

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, September 18, 2001, at 2:00 p.m.

Present:

Robert Kozakiewicz,	Supervisor
Edward Densieski,	Councilman
James Lull,	Councilman
Christopher Kent,	Councilman
Philip Cardinale,	Councilman

Also Present:

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

Supervisor Kozakiewicz: "I'd like to call this meeting to order. The first thing I think we should do is just, if you would observe a moment of silence regarding last Tuesday's occurrence, tragedy. Thank you."

Mrs. Patrikis, do you want to lead us in the Pledge of Allegiance. Actually, Mrs. Patrikis, if you would do it. She's dressed for the occasion."

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

Supervisor Kozakiewicz: "Is there a motion to approve the minutes of the September 4, 2001 meeting?"

Councilman Lull: "So moved."

Supervisor Kozakiewicz: "Moved by Councilman Lull."

Councilman Kent: "Second."

Supervisor Kozakiewicz: "And- Lull, seconded by Councilman Kent."

Barbara Grattan: "Who seconded that, Bob?"

Supervisor Kozakiewicz: "It was by Lull, seconded by Kent. Vote, please."

application and site plan for
Fox Hill Golf Resort and
Country Inn has been withdrawn

George Schmelzer

regarding Grumman land - needs
a referendum for the decision
on an airport there, either a
yes or a no

Letters (83)

concerned residents in favor
of the training facility to be
located on the corner of Route
105 and Northville Turnpike

Barbara Grattan: "That concludes Correspondence."

Supervisor Kozakiewicz: "Committee Reports."

Councilman Densieski: "Yes. We're going to have another STOP
date which is the pickup of hazardous materials on Saturday, October
6th and that's at the landfill at Youngs Avenue. If you have any
chemicals or paints that you'd like to get rid of, this is the time to
do it. That's Saturday, October 6th."

Supervisor Kozakiewicz: "And the times would be 8-3, the usual
time?"

Councilman Densieski: "Yes, the usual time."

Supervisor Kozakiewicz: "Okay. Any other Committee reports?"

Councilman Lull: "Yeah, I'd like to make sure the Town Board is
invited to the Employees Recognition brunch or lunch which is outside
of Town Hall on Thursday, rain date on Friday, the Labor/Management
Committee."

Supervisor Kozakiewicz: "Anybody else? No? I'm just going to
make a quick announcement. There are three public hearings that have
been scheduled. One of them is being postponed, they did not serve or
post the proper signs on the property. That's the hearing that was
scheduled for 2:10 p.m., the special permit petition of William Dreis
and Anthony Specchio. So that will be rescheduled based upon their
failure to post the property in the proper fashion."

The time of 2:17 having arrived, I would like to declare the

first public hearing which was to be held at 2:15 p.m. open. Barbara, would you read the affidavits of publishing and posting, please?"

Public hearing opened: 2:17 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 September 18, 2001 at 2:05 p.m. regarding the consideration of a local law to repeal and replace Chapter 64 entitled Fire Prevention of the Riverhead Town Code."

Supervisor Kozakiewicz: "Thank you. Bruce, do you wish to come up and once again make a presentation with respect to this proposed change?"

Bruce Johnson: "Certainly. Bruce Johnson, Town Fire Marshal. Mr. Supervisor, Members of the Town Board, ladies and gentlemen, just a few brief comments about this. This will actually be our third public hearing on the Chapter 64 amendments.

Based on the comments and several meetings that I've had with some of our local businesses, I've worked with the Town Attorney, and I think we've addressed as many of those comments as we can and that we present now in hopefully a final form the modifications to Chapter 64.

We also have addressed the issues from the Agricultural Committee, having attended one of their Advisory Board meetings and addressing questions and concerns that they have.

So I feel that this really represents our best effort and I thank everybody that has taken the time to get to me with their comments and attend the public hearings so that we really could get this to be a proper and well worded change to Chapter 64. And I'll be here for any questions should there be any. And that concludes my comments."

Supervisor Kozakiewicz: "Thank you. Is there anybody else who would like to be heard either for or against the proposed changes to Chapter 64 of the Town Code. As pointed out by the Fire Marshal, this is the third time around. There were a lot of comments at the prior Town Board meetings when we heard this particular change where it was repealing the existing Chapter 64 and replacing it with the current version of Chapter 64 and those changes and those modifications have been incorporated into this revision. Mr. Kasperovich."

