

Minutes of a Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, on Tuesday, August 20, 2002, at 7:00 p.m.

Present:

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

Also Present:

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

Supervisor Kozakiewicz: "Good evening, folks. Let the time reflect 7:05 p.m."

(Inaudible - from the audience)

Supervisor Kozakiewicz: "That's all right. We're just going to do some presentations, unless you want to catch them on- because I'd like to start the meeting and start going. Hopefully, Russ and the other people being presented won't be too hurt by not- I'm going to ask- at this point, I'm just going to go to Mr. Tria and ask him if he would lead us in the Pledge of Allegiance, since he's right in the front row."

(The meeting was called to order at 7:05, and the Pledge of Allegiance was recited, led by Vince Tria.)

Supervisor Kozakiewicz: "And I will ask the Board to join me down below. As I said, we have a couple of presentations tonight.

All right. Starting just a little behind schedule and we'll try to give the adequate time, however, to the people that we're honoring tonight with presentations.

The first person I'd like to call up is Russ Bartlett. Russ is being honored- come on up, Russ- Russ is being honored this evening by Labor/Management as Employee of the Quarter. He was put in for nomination by his department, the Seniors, and I'm going to ask them to also come up and join him. Judy- is there anyone else who would

like to join Russ as well from Seniors, Seniors Nutrition? Anybody? Russ, how about your family? Do you want to have them come up as well? Come on up, come on up.

As indicated, today we're here to recognize an individual who has provided invaluable service to the Town of Riverhead, and that's Russ Bartlett. Russ has been with the town since 1990 when he joined the Riverhead Department of Senior Services as custodian and mini bus driver. He has demonstrated initiative and creativity in carrying out his responsibilities. I have known Russ for a while and one of the things I can always say about Russ is that he's diligent, hard working, and always very cheery. I don't think I have ever hardly- although he doesn't have one right now, I have hardly ever seen him without a smile on his face or a grin. I think that's what keeps his co-workers and the people that he serves in the community so happy and bubbly.

I do have a proclamation which I will ask to join me in- the Town Board join in recognizing this day as Russell Bartlett Day and ask that all of you also join in recognizing today as Russell Bartlett Day. Russell, congratulations.

I'm going to ask Judy if she wants to say a few words. Judy oversees for us."

Judy Doll: "I really hate speaking in front of the mike, but Russ is worth it. Russell is a wonderful person. I think I've said it all in the letter that I wrote to the Labor/Management Committee. He's dependable, he's always smiling. There's nothing I don't ask him that he wouldn't do and do right away and with a smile on his face. I just happen to have a wonderful staff there. I have at least 20 Russ' in my department. They're all wonderful. They all work together and he's a great leader to the department and to the community. Thank you, Russ."

Supervisor Kozakiewicz: "And last but not least, I don't know if Russ want to say a few words. Russ?"

Russell Bartlett: "I just want to thank all my co-workers and I was surprised at being here tonight. I wasn't expecting this tonight. But I enjoy it. I appreciate- thanks very much."

Supervisor Kozakiewicz: "If representatives from Labor/Management were here, they would tell you that Russ would also be receiving a savings bond, a day off with pay, and I think there's

something else, but I'm losing it right now on what that other goodie is. There is some other goodie, I think. What was it? A day off and a savings bond, right? Is that it? And a proclamation, of course. Thank you, Russell.

At this point, I would like to ask Alice Graf to step forward. Okay. While Alice is stepping forward, I am sorry to say that she has elected to leave the town in her capacity as- Alice, come on up. Okay. All right. Is leaving the town in her capacity as Chairperson for the Landmarks Commission.

I've known Alice for a while and remember her husband and her herself when I used to go to St. John's Church when the chapel- the small church, was still on the property. She has served the town as Chair as indicated on the Landmarks Commission since 1985 and it's with honor that I'd like to present her with an acrylic seal honoring her time, service, devotion to the town in that capacity. Thank you, Alice."

Alice Graf: "Thank you very much."

Supervisor Kozakiewicz: "Would you like to say a few words?"

Alice Graf: "I would like to. Glory be to Jesus. When I received a call from Town Hall a few hours ago asking if it be possible for me to be here for this presentation, my first inclination was to say no. But upon second reflection- I'm very nervous, I decided to make the more difficult choice, thus, here I am. What should I say? Graciously say thank you and sit down or should I express my feelings, my sentiments, and yet lacking political savvy, who knows how many persons I will offend. But I'll go for how I feel.

Accepting this is a heart wrenching situation for me, a final act. Formation of what is my baby is a very lengthy and boring story to most. Releasing this baby is impossible for me to describe. Suffice to say, Jesus suffered and endured tremendous humiliation on the cross. The humiliation that I have undergone here over the past few months is not even a minute comparison to that of Our Lord, nor do I intend to make any true comparison. But humiliation is hurt, and hurt is here in my heart throughout my being. For the sake of who?

As I have mentioned, I am not a push button, smile politician but also chips have a way of falling and when these same are on other feet, they pinch but now will these chips bury me? God bless. With prayers, I remain, Alice. Thank you."

Site Plan

Amends site plan of Suffolk County National Bank, Wading River branch, window ATM

Barbara Grattan: "That concludes Applications."

Supervisor Kozakiewicz: "Correspondence."

CORRESPONDENCE:

Billy Friszolowski

Letter of resignation

Eve Kaplan
North Fork Environmental
Conservation

Letter supporting the zoning code change that would reduce the number of rooms allowable in a Country Inn from 50 to 20

Barbara Grattan: "That concludes Correspondence."

Supervisor Kozakiewicz: "Thank you, Barbara. Are there any committee reports? Okay. Maybe- oh, yes."

Councilwoman Blass: "I just wanted to make mention of the fact that we do have the final draft of the master plan document. There is one available in the library. There is one available at the Town Clerk's Office and I will be notifying the members of the Citizens Advisory Committee that they need to come in and sign for their respective copies. But it is on the website and I encourage each and every one of you to try to take a moment to peruse it and give us some feedback. Thank you."

Supervisor Kozakiewicz: "Thank you, Barbara. What that will do is allow me to get into the public hearings comment because there's a number of them that are indicated on the Agenda. It seems like we had a little bit of problems this week as far as the Agenda and getting a few things squared away.

And I wanted to go down there quickly before I actually opened the public hearings. The first two on the Agenda actually start off on a good note because we will be convening those- opening those up. The next one which is entitled a Local Law to amend Chapter 14, Community Preservation Fund, for those who were watching the Town Board meeting last week. We had a bit of debate at the dais and that resolution was tabled. Therefore, it should not have appeared on the Agenda as it was not published and posted.

In its place, also at 7:10, is another Local Law which is to consider changes to Chapter 4- Chapter 54, which is our Unsafe Buildings chapter.

The next one that's indicated and I see Julie (inaudible) here, and she's going to be somewhat disappointed having driven over, is the consideration of purchase of development right and that is with respect to 43 plus or minus acres owned by the Janlewicz family. The reason I am disappointing her is because under our Chapter 54- our Farmland Chapter, we are required to give 10 days notice. We gave less than 10 and because there's insufficient notice, we will need to republish and re-post.

