."

Ann Miloski: "And it says you are now leaving Riverhead town and that was one of the best things that ever happened."

Councilman Densieski: "You're right."

Ann Miloski: "I thought that was great. What I want to talk about is this North Shore Farms that they're going for a special permit and it says here to process land clearing (inaudible) into mulch on a 12.9 acre parcel and when I was reading their file, it also stated that they want to repair their garbage trucks there but that isn't in this here, this letter of determination. And what I wanted to ask the Town Attorney, aren't they illegally doing work in the back now, it's in litigation with the town?"

Dawn Thomas: "Yes."

Ann Miloski: "Well, then how can they go for a special permit when they don't even have a permit to do what they're doing now?"

Dawn Thomas: "The special permit that they've applied for- the special permit that they are making application for, is to legalize what they're doing there and we- I don't want to say too much about it because we are in litigation with them, but that I think that resolution that you're talking about gives- makes a determination of significance and then there's a separate resolution that scheduled it for a scoping and that we have to redo because unfortunately the time of the scoping hearing was left out of that public notice. So at the next meeting we'll be adopting- correcting the resolution so that we

do the scoping hearing. But- does that answer your question? I think it does say vehicle repair in that- in that resolution."

Ann Miloski: "Well, they want to repair the dump trucks, they're doing whatever they're doing illegally- "

Dawn Thomas: "Yeah, it's in there, though, that's- "

Ann Miloski: "And actually they're recycling back there."

Dawn Thomas: "Well, once they make the application and we are able to see exactly what it is that they're doing, we'll be a little bit different position. But other than that, I don't want to say too much."

Ann Miloski: "Okay. And the other thing I wanted to emphasize, if they're going to do mulching on that parcel of land, if it's outside mulching, it's very close in proximity to the Riley Avenue school and our winds blow in a southeasterly direction and it's going to be terrible, terrible. They had trouble over in Center Moriches with that and I think the Town Board should look this over very, very carefully."

Dawn Thomas: "I think you can-- if you want to express those comments, I think it would be important for you to do that at the scoping hearing. And that way it will be part of the EIS."

Ann Miloski: "Thank you."

Supervisor Kozakiewicz: "Thank you. I saw another hand in the back. Okay. Mike Spindler, please."

Mike Spindler: "Mike Spindler, Calverton. I just wanted to make a couple comments. I came in here via the riverfront parking lot and I just thought it really looked great. The guys, the buildings and grounds, have all the grass cut, all the edge trimmed. I mean it really can't look too much better than it does and it really looks great. I noticed some dumpsters were fenced with chain link fence with grass woven in. Absolutely a must. I think it's Sears or right in there somewhere- "

Councilman Lull: "It is Sears."

Councilwoman Sanders: "Sears."

Mike Spindler: "-- it should be mandatory, it should be an ordinance, a village ordinance or however you say that."

Councilman Lull: "It's under construction."

Mike Spindler: "Okay. Whatever. It looks great. The skatepark, I don't know who handled that, who was- Rose, you're with the Recreation Department?"

Councilwoman Sanders: "Recreation Committee."

Mike Spindler: "I've been- "

Supervisor Kozakiewicz: "The Rec Committee recommended it. It was then passed onto the Town Board and the Town Engineer oversaw the process as far as the actual construction."

Mike Spindler: "Well, having two teenagers and traveling throughout the country, I've been to some of the best. I've been to Burnside in Oregon, Santa Rosa, places in Florida, and this is second to none. It's a really nice job. You did a- "

Supervisor Kozakiewicz: "I'm glad to hear that you are positive because I've heard from other people that we shouldn't have done it. It was overspent."

Mike Spindler: "Well, I was also of that, you know, thought before. I was like, oh, jeez, you know, the one in Hampton Bays, they spent a couple bucks, they got it done. This totally blows away Hampton Bays. It's really a- and I've been to them. I've been to, you know, really good skateparks and it's good for the kids. If you want to spend the money for the kids, do it. I don't have any problem with that."