William Kasperovich: "William Kasperovich from Wading River. I don't know how to start my presentation but we have a great deal of- a great number of men that participate in the Fire Department and that are knowledgeable and experienced in fires. Now, that is when the flames are there or the heat is there and now we are faced with a chapter on prevention. Well, this can be an whole coverage on all bases and all eventualities and all possibilities.

And my first awakening to things is when I saw that we are going to have a public hearing on off site- off street parking and when I look at the page of 108-60 titled off street parking and I read emergency access way, the road or other passageway developed to allow the fire apparatus- of fire apparatus from public roads to a designated fire lane. This immediately puts the Fire Department into the scene. Because the next sentence is fire lane and the next sentence is primary firefighting surface and a whole page of definitions in two categories and yet the specific off street parking is not addressed but the fire apparatus, the fire lane, the fire surface, etc., etc. And we get into off street parking when we should be in this particular section of fire prevention because this fire prevention of several pages is a lot more than prevention.

Now, as I fumble around for these pages, I would have the Town Board notice that these pages, these sections that are in many page involvement, they're not numbered and so there you go thumbing through pages and pages and you don't know if you're on the right page or whether there are pages missing in between. I brought this up before but here we have a public hearing, I'm kind of short on time to prepare my talk and granted you're not going to nail me for five minutes, I say it's an opportune time to bring it up.

On the section or the chapter 54 entitled fire prevention, I looked for many aspects that probably I wouldn't have looked for had I not like the rest of the country saw on TV and heard on the radio this great disaster which was an explosion and a fire. And different state requirements of protection and anticipation and the fact that they didn't get to this extreme.

So we don't know to what extreme to go but as I said in previous hearings, I gather Mr. Lull excused himself to be with- so he could relieve himself. But since he usually doesn't listen to things that don't interest him, it's just the same.

The authority of the Fire Marshal to have access to any and all places within the township where there is any suspicion or evidence of

potential fire, fire being used in a broad sense, because we have to remember that most of the stuff that was destroyed in the towers was vaporized not burned. So I think the Fire Marshal should have seven days a week, 24 hours a day, access to any and all areas in the same way that a police officer can enter your house if he has a suspicion that there is something illegal going on in your house. And this I don't find. Now maybe I missed it, I don't know.

This, of course, makes the Fire Marshal a very important person in our township as well it should be for we have had in the town's history life lost by virtue of fire. Now, so this is the one item I look for that is not in the proposed copy to be included in the Town code.

Secondly, this fire prevention is the only place we could include areas that we should be concerned with where panic and riot becomes involved. Panic, panic can come within the smallest group and extended to the in severity and for larger groups, panic doesn't have to be by virtue of a disaster. It could be by the loss of light at nighttime or it could be by the inability to find a way out of the structure. Consequently, panic should be addressed someplace and I look for it in the fire prevention because it's covering so many other areas and conditions.

There was someplace that caught my eye as I was searching through that there was an exclusion of- which was in assembly. I don't know someplace along the line, if it's not in here, it should be. There's an exclusion of churches. Churches are not excluded by the grace of God not to catch fire or to burn or to cause smoke or to have a light failure during the night or any other aspects when there is a large number of buildings within the structure. There is no reason why we should exclude our concern over the safety of people in churches or synagogues or places of worship.

I think I've given you enough aspects of concern to ponder on. In the light- not in the light, but in the cloud of our nation's mental state about this great disaster, this is an appropriate time for us to seriously think of what is in these pages and how it is to protect the people that live here. This is our home within the boundaries of the township, it's our home, and we expect you gentlemen that have been elected to look into all aspects and eventualities of the items that I've mentioned that should be included in this chapter. Thank you."

Supervisor Kozakiewicz: "Is there anybody else who would like

to address the Board either for or against the proposed changes to Chapter 64 of the Town Code? Not seeing anybody indicate that they wish to speak, I declare the public hearing closed, the time of 2:35 having arrived."

Public hearing closed: 2:35 p.m.

Supervisor Kozakiewicz: "The time still being 2:35, I declare the second public hearing which was scheduled for- it should have been 2:15, right, Barbara? Because I think you said the 2:10 one was being adjourned."

Barbara Grattan: "2:10 was William Dreis and that's been adjourned."

Supervisor Kozakiewicz: "Okay. So we're going to declare open the last one which was scheduled for 2:15 which was- "

Barbara Grattan: "No, it was scheduled for 2:10, the same time."

Supervisor Kozakiewicz: "2:10? Okay. All right, because on the agenda it says 2:15. So it's 2:10, okay. Barbara, would you read the affidavit of publishing and posting, please?"