There is a resolution that's in the packet which is calling for a publishing and posting of this particular matter, to hear all interested individuals on Sept. 17th.

The next one is actually a typo. In speaking with the Clerk's Office-- that's the special permit petition of Little Flower Children's Services. That one was actually, per the resolution, published for the same time, 7:20 p.m., but not tonight. It's on Sept. 3rd. So that one is not on the Agenda, is off the Agenda.

The last one is probably the most animated of the group and that's the 7:25 public hearing which was noticed regarding the franchise renewal of CSC Acquisitions, Inc. (Cablevision). There were issues brought to my office's attention with respect to exhibits to the contract. This is a process where the Town Board has worked extremely hard, the committee has worked extremely hard to obtain the process where we're at now.

Rather than allowing the process to somehow get muddied up or dirtied because there was a question about the sufficiency of the document, the Town Board has supported me in the idea of republishing and re-posting and, again, there's a resolution that will appear in today's- it will be added on or be coming off the floor, to have a public hearing which will be on Sept. 17 at 2:20 in the afternoon to consider this renewal franchise agreement.

Also, it will provide us one other aspect which is important to note. I have received calls, the Town as a whole has received calls, from interested parties looking at the senior citizen discount. Many of you have brought to the attention that we dealt with the senior citizen discount if you're a property owner, you own real property. However, we had failed to address those who rent within the Town of

Riverhead. When this was brought to our attention, we passed it over to our committee and there had been discussion with Cablevision to address that and change that. We will, hopefully, have a document that will be amending that page to reflect those changes by the time this particular matter is re-noticed. It will be re-noticed in next Wednesday's newspaper for Sept. 17.

I understand, and correct me if I'm right, that 30 copies of agreements have been delivered. They're outside with the exhibits attached, but I also want to make the caveat that we are looking to amend that section on the senior citizen discount. So we will not be opening up the Cablevision matter. Based upon the matters- based upon the reasons I set forth, we will instead re-notice that.

All right. To reiterate. There will be three public hearings, at 7:05, and two that were noticed at 7:10. Anybody who has a question? Hopefully, I didn't lose everybody during the process here- - can certainly come up afterwards and address us during the resolution phase since we'll be talking about it."

Public Hearing opened: 7:20 p.m.

Supervisor Kozakiewicz: "The time of 7:05 p.m. having arrived, Barbara, read the affidavits of publishing and posting for tonight's first public hearing which was properly noticed and should appear on the calendar."

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 20, 2002, at 7:05 p.m. regarding the consideration of a local law to amend Chapter 96 entitled, Trash, Rubbish and Refuse of the Town Code."

Supervisor Kozakiewicz: "Okay. This particular Chapter, Chapter 96, is the alter ego, if you will, the counterpart, the tag team aspect to Chapter 54. Article- Chapter 96, I'm sorry, deals with properties where we find there's an overgrowth of weeds, debris that's been allowed to accumulate on the property, and where we send out notices to these respective property owners to clean up your property.

When they fail to respond, we have a procedure under Chapter 96 where we pass a resolution, place that particular property in paper, and if they fail to act, we will hire a contractor or in instances use town employees to clean up the property and then place those clean up costs on that particular property's taxes for the following year.

The change that was made in this case is to limit the period of time after we have notified the property owners that they must act. We can set what we believe to be a reasonable time, but the time period shall never be more than 30 days from the date they are notified. So that it's 30 days. If they fail to act then the process will start where the town will undertake the clean up.

So that's the change, to clarify that, to not leave it so open ended so that an individual reading the notice is guessing, oh, well, when will the Town act? So we have amended or are proposing to amend the Chapter so that it's 30 days. That's it, at the maximum.

Anybody who would wish to address the Board with respect to this change to Chapter 96 of the Riverhead Town Code? Yes, did I see a hand over this way? Okay. Not seeing anybody indicate a desire to speak with respect to the change to Chapter 96, declare the public hearing closed, the time being 7:22 p.m."

Public Hearing closed: 7:22 p.m.

Public Hearing opened: 7:22 p.m.

Supervisor Kozakiewicz: "Time still being 7:22 p.m., Barbara, would you read the affidavits of publishing and posting with respect to the next public hearing which is Chapter 104?"

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 20, 2002, at 7:10 P.M. regarding the consideration of a Local Law to add a new Chapter 104 entitled Vegetation Protection to the Riverhead Town Code."

Supervisor Kozakiewicz: "This particular change I was going to ask Councilman Lull to address just as sort of a background as to where it came from and why we're doing it. Jim had brought this to the Board's attention."

Councilman Lull: "This particular piece of legislation, this code, simply protects vegetation, trees, that are on public lands. It protects them from clear cutting by individuals; it protects them from destruction by cars or anything else. It simply makes- has a fine which is-- a fee which is comparable to replacing a tree."

It is part of a whole approach that the Town Board is going to be taking, hopefully over the next couple of months, for- which will include some changes in policy in the Highway Department for replacement of trees that are being taken down of that need to be taken down to the inclusion of using an arborist to- to identify trees that qualify for this, to allow for us to use people, at least one person from the Highway Department specifically for this purpose. To increase the Highway Department's budget to include replacement of trees, replacement of trees taken down- replacement of trees which had been taken down by the Highway Department in the past.

The whole idea is something that was started by Townscape many years ago and that is Townscape put up somewhere in the neighborhood of 10,000 trees along the various roads in Riverhead. This is to continue that purpose, but to continue it through the use of both Town funds and donated funds.

The first step here is simply a code change to protect our own vegetation, the vegetation which is on public land. We do not- that has nothing to do with private land."

Supervisor Kozakiewicz: "Is there anybody who would like to address the Board with respect to this addition to the Code, Chapter 104? Yes, Rolph Kestling."

Rolph Kestling: "Rolph Kestling, Wading River. Does this take care of trees what the builder put in and then they die eventually? They didn't put them in correct?"

Supervisor Kozakiewicz: "If they're public- if they're on public ground, yes. If they're within the town right-of-way, yes."

Rolph Kestling: "Okay. Right away I'm putting in a request on Hulse Landing Road, down by the parking lots, a couple of the trees died. I think two of them died. Now, you replaced three or four out of the seven that died already. And you wouldn't go for the rest. Now I'm telling you there's two more down there that are dead. This will be replaced now by the town, these two trees. Is that correct?"

Councilman Lull: "That's- yes."

Rolph Kestling: "Okay, that's it."

Supervisor Kozakiewicz: "Thank you."

Rolph Kestling: "Thank you."

Supervisor Kozakiewicz: "Anybody else who would like to address the Board, either for or against? Okay. Not seeing anybody wish to speak, declare the public hearing closed, the time being 7:26 p.m."

Public Hearing closed: 7:26 p.m.

Public Hearing opened: 7:26 p.m.

Supervisor Kozakiewicz: "The time still being 7:26 p.m., Barbara, we'll go to the last public hearing."

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on August 20, 2002, at 7:10 p.m. regarding the proposed local law to amend Chapter 54 of the Riverhead Town Code entitled Unsafe Buildings and Collapsed Structures."