The issue of that Community Preservation Fund resolution, whatever it was, probably one of the most important topics in my opinion. Just asking you, get it right. I was happy to see that everybody called a time out and said, wait, it's not right. Please get that right. Please spend the money. Okay? It's the only thing that's going to save the town, you know. You go away and you come back, you see things a little differently, a little clearer.

Two acre zoning. Everybody complains about the traffic on 58. You can't reduce the tourist traffic; it's almost impossible. You want the tourist. So what other traffic is there? Local traffic.

How can you cut the local traffic? Two acre zoning. Cut your density in half. Done. From Brookhaven to Southold; from Southampton, Brookhaven to the Sound. Two acre zoning across the board. Done. Everybody gets hurt the same way. Everybody gets helped the same way. No clustering. Down in Delaware, I was in a motor cross race down there last year in October and it's absolutely hideous. Clustering. What you see is houses crammed on like a 40 acre parcel and in the corner they've got all these little houses, all these little plastic houses. So just two acre zoning. That's it. That's all you need to do, I think. I mean, I don't know what else you can do, purchase development rights and things of that nature.

The runway- I submitted a runway use guidelines, the rough thing, maybe take a look at it."

Supervisor Kozakiewicz: "We have. It's been discussed with Tri-State Planning. We're working on a full guidelines for the facility, taking what you provided to us as a spring board."

Mike Spindler: "All right. Thank you very much. I appreciate it. Riverhead, Ed's sign in Riverhead. Right on, Ed, you know. I've been out here all my life- "

Councilman Densieski: "The Town Board- Town Board sign."

Mike Spindler: "The Town Board, you know, is really a great thing. I mean Riverhead gets so much bad press. I work up the Island, you know, I work all over Suffolk County, and when I mention the word Riverhead, you know, sometimes the hair comes up on the back of your neck because of the way people look at you and it's certainly not deserved.

Key Span property in Jamesport, support the acquisition of that or purchasing of development rights, you know. If a farmer wants to farm it fine, whatever. No houses. No houses.

Peconic Propane up in Calverton, did a real nice job. The lighting is right on. It's got the low intensity skyward lighting. Very good. Home Depot. I know they're, again, I hope they're not done because it's pathetic. Okay. It's absolutely- "

Supervisor Kozakiewicz: "The answer is no. They're not done."

Mike Spindler: "Okay. Well, they've got a long way to go and I guess you know that. The time for public comment at the Town Board,

you know, the people who mean the most and I know this is not the intent of what you did, but it's kind of like a little signage here, how would you say, the people who mean the most is the elected people who do the voting are here speaking last. You know- I know you had problems and you tried to- you're trying to rectify a situation where you can't get stuff done in a timely manner, but the people come first. If you have to sit there- I mean, I'm a public servant. If I've got to sit there and listen to some whoever tell me about whatever, I've got to do it. That's the way it is.

I mean- I'm not telling you how to do your job."

Supervisor Kozakiewicz: "Different towns treat it differently. Some towns will not even allow an individual come up and ask questions. They will say listen, the public comment period is for that alone. Public comment. If you have a question, make an appointment with my office and come in and make your appointment and you can put your inquiry in at that point, or some other mechanism. They will not even- "

Mike Spindler: "I understand."

Supervisor Kozakiewicz: "-- listen to this, you know, question and answer type of format."

Mike Spindler: "That's what makes you and that's what makes all of you in Riverhead better than those towns, okay? Keep it that way. Don't turn it into Brookhaven or Smithtown or Huntington where you've got to talk to God to talk to the Supervisor."

Supervisor Kozakiewicz: "Well, I don't think anybody wants to do that."

Mike Spindler: "I know. Well, you know- "

Supervisor Kozakiewicz: "I think that, you know, what we're doing as far as changing the format was just, you know- "

Mike Spindler: "I'm just thinking- you know, the 7:00 thing. I've got to go to work tomorrow morning at 5:00 in the morning. I've got to be here until 10:00 at night. And look at how many people are in the audience. It's just kind of- it's a little, you know, I don't know. I know what you're trying to do but it would be nice if the people came first.