Public hearing opened: 2:35 p.m.

Barbara Grattan: "I see what it says, it's 2:10 on the- "

Supervisor Kozakiewicz: "Okay, good."

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on September 18, 2001, at 2:10 p.m. regarding the consideration of a local law to amend Chapter 108 of the Riverhead Town Code entitled Zoning, Section 108-60, Off Street Parking."

Supervisor Kozakiewicz: "This one, likewise, has been the subject of I think three public hearings. This is designed to provide for additional language to 108-60 Off Street Parking in order to allow for a definitive standard in the code for turn radius for fire equipment. I've said it somewhat generally. Bruce Johnson, if you wish to address us more specifically, you can. Would you want to do

that, Fire Marshal?"

Bruce Johnson: "Again, for the record, Bruce Johnson, Town Fire Marshal. Mr. Supervisor, Members of the Town Board, ladies and gentlemen. As the Supervisor has mentioned, this has also been the subject of several public hearings previously and I've worked with the Town Attorney to address some of the comments. And I thank Mr. Kasperovich for some of his comments and he did point out in 108 that, you know, there still has been some confusion as to whether this is the right code section for this particular item. But I'm relying on the Town Attorney and the Planning Board that basically that's where they feel it is most appropriate. So I defer to people that have a little bit more expertise in that area.

But what we did specifically change, is we wanted to make sure that the language of this code change was not in conflict but actually could work in conjunction with the ARB, the Architectural Review Board, particularly with landscaping and buffer zones so that this code will not conflict with that but actually compliment it and achieve the goals of the ARB and still allow proper Fire Department access. And, again, we also have the flexibility working with Joe Raynor's office which are the consultants to our Planning Board and our Planning Department to make sure that there is a recognized standard that this code can be applied with and allow some flexibility so that different sites that have different needs, different requirements, we have a standard that we can up against that's a recognized standard. So that's really what we wanted to change and make sure that the language of this code revision meets all of those objectives.

So, again, I'm here if there are any questions and I thank you for your time."

Supervisor Kozakiewicz: "Thank you. Anybody who would like to be heard with regard to this code change, the 108-60? Mr. Haizlip?"

Steve Haizlip: "Steve Haizlip of Calverton. I want to ask the Fire Marshal, if you permit me. If you don't, I'll talk to you. Now, he talks about these turn radiuses. I think I know what he's driving at. If you go in a place, it's a narrow street, and you have to do a lot of jockeying back and forth to get out of the place after the fire or to get to the fire.

Now, this here last TDR switch deal that you did to help out Foxwood, would that restrict that turning radius ability over there to

go in, make a complete loop, and then come back out? Maybe Mr. Johnson can answer that. Maybe he's visited the place and knows it better than me. I don't know it. I haven't been over there. All I ever seen of Foxwood is going by the road. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board before- yes, Ray McKay."

Raymond McKay: "My name is Raymond McKay. I live in Aquebogue. Lived there for 90 years and I was a farmer all my life. Born on the farm, I expect to die on the farm. My three brothers- my two brothers and myself, there's three of us, we raised at least 750 acres of potatoes. We found out in 1969 there was no chance of making a living on a farm. Today the average farmer who was a farmer who made a- if he could make a living, you still have about 50,000 acres of potatoes on Long Island but the United States government says that's it, no more.

And the Town- and the people that they talk about preserving farmland. The hell, the land was here, it's going to be here, but where are the farmers that farm this land? Now, for example, the Canadian government sponsored the potato farmers in Maine- in Canada rather, a dollar a 100. Now, did anybody- we used to ship 50,000 hundred weight a week down to Cuba. The government put an embargo on that. There you are. It used to be 10,000 acres of potatoes Long Island used to ship down to Cuba. But the government says nothing- put an embargo on it so there you are.

But nobody- who objects to it? Nobody. Now everybody is up on arms preserve the land. The land is going to be here. Even in the cemetery. If you go to the cemetery there's still land there, you're going to be buried in that land. What about the farmers? Nobody.

Now you've got these phonies- gets up here preserve the farmland. Where were they when you preserve the farms so the farmers could stay on there? So you don't need no preserve- but they would help the farmer someway or another. Put- for example, I came to- in the afternoon meeting like that, Joe Janoski was our Supervisor. And it was in the News Review I heard that if the state did not commit to money for the (inaudible), the state is going to eliminate the funds- eliminate- but down at that period all we need is- things were a little tough that period- if you feel, if things come along a little tougher here, we're going to put an embargo on Long Island.