Supervisor Kozakiewicz: "Yeah, this is a change to our Chapter 54 which deals with unsafe structures within the Town of Riverhead. We are looking to amend Chapter 54 to include language dealing with the boarding up or securing of premises. In the past we have found that the process set forth in Chapter 54 was somewhat unwieldy with respect to this issue, this limited issue of getting buildings secured and boarded up.

And this provides for a mechanism similar to Chapter 96 where there's a notice solely. We do not wait for a hearing to be held where there is instances where the premises is wide open and either being visited by people who shouldn't be there or the elements are entering into the premises.

So the proposal is to add a section which would allow for us to secure a structure after sending notice to the property owner and then, again, the same sort of situation as with Chapter 96, there would be a charge back based upon the amount that it would cost to do so on that particular property owner's taxes. That's the extent of the change here to Chapter 54.

Is there anybody who would like to address the Board either for or against? Okay. Nobody? Not seeing anybody indicate a wish to do so, to address the Board, declare the public hearing closed, the time

being 7:28 p.m."

Public Hearing closed: 7:28 p.m.

Supervisor Kozakiewicz: "There are a few people I see who walked in late. I just want to reiterate some of the problems with the notices today. Just so that there's no question for those individuals who did walk in late.

The hearing that was scheduled for 7:15 which was amending Chapter 14 entitled the Community Preservation Fund, should not have appeared as the Town Board had not passed a resolution. We had tabled it at the last Town Board meeting.

The next one which was 7:20 p.m., to consider development rights purchase, cannot be opened because there was insufficient notice in the newspaper. The Chapter in the Code, our Code, requires 10 days notice and we provided less than 10 days notice.

The next one which is also 7:20, is the special permit of Little Flower Children's Service and to reiterate that, that is 7:20, but not today. Sept. 3 is when that one was noticed for.

And the last one which is Cablevision. As I mentioned, there were a lot of calls made to the township concerning the extent of the Cablevision document, that it was missing exhibits, that it was missing items on that particular agreement. As indicated, this is something that there was a considerable amount of time and effort went into to finally reach a draft that was then circulated to the public.

Rather than have a question of whether there was proper notice; rather than have a question of whether we are holding a proper hearing, we will re-notice it. There's a resolution in today's packet which the Board will I have no doubt take up which will re-notice and publish and complete document with exhibits, with attachments, to be heard Sept. 17th. In addition, as I mentioned earlier, there are documents which have been produced by Cablevision representatives which are complete documents in the rear, the only caveat being that we are looking to amend the senior citizen discount section to include a discount for those who rent as well as those who own property within the Town of Riverhead. And that change still needs to be added to the agreement."

Councilman Densieski: "Mr. Supervisor? Is there any way that we can receive a document on this so we can include it on the town website?"

Supervisor Kozakiewicz: "I don't think that should be a problem. We should be able to do that and I would also seek to have that done so that we can have it up, so that anyone who wishes to plug into the town website will be able to review the document on the website."

Councilman Densieski: "Thank you."

Supervisor Kozakiewicz: "That being the case in the instance, as I indicated the public hearings will not be called, it's now time to open up the floor for comment on resolutions. That's all the resolutions in the packet. And I also wanted to mention before I call you up, there's a five minute rule in effect. There are other resolutions which this Board is also considering to take off of the table and I want to go through those quickly just so that the public is aware of them and they can adequately comment on same.

The first is a capital project budget adjustment for land that we had approved at our last Town Board meeting for acquisition, that's development rights from land belonging to Robin Gibbs. In order to proceed forward, we need to adopt- do a budget adoption, an the resolution that's been- should be out there- is doing that. It's taking money from the serial bond proceeds and placing them into two budget lines, land development rights and professional services.

The next resolution is a resolution which is calling for a bond issuance in the amount of \$300,000 and that is to pay for the cost of acquiring and installing an electrical generator for the support of the town police station in the Justice Court building.

The next one- do you have that one? Okay. The next one is as I mentioned earlier, to publish and post a notice of public hearing to consider the application for a franchise renewal by CSC Acquisition, New York or in other terms, Cablevision. And that's for Sept. 17th.

The other one is calling for a promotion to a water treatment plant operator 2B in the water department. This individual is being considered, he was hired as a operator trainee with the understanding that once he received his New York State Health Department license, he would be upgraded to that particular title and that individual is Arnold Wolfrat (phonetic).

Did I miss one? Oh, yes. Oh, yes. Thank you, Barbara. We also had one where we had insufficient notice. That was the matter that was heard for or noticed for 7:20. We're going to publish and post to consider the acquisition of those development rights from that land that we talked about earlier for Janlewicz. That will also be noticed for Sept. 17th.

And with that said, anybody who wishes to address resolutions?
Mr. Madonna."

Bruce Madonna: "My name is Bruce Madonna. I'm here tonight to respectfully ask the Board to adjourn discussion and action on Resolution #906. This resolution addresses issues involving Center Street, south of Front Street, in S. Jamesport. My wife, Rosemarie, and I are directly and greatly affected by this issue since we believe ourselves to be the legal owners of part of this property.

I make this request for the following reasons. The constitution of the United States of America grants the right to legal representation and I'm not represented by legal counsel tonight. The town has consistently expressed a desire to negotiate this matter, not litigate it.

In a meeting with the Town's Deputy Attorney, Sean Walter, this past Thursday, approximately 4:00 p.m., after receiving a call from him that he'd like to speak to me, I was informed that he was going on vacation for two weeks and working on a resolution to declare the disputed property to be a town road/beach access. He said he town would be taking up this resolution after he returned from vacation. It was the first time I had been told that there was to be no negotiation, but rather there would be a unilateral declaration by the town.

I made an appointment to retain counsel after that conversation believing what I had been told, namely, that it would be two weeks or more before the town would address the resolution. I had previously attended the August 6th Town Board meeting and this issue was not addressed. It was also not listed for discussion on the August 15th town work session which had taken place prior to my meeting with Sean Walter.

Even so, today at noon I heard through a reporter that this resolution would be acted on. It was not possible at this late notice to have counsel here to represent me. Since it is a right to be represented and since no grievous harm could possibly be done to any

of the concerned parties by postponing this discussion and vote, I request an adjournment of this resolution.

Mr. Supervisor, you've been very careful tonight and appropriately so to make certain that proper notice was given for hearings that are being held. And I would say and I truly believe in my heart and hope that this is true, that no misdirection was meant by the meeting that I had with Mr. Walter on Thursday, but I believe that I have been far from properly notified when the town is well aware of my interest in this matter.

So, again, I would request that discussion and determination be put off, especially noting that this references something that the town is referring to took place 72 years ago, the original map and stuff. So I think that another couple of weeks is probably not too much to ask from the town, and I respectfully do ask that. Thank you."

Supervisor Kozakiewicz: "I saw another hand. Yes. We're not going to engage in a back and forth. One shot."

Ray Saltini: "Ray Saltini, Greater Jamesport Civic Association. I want to congratulate the Board for moving swiftly on getting this resolution up on the board after attorney for the- counsel for the Greater Civic Association presented its report on the law as it relates to Center Street and I think that the Town Board acted very smartly to act quickly on this and I think you need to stick by that decision.