North Shore Farms, already talked about that. River Road sign at the intersection, the street sign, is gone, it's down. River Road and Edwards Avenue, someone is going to get, you know what I mean? That is so bad. I cannot believe that there haven't been, I don't know. It's bad. People- what happens is you've got all your people from Southold and Cutchogue and I work with a lot of these guys in Mattituck. They zip down Sound Avenue, all those developments up there, and they come down Edwards Avenue and they are moving, and those sand trucks are moving. They're downshifting, they're breaking. You want to make some money? Put a copy down there with a radar gun. Guaranteed you're going to get some revenue. There's no way they can talk their way out of it- "

Supervisor Kozakiewicz: "Mike, you'll probably be the first one we catch."

Mike Spindler: "No. No. No. I'm not that bad. But, anyway."

Supervisor Kozakiewicz: "That's five minutes, Mike. Anything else?"

Mike Spindler: "That's all I've got."

Supervisor Kozakiewicz: "All right. Anybody else who would like to address the Board? Hand in the back."

Lawrence Rehm: "Yes. Lawrence Rehm, Baiting Hollow. What's the latest on the Crown project?"

Supervisor Kozakiewicz: "The comments from Dvirka & Bartilucci have been received. They have gone up to the other side. They raised a number of questions, some of the same questions that the individuals who were here for the various parts of this process raised such as how do you determine there's going to be less traffic. How have you determined that there will be a consistent flow of vehicles coming in and out? How do you address some of the dust issues? How do you address this? So, there is, I think it's a seven page list of comments that were raised as to issues that are defective or deficient or need to be addressed in a final document which I believe have been shared. I know they came into us and I think they were then sent out to Crown Sanitation for their review. So they have to respond to those and then supply a final environmental impact statement."

Lawrence Rehm: "Okay. Another thing I have to discuss is this five ton weight limitations. I don't know how it's been working on

Mill Road but I know it's not been working on Youngs Avenue. It seems that some people- it doesn't seem to affect them. They see the sign, but that doesn't apply to them. There's also a thing about local, the local delivery. To me a local delivery is if you get furniture from Swezey's. They stop at your house. Okay? These trucks are still zipping by, empty, full. I mean-

Councilman Lull: "They shouldn't be doing that. We'll talk to the Chief about it."

Lawrence Rehm: "I mean there are- "

Supervisor Kozakiewicz: "These are trucks that are using the Crown facility?"

Lawrence Rehm: "Yes."

Supervisor Kozakiewicz: "Okay."

Lawrence Rehm: "Also, his trucks, they must be shortcutting out to Edwards and they're coming back at the end of the day full. They're going out in the morning empty. I mean there are only three times the truck, if I understand the resolution, should be on that street. Tuesday, Wednesday and Friday. Any shortcuts through Edwards or going out to Wading River Road and who wants to shortcut it through there, I don't know if that's what the resolution meant."

Councilman Lull: "No. No. Local deliveries is local deliveries."

Lawrence Rehm: "Right. Well, that's why I say- "

Councilman Lull: "It's your garbage man, it's your Swezey's deliveryman. That's right."

Lawrence Rehm: "I mean there are concrete trucks going now because we have the (inaudible) going in. We have dump trucks, that's all well and good. That will be there and then be gone. But we've still got the same situation, empty, full, they're still coming through. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else? Yes, Hal Lindstrom."

Hal Lindstrom: "Yeah, I just wanted to recommend on what Mike

said about the meetings. It is kind of tough waiting until the end of the resolutions to make public comment. It's usually late a night and you probably all noticed, by the end of the night, there's only a few people actually here to make comments. And it's probably- at the beginning of the night there were probably a lot of other people who wanted to make comments but it was just too late to make the comments.

What I would like to suggest is maybe that you could do half of the resolutions and then have public comment, and then do the rest of the resolutions to give the public more of a chance, more of the public- a chance to make public comments. It's something to think about."

Supervisor Kozakiewicz: "Thank you."

Hal Lindstrom: "Thank you."

Supervisor Kozakiewicz: "Anybody else who would like to address the Board?"

Councilman Densieski: "Motion to adjourn?"

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Motion and second."

Councilman Densieski: "See you in two weeks."

Meeting adjourned: 5:38 p.m.

*Barbara Mattan*  
Town Clerk