But who objected to that? Nobody. So I came down here. I said,

Joe, you know send a telegram to the governor of New York so they could put- renew that fund to help that- (inaudible) committee to stay in business. And they sent a telegram, not a letter, but a telegram and I've still got the receipt of it home. But nobody else- everybody else said the hell with the farmer. Okay.

Now, to me personally now then there's an article in one of our local papers some reporter put in there you would- four of us farmers were talking, we never were so insulted in our lives as this one report called us some dirty farmers, with something on our feet. He forgot that her grandparents were living on- somewhere way back, they were on a farm. When they finished milking their cow, when they had a pail of milk in one hand and they walked up to the grass, they did the farmer's two step, one, two, and she didn't know that, probably. But her grandparents do it- they done it.

But to me why? Why do these people come up here? Now, they're hollering, you know. They putting their objection in to farming, preserve farmland. Where the hell were they when the farmers could use the help?

That's all I want to say. Thank you."

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

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

Supervisor Kozakiewicz: "We're still- I didn't know how to stop him- involved with Chapter 108, the change to Chapter 108 and the off street parking issue. Is there anybody else who would like to address the Board for or against? Yes, Mr. Kasperovich."

Councilman Densieski: "It's a public hearing, Alan."

Supervisor Kozakiewicz: "Listen, if- listen, we're not going to engage in this. I have reached a point where I don't want to say anything more. This is a public hearing. We don't have a five minute rule at public hearings. When the open comment period is in effect, I will make an announcement that there will be a five minute rule in effect. We will do what we did at the last Town Board meeting. Barbara will be the official time keeper so that I'm not going to pay attention to the watch, I will pay attention to the speaker. She will flash a yellow card when there's two minutes left and a red card when five minutes have expired. No more comments from the audience, please."

Unidentified - from the audience: "Mr. Supervisor, let the speaker or speakers- "

Supervisor Kozakiewicz: "The floor is recognizing Mr. Kasperovich. Mr. Kasperovich."

Unidentified - from the audience: "-- range of the topic that's being discussed."

Supervisor Kozakiewicz: "Mr. Kasperovich, Mr. Kasperovich, Mr. Kasperovich, Chapter 108-60."

William Kasperovich: "William Kasperovich from Wading River. Of course, these comments from the audience are well taken but at the same time I don't see these voices come up here and talk for the good and benefit of the township. They are in the back, hidden in the crowd, and make noises and expect us to listen to them."

Supervisor Kozakiewicz: "Let's not engage this- let's stop it here. This is not a time for people to fight with one another. We are here to be heard regarding a change in the code, Chapter 108-60. And that is what we are here, to hear your comments whether you are for or against that change in the code. Thank you."

William Kasperovich: "I speak this way because I feel that the many Supervisors in the past, nobody had the guts to tell somebody in the crowd that's obnoxious or noisy to be removed by the police. That enforcement I have never seen- "

Supervisor Kozakiewicz: "Mr. Kasperovich- "

William Kasperovich: "-- and yet when a guy gets up here to talk for the good of the township- "

Supervisor Kozakiewicz: "We're going afield. Are you for or against the proposed change to 108-60? That is the purpose of today's public hearing. It's to hear your comments as to whether the change is good or the change is bad. Whether we've identified the proper issues with the code change or whether we've fallen short in not addressing enough issues. Let's keep to the topic at hand rather than throwing barbs and accusations at one another and comments. Are you for the changes or are you against the changes?"

William Kasperovich: "The public hearing is to hear the public not to take a popular vote. Not to take how many people are for it or

how many people are against it. These are public hearings for the public to put forth whatever is in their knowledge or their ability or talent to convey it and offer it to the township for its good."

Supervisor Kozakiewicz: "And that is what I'm asking you to do. Offer your comments as to why the change is good or bad. Let's move along."

William Kasperovich: "All right. This page is not well written. I'm against this page being published as it's printed. For one, it's not clear and concise to its-- encompassing or limiting. When you refer to off street parking that is a definition of onto- off of public area and onto private area. This page seems to include both.

The sentence to provide a landscaping buffer in accordance with the requirements of the Architectural Review Board. To my knowledge since its inception, the Architectural Board Review has not set forth requirements by their Board. They look at requirements that are set by other agencies in government.