This- of course, is not a resolution to take legal action. This is a resolution to reaffirm a resolution that's been on the books, not for a week but for 70 odd years. So I think it behooves you to act on this tonight. If you acted on it in the future, I don't think that the outcome would be any different. I think there are a number of people in the audience expecting the Town Board to act on this resolution this evening and I think you need to do the right thing in that regard.

I don't want to comment directly on- I think that's it. I think you have a map in front of you from 1930, a resolution from 1930, other material that we gave you dating back to the late 1800's and an 11 page report indicating why this cannot be a negotiation, why you have to clearly follow established law and practice. And so we see no reason whatsoever why this resolution would be tabled. We urge you to vote on it and pass it unanimously. And, thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board with respect to resolutions and resolutions only? Hand in the back. Sid Bail."

Sid Bail: "Good evening. Sid Bail, Wading River Civic Association. I have an observation. I don't know if this is a mistake on the resolutions. 884 through probably 889, the condemnation procedures. It keeps referring to the same address, 204, and all those. They're- and the outside- "

Councilman Densieski: "They're all next door. But I don't think they're all the same address."

Councilman Densieski: "Railroad Avenue, condemnation."

Sid Bail: "No, no, no, right. I think that's an error. They are separate locations. I know it's in the same- "

Supervisor Kozakiewicz: "It is five separate locations and I think the resolutions although they may be indicated in the agenda as the same address, are correct. I'm going through them right now."

Sid Bail: "They're different in the book outside. That's all."

Supervisor Kozakiewicz: "Right."

Councilwoman Sanders: "884 is 217 Railroad Street."

Sid Bail: "Yes."

Supervisor Kozakiewicz: "Thanks for pointing that out."

Sid Bail: "Just two quick questions. There are two projects in Wading River amended site plan for the Great Rock Golf Course and Resolution authorizing Supervisor to execute change order regarding W-RWD Birchwood at Wading River, Section 1. Could you- could someone briefly explain what those entail? Because there's nothing really in the resolution that really- "

Supervisor Kozakiewicz: "The- if Rick's here, I'll have him- if I miss anything. On Great Rock, this is to approve some move- the clubhouse was moved to provide for a change of configuration among other things and I think there was also- I forgot the others-- Rick, what the other changes were. I think there was a difference in the layout of the parking, am I- and a driving area, a driving area?"

Rick Hanley: "Yeah. Essentially it was an amended site plan. There were a couple of field conditions that existed. The clubhouse was moved 40 feet in order to give more of an area for the fairway. It actually resulted in less parking stalls. There were a couple of outbuildings built for a well house and for a shed. However, I think- it is in the packet but I think there was some questions on it, so."

Supervisor Kozakiewicz: "There were, yes."

Rick Hanley: "Right."

Supervisor Kozakiewicz: "And on- "

Sid Bail: "Birchwood, could you clarify that, what- the nature of that resolution?"

Supervisor Kozakiewicz: "Do you remember which one it was off the top of your head, Sid?"

Sid Bail: "No. 882. Resolution authorizing Supervisor to execute change order regarding RWD- my ignorance. I don't know what RWD- "

Supervisor Kozakiewicz: "This is for a change order to the contract that was entered between the Riverhead Water District. Whenever we go out and do water district improvements to the property, we have the particular individual pay a fee so that we can design a map and plan. We then- based upon that map and plan, go out to bid to make sure that the water district improvements are in accordance with the spec and plans of the town water district. And this is a change order that was discovered at the- as part of that laying out of those water pipes."

Sid Bail: "I'll have to apologize to Gary for not knowing what RWD is."

Supervisor Kozakiewicz: "Yes."

Sid Bail: "Okay, thanks a lot."

Supervisor Kozakiewicz: "You lost me for a second, too, okay. Anybody else who would like to address the Board with respect to resolutions and resolutions only? Anybody? All right. I know Jim wanted to make one comment before we take up the resolutions."

Councilman Lull: "Not a serious comment, but rather a comment that I don't think should be left unresponded to. Quite different from what was alluded to here. The decision that we made or that we are facing here on Miamogue Point is not in fact something based on the lawyer's or the lawyer of the Civic Association but based on an individual assessment by legal counsel hired by us."

Supervisor Kozakiewicz: "With that said, unless there's anybody else who wishes to speak who hasn't had a chance, we'll take up resolutions."

Resolution #867

Councilman Lull: "867 accepts with regrets the resignation of Alice Graf from the Landmarks Preservation Commission. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Yes. And I would like to again thank Alice for her many years of hard service. She was really the life blood of that commission. I'm sorry she left with some sadness and accept it with regret. Yes."

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

Councilman Densieski: "Yeah. I agree with Barbara. I'd like to thank Alice, also. I'll vote yes."

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

Resolution #868

Councilwoman Sanders: "Order establishing Extension 61 to the Riverhead Water District Island Water Park. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "One question, Bob. This is entirely borne by the applicant but are they- are we moving forward with this even though we haven't even had a closing or anything like that?"

Supervisor Kozakiewicz: "We already had- we approved a previous order and then when it was changed, the property lines, this is an amendment to the previous one."

Councilman Densieski: "Okay. So the worse case scenario is they don't close and we get a free water main? Because they are paying for it, right? Okay. I'll vote for it then. Yes."

Supervisor Kozakiewicz: "Well, I don't think they're going to put it in if they don't get approved. That's the question."

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

Resolution #869

Councilman Densieski: "Is an order establishing an extension to the Riverhead Sewer District for Wiana Realty and Riverhead Bay Motors. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #870

Councilwoman Blass: "This resolution authorizes the Town Clerk to publish and post a notice to bidders for Horton Avenue recreation facility project. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Comment. I would just like to inform anyone who's not familiar with the project that this is to develop a

certain section of Horton Avenue as a rec-- a recreational area with a playground and some basketball courts and give access to those residents of the community a-- somewhat of a park, if you will. Yes."

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

Supervisor Kozakiewicz: "Yes. As pointed out by Councilwoman Sanders, this is an outgrowth from the Rec Advisory Committee. They brought this location as one that could use a recreation facility. It's- it was brought back to the Town Board's attention and we're at the stage now obviously of going out to bid after it's been laid out on a plan. I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #871

Councilwoman Sanders: "Authorizes the Town Clerk to post and publish a notice to bidders for demolition and debris clearing of structures located at 23 Lewis Street, Riverhead. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #872

Councilman Lull: "Authorizes the Town Clerk to advertise for bids for the Riverhead Sewer District submersible sewage pumps and appurtenances. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #873

Councilman Densieski: "Awards bid for the construction of Plant

11 contract E - electrical work, Riverhead Water District. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #874

Councilman Lull: "Awards bid for the construction Plant 11 contract G - GC and mechanical work Riverhead Water District. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #875

Councilwoman Sanders: "Authorizes the Supervisor to execute an agreement with the County of Suffolk in connection with the installation of traffic control devices at CR 43, Northville Turnpike and Middle Road in the Hamlet of Riverhead. So moved."

Councilman Lull: "Second that, I'm sorry."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Yes. Councilman Lull and I have been down there trying to help some of the neighbors out that are- that's needed over there, big time. So I'm going to vote yes."

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

Councilman Lull: "Yes. It's been under scrutiny by the police department who have filed a TD9 form for a study from the state but the county finally decided that they would do something. So, it's their road. Yes."

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

Resolution #876

Councilman Lull: "Approves the application of Riverhead Motors for a tent sale. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #877

Councilwoman Sanders: "Authorizes the Town Clerk to publish notice of public hearing for the special permit petition of Neil Rego (The Spa at Fox Hill). So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Supervisor Kozakiewicz: "The hearing date is the 17th of Sept. at 2:10 p.m. Yes."

Barbara Grattan: "The resolution is adopted."

Resoluton #878

Councilman Lull: "And on Sept. 17 at 2:05 p.m., this authorizes the Town Clerk to publish and post notice of public hearing for that time for a special permit petition of Northwind Farms. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #879

Councilwoman Blass: "Mr. Supervisor, I'd like to request that we table this resolution pending some clarification of outstanding issues that we were made aware of relative to drainage on the site."

Supervisor Kozakiewicz: "Based upon discussions we've had and questions that seem to be outstanding with respect to this, is there a second?"

Councilwoman Sanders: "I second."

Supervisor Kozakiewicz: "Moved and seconded to table. Is there any other discussion?"

Councilman Lull: "What is the relationship between the two, the drainage and the golf course?"

Dawn Thomas: (Inaudible)

Councilman Lull: "Okay, okay."

Supervisor Kozakiewicz: "Okay. Any other discussion? Okay, vote, please."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Yes, to table."

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

Supervisor Kozakiewicz: "Although I think a lot of the issues have been addressed with this amendment, including where- to make more room for the golf balls to land on the fairway, to make sure we've got it right, we'll table it but let's make sure that we address this is the work session. Yes."

Barbara Grattan: "The resolution is tabled."

Resolution #880

Councilman Lull: "Classifies the action and declares lead agency on special permit site plan of OC Riverhead 58 LLC and refers petition to the Planning Board. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #881

Councilwoman Sanders: "Approves the amended site plan of St. John the Evangelist church for campanile which is a free standing bell tower. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "I hope this will help me get into heaven. Yes."

Councilwoman Blass: "Not a chance."

Councilwoman Sanders: "You need a lot more than that, Ed."

Supervisor Kozakiewicz: "You're going to have to do a heck of a lot more."

Councilwoman Sanders: "A long way to go. A long way to go."

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

Supervisor Kozakiewicz: "This means my kids won't be able to play with the bell anymore. But, yes."

Barbara Grattan: "The resolution is adopted."

Resolution #882

Councilman Densieski: "882 is a resolution authorizing the Supervisor to execute a change order regarding Riverhead Water District Birchwood at Wading River, Section 1. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #883

Councilman Lull: "Authorizes the Town Supervisor to execute change order No. 1 for Hawkeye Construction, Inc. for electrical and that is for the municipal garage. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #884, 885, 886, 887, 888

Councilman Lull: "Shall we take them all?"

Councilwoman Sanders: "Can we do them all together?"

Councilman Lull: "Yup."

Councilwoman Sanders: "884, 885, 886, 887 and 888 all deal with authorizing offer pursuant to Section 303 of the New York State Eminent Domain Procedure Law in connection with the condemnation of 217 Railroad Street, 207, Railroad Avenue, 201 Railroad Street, 210 Court Street, and 204 Court Street with their corresponding Suffolk County Tax Map Numbers in Riverhead, New York. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Yes. This is going to be for the expansion of parking down there but I have a feeling a lot of other good things are going to happen, too. So I'm going to vote yes."

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

Councilman Lull: "The required parking that we need to provide before we can expect the county will send some courtrooms out here. Yes."

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

Councilman Kozakiewicz: "Just to really quickly explain. We held public hearings on the five properties pursuant to the Eminent Domain Procedure Law. This authorizes counsel to make a written offer to each of those respective property owners indicating what we wish to acquire the respective properties for. As we understand, as has been explained to us, they have the right to take the offer, they have the right to reject the offer, they have the right- they can do nothing or they may take the offer as a down payment.

In any event, it's a process which we must take. Then we will, depending on how things proceed, we will then file a petition with the court to gain a vesting order which means that the title is then upon the signing of a vesting order, turned over to the town. The town becomes the owner. While there may be some dispute over the number, we have a right to then do things with the property, whether it's an eviction if there's people in it, the removal of the building if they're vacant, and this is a process which we need to take as pointed out for the courtroom expansion and for other things that we're looking to do down on Railroad Avenue, Railroad Street. I vote yes to these five resolutions."

Barbara Grattan: "The resolutions are adopted."

Resolution #889

Councilwoman Sanders: "Authorizes the Town of Riverhead to secure, fumigate and exterminate unsafe building or structure pursuant to Chapter 54 of the Riverhead Town Code, specifically William Jenkins, 731 ½ West Main Street, in Riverhead. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #890

Councilwoman Blass: "This resolution is an authorization to publish and post a public hearing notice for September 3rd at 7:05 p.m. to consider an amendment to local law 108-200 to revise the Empire Zone formerly known as the Economic Development Zone. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Yes. I'm looking forward to some of the comments that are going to be made at this public hearing and I'm also looking forward to making some of my own. Yes."

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

Resolution #891

Councilman Densieski: "Adopts local law entitled Retirement Incentive Program. So moved."

Councilman Lull: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #892

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

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Yes. Just a comment. I think the one that we have attached here is- does not include the pilot."

Supervisor Kozakiewicz: "No. It does not."

Councilwoman Blass: "And I think our discussions were we were opting to consider the other- "

Supervisor Kozakiewicz: "Put that one aside and we'll- "

Councilwoman Blass: "Maybe we should- "

(Some inaudible discussion among the Board members)

Supervisor Kozakiewicz: "We're in the middle of a vote. Discussion is either we do or we don't. I mean I think we had some disagreement on the time line. We have to do this in order to enact a time line."

Councilman Densieski: "Question, Mr. Supervisor. If we vote on it now, it's only a resolution. I imagine we could amend it if we had to."

Supervisor Kozakiewicz: "Well, this is what we're going to notice on. So if we're going to amend it, we need to amend it now. We can't change it afterwards."

Councilman Densieski: "We can't change anything that's- "

Supervisor Kozakiewicz: "If it's substantial, it's got to be noticed and republished."

(Some inaudible discussion among the Board members)

Supervisor Kozakiewicz: "Let's set it aside and let's move on so we can address the other resolutions. We'll come back to this one if it's still an open ended question."

Resolution #893

Councilwoman Sanders: "Authorizes Town Clerk to publish and post public notice of public hearing to consider a proposed local law to repeal and replace Chapter 61 entitled Environmental Quality Review of the Riverhead Town Code. So moved."

Councilman Lull: "And second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Yes. And I'm looking forward to an opportunity to make some comments on this proposed local law."

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

Resolution #894

Councilman Lull: "Authorize the Town Clerk to publish and post notice of auction of abandoned vehicles and all other unclaimed property being held by the Police Department. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #895

Councilwoman Blass: "Accepts an irrevocable letter of credit for the Woods at Cherry Creek, Cherry Creek Golf Course. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #896

Councilman Lull: "Approves temporary sign permit for Schneider Vineyards. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Discussion. There was discussion- I believe the sign has a telephone number."