The turning radiuses, the question as it's written as to whether this is for interior or outside area, outside of the building, or within the building, or for some way covered overhead by the building, by (inaudible). And, the exception made in the last paragraph, it says exception- the design for professional may show compliance with the turning radius standard of the Association of State Highway and Transportation offices for bus, truck vehicles based on a vehicle length 40 feet and the wheel base 25 feet.

Now here again, is this outside or inside? And these standards are bare minimum. They are not the best way or the safest way to do things. It's a bare bone minimum and I say we should not use that as an- making an exception.

Now, as I mentioned before, I think the contents of these sentences belong here and I think it should be rewritten in a way such that it refers to off street parking and another section for access-emergency access ways which are within the structure or a passageway. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address us with regard to this proposed change to 108-60 of the Riverhead Town Code? Okay, not seeing anybody, declare the public

hearing closed, the time of 2:53 having arrived."

Public hearing closed: 2:53 p.m.

Supervisor Kozakiewicz: "At this point, we will be adhering to a five minute rule. As we tried the last time and we'll try it once again for this Town Board meeting, Barbara will have a stop watch. The Town Clerk, that is, will have a stop watch and a yellow folder will go up when there's two minutes left to your five minute time period; a red car will go up when five minutes have arrived and you will be asked to surrender the podium and let the next speaker speak. I'm going to ask that everyone, you know, extend courtesy to the speaker up there, it helps the process move along.

We also have two resolutions which are out at the table in the hallway. Because of the afternoon meeting which the resolutions were still being drafted although they were discussed by the Board at yesterday's work session, did not make it into the official packet.

The first is a resolution which will be, unless there's objection from the Board, it would be the resolution next appearing after the payment of bills, and that would be the resolution which would be 1008 so that we know what we are referring to and that is to set forth a proposition to put a referendum issue on the ballot for November 6, 2001, with respect to the air space at Grumman.

The second one would be to address the site plan application of the Riverhead Fire District training facility which would be located at Northville Turnpike and cross River Drive. That would be 1009. So, once again, that's 1008 prospective resolution, and 1009.

I have a number of cards that have been handed up, so I will start with the cards that have been provided and then we can go to speakers thereafter. But, what I might do is I'll take a couple and then I might have a couple speakers interchange so we can mix it up a little bit. Rolph Kestling.

Rolph Kestling: "Mr. Supervisor, I'm going to yield my time to Mrs. Patrikis."

Supervisor Kozakiewicz: "Thank you. In other words, she'll just have five minutes. You want to have her speak in your stead. Okay. Mrs. Patrikis, you can come up if you wish."

Vasso Patrikis: "Five minutes- "

Supervisor Kozakiewicz: "No, no, five minutes. We- this is not Congress, it's five minutes. We've done this once before, and the rule is five minutes, but thank you for trying. Okay? Okay? Yes."

Vasso Patrikis: "Can I have an extra minute?"

Supervisor Kozakiewicz: "Five minutes."

Vasso Patrikis: "Because I might- "

Supervisor Kozakiewicz: "Let's try to all stay- let's try to allow all the people to speak. When you start, we'll start the five minutes. Thank you."

Vasso Patrikis: "Okay. Bob, I spoke many times about Cablevision and I'm going to do that again now. You have the power according to Section 22 to enforce our 17 year old contract which obviously is the better deal. You don't need a committee, you only need the lawyers in Florida and Phil Cardinale because he has the knowledge. You created a committee to get rid of Zabby. She was and is the only one that can educate you all with the Cablevision problems.

No member of your committee knows as much as she does and even if they wanted to learn, it would take too long. Therefore, the committee works against the people and is detrimental. Here you have all the control and you gave it away to committee because you know the committee (inaudible) red tape and bureaucracy and that the channel would never happen if in effect means censorship.

I wonder if all of you the Channel 71 is a triple X pay per view adult channel, not an education and government channel as you thought, Bob. I confirmed that yesterday when I called Cablevision and requested to mail me the program for Channel 71. Cablevision has hijacked our Town Board meetings by re-classifying them as their local programming and by putting not even four hours for our Board meetings on 71 is like advertising also x-rated pay per view adult because they might get some customers.

Bob, you should have worked with Phil. Excuse me, you said you couldn't work with him. Let's stop this nonsense. I want to tell you- I want you to tell the truth and I'm sure you will to the people that elected you that when you signed the Cablevision contract there

will be no more filming of our Town Board meetings by Cablevision. And that's censorship and that means that we will have government behind closed doors. We need open government.