Councilman Lull: "I think that's- "

Councilwoman Blass: "This is the one with the e-mail address."

Councilwoman Sanders: "Oh, this is the one, that's right. Okay. This is the e-mail address on this one and I believe we should probably treat e-mail addresses as we treat phone numbers and we can remove them- the e-mail address."

Councilman Lull: "Yes."

Councilwoman Sanders: "So we have to amend it to remove the e-mail address. I know it doesn't say it on here but we have to- "

Councilwoman Blass: "Would that require redlining the site plan- "

Supervisor Kozakiewicz: "Red line and then I think also what we're going to say is- "

Councilman Lull: "Where is says Whereas the sketch has been approved by three Town Board members, why don't we say the sketch without e-mail address has been approved by three Board members?"

Supervisor Kozakiewicz: "Right. And then I would also down at the bottom, hereby approves a six month temporary sign permit application for sign without- for a sign that deletes or omits e-mail address."

Councilman Lull: "Yup."

Supervisor Kozakiewicz: "Okay?"

Councilman Lull: "Yes."

Supervisor Kozakiewicz: "Okay. Vote, please."

The Vote: "Sanders."

Councilwoman Sanders: "Yes, as amended."

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

Resolution #897

Councilman Lull: "Ed, before you begin, why don't we just do this right now because this is the one that had a separate line on the bottom of the sign for a phone number. If we're going to stay with the ARB's recommendations, we stay without having a phone number. Change it the same way."

Councilman Densieski: "All right. Approves temporary amended site permit for Windcrest East. So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilwoman Sanders: "I'm sorry. And seconded."

Supervisor Kozakiewicz: "Okay. We're going to do the same thing. We're going to indicate in the Whereas without the telephone number and that the sign is being approved with the exception of the telephone number. Vote, please."

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

Resolution #898

Councilwoman Sanders: "Before I introduce this, can I ask a question? Can someone tell me where is 1028- where is 1280 Route 58? Does anybody know what building this is?"

Supervisor Kozakiewicz: "1280 would be the- "

Councilwoman Blass: "14 something was PC Richards. 1280- "

Supervisor Kozakiewicz: "I don't know where it is. Off the top of my head- "

Councilman Lull: "Isn't that in front of Dunkin Donuts? Isn't that the- "

Supervisor Kozakiewicz: Yes, it is. That's correct. Yes, it is. Dunkin Donuts. Any other questions?"

Councilwoman Sanders: "No."

Supervisor Kozakiewicz: "Motion?"

Councilwoman Sanders: "I have to introduce it. Approves the temporary sign permit for D-Cap Insurance which is a banner. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Looking at the dimensions of the sign, it's 3 feet by 15 feet and I think there are three of them in that very small area. That's why I needed to know where 1280 Route 58 was and I apologize for not knowing where that was ahead of time."

Supervisor Kozakiewicz: "Actually, that's not it. It's on the corner of Woodcrest and Route 58, northside. The owner is Mr. Tiska (phonetic). It's on the application. Does that change your vote?"

Councilwoman Sanders: "That would be a total- each, again, each sign- this is a permit, I believe, for three separate signs, each being 3 feet by 15 feet, a total of- 45 feet by 9 feet. So with that, I'd have to vote no."

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

Councilwoman Blass: "Do we have a maximum?"

Supervisor Kozakiewicz: "Vote. Yeah, I think so. This is a temporary sign though. It doesn't come under that."

Councilwoman Blass: "If we're trying to be consistent with other recommendations."

Councilman Lull: "We didn't have this in the work session."

Supervisor Kozakiewicz: "Okay. So vote."

Councilwoman Blass: "I will agree with the points that Councilwoman Sanders has made and vote no."

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

Councilman Densieski: "I'm going to vote yes to approve a temporary sign for a taxpaying Riverhead business."

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

Councilman Lull: "We didn't get- we didn't get a copy of the sign in the work session. I think it's a bad policy to approve anything we haven't seen. No."

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

Supervisor Kozakiewicz: "It doesn't mean anything, I'll abstain."

Barbara Grattan: "Okay."

Councilman Densieski: "We are important."

Resolution #899

Councilwoman Blass: "This resolution is a budget adoption in connection with the Calverton sewer facility plant capital project. So moved."

Councilman Lull: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #900

Councilman Lull: "Is 931 ½ West Main Street Chapter 54 capital project budget adjustment. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "731 ½. Moved and seconded."

Councilman Lull: "What did I say?"

Supervisor Kozakiewicz: "Nine."

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

Councilman Densieski: "The post office must love this one, 731
½. Yes."

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

Councilman Lull: "They only get half their mail. Yes."

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

Supervisor Kozakiewicz: "731.5. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #901

Councilwoman Sanders: "It's a general fund budget adjustment.
So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "I hate to admit that I did not have time
to look into some of these that I wanted to look into, so I'm going to
have to abstain."

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

Resolution #902

Councilwoman Blass: "This resolution establishes a budget for
the smoke detector program. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #903

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

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "I'd just like to comment. We are coming to the close of the season and I would just like to thank all the lifeguards and water safety instructors and all the beach attendants and summer personnel for doing a great job this year. I don't think we got too many complaints. So moved. And seconded. I'm sorry."

Supervisor Kozakiewicz: "Moved and seconded."

Barbara Grattan: "I need your vote."

Councilwoman Sanders: "Yes."

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

Resolution #904

Councilwoman Sanders: "Appoints members to the Riverhead Town Landmarks Preservation Commission, those members being Richard Wines, Lori Hulse Montefusco and Nancy Gilbert. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "I hope they don't want a temporary sign. Yes."

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

Councilwoman Sanders: "Only if they pay."

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

Resolution #905

Councilwoman Blass: "This resolution appoints a part time homemaker in the Nutrition Department, that person being Donna Sinko. So moved."

Councilman Lull: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Yes. The salary of \$10.5769. I'll vote yes."

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

Resolution #906

Councilman Densieski: "Affirms Center Street south of Front Street in South Jamesport as a town highway as laid out by resolution of the Riverhead Town Board on March 26, 1930. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "I would just like to say I don't know why Mr. Walter gave you that information. Maybe that's what he believed in his mind to be the date but he does not set the agenda, the Supervisor does. And I don't think that we're taking a legal action against Mr. Madonna or against anybody else for that matter.

I think what we're doing is saying that in March of 1930, we took this road as a designated road and I think we're just reaffirming that we believe that that is our road. I don't think we're going to jeopardize you, put you in legal jeopardy by doing this vote tonight. I don't think it's going to hurt you legally. But with that said, I'm going to vote yes."

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

Resolution #907

Barbara Grattan: "Resolution 907 is to pay bills."

Councilman Lull: "So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #908

Barbara Grattan: "Okay. Resolution #908 which is Robin Gibbs."

Supervisor Kozakiewicz: "Okay."

Councilwoman Sanders: "Robin Gibbs land preservation capital project adjustment- budget adoption, sorry. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "I'm just going to vote on this because I don't want the Supervisor to get another "F" when the report comes out. So I'll vote yes."

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

Supervisor Kozakiewicz: "Thanks, Councilman Densieski. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #909

Councilman Lull: "What is it?"

Barbara Grattan: "That is the bond resolution generator."

Councilman Densieski: "Oh, this is- "

Supervisor Kozakiewicz: "This is the one for the generator in
Town Hall- "

Councilman Densieski: "Okay. This is re-bidding, correct?"

Supervisor Kozakiewicz: "No. This is to pass the bond."

Councilman Densieski: "Oh, okay."

Supervisor Kozakiewicz: "Who's moving it?"

Barbara Grattan: "Councilman Lull. We need a second."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded. Discussion? No?
Vote."

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

Councilman Densieski: "I'm sorry I wasn't aware this was coming on tonight. I thought it was going to be rehashed over by the town engineer. I believe spending about \$300,000 so that we can have lights on when there is a blizzard in Town Hall isn't really worth that much. I do think we need to have the UPS system and the generator fluffed up over in the police department but I think it's going to be a lot less than what we're doing. I believe we're going to have some choices here but I'm not going to vote yes to expend or bond 300 more thousand dollars not knowing what choices we're going to take. And I don't believe we're going the right course with all this extra UPS and generators for Town Hall. If there's a blizzard, I hope the employees are smart enough to stay home. We don't need lights in Town Hall. I vote no."

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

Councilman Lull: "For emergency backup power I think we need to

take a very serious look at the problem with the generator and the police department and there's no question about that. This- there is a time element for this particular bond issue. We need to have the bond issue either passed or otherwise tonight and that will allow us a very short space of time after the referendum period is over to be able to still make use of the bids that we have otherwise the bids run out and we have to go through the whole process all over again.

With this one still, there is the possibility and Councilman Densieski has asked the Town Engineer to give us the price of this facility in the police department, this facility in Town Hall, and the UPS system for the police department which is already purchased but to give us three different prices on this and if we decide sometime during the bond period that we wish to have a change order and do only a part of it, that is still a possibility. As of this point though, I want to see the bond secured within the time period rather than go back to the beginning again. Yes."

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

Supervisor Kozakiewicz: "As I think Jim said a lot of what this is for. It's to deal with the situations where we have an emergency scenario arise. We have always looked at the possibility of replacing the generator and this would allow for if we do it, I know there's some discussion of how much we actually do as far as the generator, a command post in storms where there's a snowstorm, where there's flooding, where there may be a hurricane so that we do have a command central which is part of the emergency preparedness plan. I vote yes."

Barbara Grattan: "That resolution is adopted."

Resolution #910

Barbara Grattan: "910, Councilman Densieski, which is Cablevision."

Councilman Densieski: "Table it?"

(Some inaudible discussion among the Board members)

Councilman Densieski: "Resolution 910, Barbara?"

Barbara Grattan: "Yes."

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

Councilman Lull: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #911

Barbara Grattan: "Resolution 911 which is promotes water treatment plant operator. Councilwoman Blass."

Councilwoman Blass: "This resolutions promotes water treatment plant operator 2B in the water department and that person is Arnolf Wolfrat. Thank you. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #912

Barbara Grattan: "Resolution 912 which is- "

Councilwoman Blass: "This resolution authorizes the Town Clerk to publish and post a notice for a public hearing to consider the purchaser of development rights on a parcel located in the Town of Riverhead owned by the Janlewicz family. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Supervisor Kozakiewicz: "Now we just have the other resolution

that's out there, 892, which we need to determine if we're going to use it with the pilot payments or not. Okay. We'll take a brief recess and we'll then adjourn, the time being 8:15. We'll reconvene at 8:30 and then we'll vote on that last resolution. Thank you."

Recess: 8:15 p.m.

Meeting reconvened: 8:29 p.m.

Supervisor Kozakiewicz: "All right. Wow, we actually got back on the dais before 8:30, the time being 8:29. Let's go back to Resolution 892. Okay. This was moved and seconded. So we're in the vote. We're going to move it as it is. Any further discussion?"

Councilwoman Blass: "As presented. None."

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

Councilwoman Sanders: "I had already voted."

Barbara Grattan: "She had voted."

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

Councilwoman Blass: "I thank my colleagues for taking the time to clarify all of that. Thank you very much."

Supervisor Kozakiewicz: "Thank you."

Councilman Densieski: "Clear as mud now."

Supervisor Kozakiewicz: "Now. Open comment period. Anybody who wishes to address the Board? Bill Kasperovich."

William Kasperovich: "William Kasperovich from Wading River. I should say I'm from Town Hall. I've been in the Town Hall every day all last week and this week, and as I've heard you tell me many times, Mr. Kozakiewicz, that papers, documents are in the Town Clerk's Office, once again, you sent me to the well and the well didn't contain any water. There were a few insects in there, but no water. Now, I came here a week after you made a resolution to see some documents, no documents, none whatsoever. So once again you sent me to the well, but the well was dry."

On top of that, when I do get some documents, I find that somebody else besides the elected officials prepared it or their designee prepared it. I also find that, hey, this paper- these papers might be illegal. You could read someplace in the federal or the United States law to tell me that you can supersede anything that you want in any direction, yeah, you could do that, if you're knowledgeable in the federal law, you could put it over anything. Maybe not as easily, maybe not completely. But when you know who your adversary is, when you know that his reputation is a tough, mean, ornery fighter and you don't prepare yourself for that situation to negotiate with him, then you're really not doing anything that would be reasonable or advantageous to the people that elected you.

I don't expect you to know everything about everything but I do expect that when negotiations are made and they're final and complete, that the public should know this and we don't. And we come to read almost 80 pages of documentation and it looks like it's the same thing, the town didn't write it, some other character wrote it. Now I'm sure he sits in his fancy office, he doesn't burn the midnight oil like our people here do. They stay here late, and all day holidays just to keep up with the paperwork. He gives it off to some flunkie to do. And we can't do that. We're not that big, we're a small little potato field and I think we should use this as an example with which to improve the paths we take in this town hall, that we accept the fact that we don't know everything and we don't have people that are available to us. We've got to accept that. And we have to find people that we can believe and can accept. And if we're going to have a public hearing, we should have an informed public here to make comment. If the public is not informed, there's nobody around to make constructive criticism. All they can present is what they like or they don't like. And I say we should get by that somehow."

Supervisor Kozakiewicz: "Thank you, Bill. Thank you very much. Anybody else- I have another card, Rolph Kestling."

Rolph Kestling: "Rolph Kestling, Wading River. Sometimes as I- I've been coming to meetings, what, 11, 12 years something like that, and it seems like every time I'm up here, you could consider me a naysayer. I really don't want to be in that kind of a position but like I say, somebody's got to do it, otherwise- "

Supervisor Kozakiewicz: "And you do it well."

Rolph Kestling: "I try. I don't have- one thing you have to realize, I do not have an agenda. I mean that's it. I can

commensurate with Alice Graf because I've been here a lot of times when, well, she said it well. I get my information from various sources. I know some people and I got last week information that the Cablevision meeting was canceled. Today I get another call, the Cablevision is on. I don't know who to believe, I don't know if it's accurate.

I also heard that there was some documents missing on the Cablevision (inaudible). Only got them yesterday. So a lot of things I'm getting are accurate. And I got another one today, and this one, Barbara- Barbara, did you get a letter hand delivered today or from Phil Cardinale to be read at the meeting today?"

Barbara Grattan: "Did I?"

Rolph Kestling: "Yeah."

Barbara Grattan: "Yes, I did."

Rolph Kestling: "Did you read it?"

Barbara Grattan: "The public hearing wasn't opened. It was for the public hearing."

Rolph Kestling: "Oh. It's for the public hearing? It wasn't just for today. So, my information is correct, what I'm getting from the different people.

Another thing I just spoke about the Town website. I feel if I can get onto the website, get my information from the website, there wouldn't be any question. Today at 1:30 we pulled up the web, I couldn't get any information about the town meeting today. Now we've only had the computer a short time and I'll admit we're floundering because I- was supposed to help me on it. My own daughter never shows up. So I would appreciate if you'd straighten out the website so we can- there wouldn't be any misunderstanding. Every time I get something, I print it out and I go over it again. And it would be a great help.

Incidentally, one of the things I heard that the town attorney said there's no such thing as a 10 day waiting period on the public notices. Is that correct?"

Supervisor Kozakiewicz: "You're asking a very generic question. When you talk about a local law, it's five days for a local law. And

you count the weekends. When it's- there's other things such as the farmland development rights purchases which require 10 days notice. Sometimes the code just says reasonable notice, so it depends is the answer. It depends on what the particular subject matter is."

Rolph Kestling: "All right. This is the first time I've heard your explanation. Thank you."

Supervisor Kozakiewicz: "Thank you."

Rolph Kestling: "Okay. I had a whole bunch of stuff here, Cablevision. Oh yeah, another thing. Do you think it's prudent to negotiate with a company like Cablevision which is on the verge of say Chapter 7 at the least? I mean you sign a document for then and they go into a Chapter 7, they don't have to honor it. So I have my doubts."

Supervisor Kozakiewicz: "Your opinion is- they own the equipment that's presently out there."

Rolph Kestling: "I mean their stock is down to 7.82 down now."

Councilman Densieski: "That's nothing. You should see my stocks."

Rolph Kestling: "I was lucky."

Supervisor Kozakiewicz: "Thank you."

Rolph Kestling: "Thank you."

Supervisor Kozakiewicz: "Anybody else who would like to address the Board who hasn't had a chance to talk to us? Anybody? I was going to finish with George, if there's nobody else. George, you're it. You're the wrap up."

George Schmelzer: "Is this on 892?"

Supervisor Kozakiewicz: "It's done. We voted on it."

George Schmelzer: "Is it on anything?"

Supervisor Kozakiewicz: "Anything you wish."

George Schmelzer: "Oh."

Supervisor Kozakiewicz: "Five minutes."

George Schmelzer: "It says three- "

Supervisor Kozakiewicz: "No, five. It still says five on the wall."

George Schmelzer: "Whatever the wall says, it's okay."

Supervisor Kozakiewicz: "That's right. The wall is the determining factor today. Today at least."

George Schmelzer: "I'm confused. What do you mean by land preservation?"

Supervisor Kozakiewicz: "Preserve- preservation of open space and farmland."

George Schmelzer: "Well, you hear about it all the time, you've got to preserve the land. The only thing that eats land is the sound when it eats into the cliff. On the south side, the ocean has built those outside lands. Now people don't eat land so what do you mean by land preservation? Preserve from what? You don't even know?"

Supervisor Kozakiewicz: "I- we get into this thing every meeting, but since you want to do this, let's engage in it."

George Schmelzer: "I didn't ask you that before. I just asked you now."

Supervisor Kozakiewicz: "My definition of preservation, I think, is what most people who have come to the town and who talk about preservation would define as preservation. Combating development, combating sprawl. That's what they would consider preservation."

George Schmelzer: "Well, it's still there. The land is still there. It doesn't eat the land up."

Supervisor Kozakiewicz: "I- you know- "

George Schmelzer: "Maybe you- "

Supervisor Kozakiewicz: "We're not getting, you know, we're going to engage in a game of semantics like you- that's my definition."

You asked me the definition."

George Schmelzer: "Well, why do you call it preservation for? Nobody destroys land. The chicken will eat sand, a duck, maybe a billy goat, but people? You're trying to keep people out. Why don't you say what you mean? You are going to- there's more people in the country. Since World War II, the population doubled. What do you want to do, shoot them? If every town in the country did what you want here, what would the people do? What would they do? You don't even know."

Supervisor Kozakiewicz: "This is open comment period. This is open comment. You are- "

George Schmelzer: "I think you know, but you don't want to say it. Really. This is getting so crazy. We're getting to be the ridicule of the whole world now. Really. I can't understand what- if you don't want people around, tell the government to cut the immigration. It's so simple. Not zoning. Zoning- you want to buy the development rights. Spend \$30 million so people can't use the land. Why don't you just zone it for farm use? It will cost you nothing."

Supervisor Kozakiewicz: "We've had this discussion."

George Schmelzer: "Huh?"

Supervisor Kozakiewicz: "I wouldn't support that."

George Schmelzer: "I can't hear you."

Supervisor Kozakiewicz: "I said I would not support that."

George Schmelzer: "Why not? You want to spend \$30 million for nothing, huh?"

Supervisor Kozakiewicz: "No."

George Schmelzer: "What do you want to do?"

Supervisor Kozakiewicz: "I want to use that money to buy open space which we've talked about which you have a difficulty accepting that definition of preservation."

George Schmelzer: "Well, you'd like to spend the money so the

land can't be used for anything forever after, well, we're going back to the European middle age system. The king owns everything. That's what you want, huh?"

Supervisor Kozakiewicz: "If you say so, sir."

George Schmelzer: "Well, it seems so. What else is it?"

Supervisor Kozakiewicz: "You're entitled- "

George Schmelzer: "We got rid of these dictators; we're copying their methods. Must be some disease around here. What would you call it, Stalin-itis, Hitler-itis, maybe some mosquito that bit some Hitlers over here now, maybe bit some of these politicians, the same kind of mosquito. Who knows? You're looking- the time is up?"

Supervisor Kozakiewicz: "Thank you."

George Schmelzer: "The time is up?"

Supervisor Kozakiewicz: "Time's up."

George Schmelzer: "Yeah. You've got not answers. I didn't expect any. Well, thank you for not answering."

Supervisor Kozakiewicz: "You're welcome."

George Schmelzer: "Okay. So long. No wonder they call the Town of Riverhead, the Town of Riverhead-less."

Supervisor Kozakiewicz: "Yeah, that's a new one. Thank you. Anybody else who would like to address the Board?"

Councilman Densieski: "Motion to adjourn."

George Schmelzer: "See you next time."

Supervisor Kozakiewicz: "Motion and second."

Councilman Densieski: "Don't forget about the North Fork Classic."

Meeting adjourned: 8:45 p.m.

*Barbara Heaton
Town Clerk*