Next I want to address all of you to why you need to have a policeman at our Board meetings when Southold and Southampton don't have any? That's very insulting to the people of Riverhead. Is there a law to have a policeman? Are we different? We live on a different planet? Do we have to be afraid to speak our mind? Is this freedom of speech? Please listen to the people's voices. Can you- we can learn from you and you can learn from us. Everything has two avenues to take. Let's take the avenue for the good, for the better life of us, the people. Put the people first and your party second, then we will get along better and we will have a good government- local government.

Now, I have those two here because I thought we would have an arithmetic lesson because it seems that so many times you repeat this and (inaudible). If we (inaudible) year old contract (inaudible) Section 25 paragraph 1, one additional channel Section 25, paragraph 3, one education and government by law, 595.4 B(2), one more (inaudible) four total Cablevision owe us. That is (inaudible). Plus one that we have which is Channel 70, we are short, three channel short.

Now, look up at the next one, this way we can understand better, okay, allow me a half minute if you can give it to me, I don't want to fight about it, okay, I lost a bit of time here. Future new public sell-out contract (inaudible). One public channel, one education and government channel, one more from (inaudible) becomes education and government, minus three Cablevision only needs to give us three. That's a minus. Plus, one and (inaudible) that we have, channel 70, four hours, channel 71 which is not an educational channel as you thought. It's a triple X pay per view adult channel, porn channel. We're minus, we're in the red, for one (inaudible) we are short."

Barbara Grattan: "Five minutes is up, please."

Vasso Patrikis: "Okay, one- have a minute. Either way you add it up, Bob, you are short."

Supervisor Kozakiewicz: "You've made your presentation. Thank you."

Vasso Patrikis: "Okay. So- "

Supervisor Kozakiewicz: "I'm calling the next speaker- "

Vasso Patrikis: "-- use your power, to do what is right--"

Supervisor Kozakiewicz: "Mr. Ryan- Mr. Ryan- "

Vasso Patrikis: "-- for the people."

Supervisor Kozakiewicz: "Thank you."

Vasso Patrikis: "I want to ask you one more thing."

Supervisor Kozakiewicz: "Mr. Ryan- "

Vasso Patrikis: "Maybe you can- "

Councilman Cardinale: "Vasso, thank you very much."

Supervisor Kozakiewicz: "Thank you. I think you made your point. Thank you very much."

Councilman Cardinale: "Yeah, I think so."

Supervisor Kozakiewicz: "It was very well done. But I know I've been asked to try and stay a little tight on the five minute rule, so--"

Councilman Cardinale: "It was- "

Supervisor Kozakiewicz: "-- I'm going to do it for everybody."

Councilman Cardinale: "-- also accurate, Vasso, and I appreciate the efforts you made."

Supervisor Kozakiewicz: "Mr. Ryan."

Vasso Patrikis: "You can all look at it, it's right here."

Supervisor Kozakiewicz: "Mr. Ryan. Mr. Ryan has the floor."

Allen Ryan: "Mr. Supervisor, Members of the Board, Madam Secretary. Allen Ryan, Wading River. Just concerning your referendum, putting the referendum of the Grumman runway on the vote. I was very pleased that Mr. Cardinale insisted on this as far as the theater goes and I can't understand why this shouldn't carry over and

the same thing be done with this.

I think it's very important that the townspeople vote on something that could have the ramifications of the future and the present and the possibility of helping the town out with the use of the runways. I think it- even if you're against it, what Mr. Cardinale did with the theater should also be done with the airport. Okay? Thank you very much."

Supervisor Kozakiewicz: "Thank you."

Councilman Cardinale: "May I ask a question, Bob? Since the two most significant resolutions we're going to look at this evening or this afternoon are add ons, have they been made available to the public?"

Supervisor Kozakiewicz: "Yes, yes, they are out on the front desk."

Councilman Cardinale: "Okay. Because those are going to be critical because the wording is critical on them."

Supervisor Kozakiewicz: "Yes, yes. Um, Diane- is it Woodcheke?"

Diane Woodcheke: Hi. My name is Diane Woodcheke. First of all, I just want to comment on our very patriotic woman over here. I do have to agree with having police presence especially with the outbreak that just happened ten short minutes ago. It can't hurt.

The reason why I am here today is because I want to address the Home Depot construction. Late last week, the Home Depot has started construction on Mill Road and Route 58. My concern is the entrance to the construction site which is at the furthest most corner on Mill Road, directly across the first street to Millbrook Park.

I had called on Friday to speak with Supervisor Kozakiewicz who was unavailable so I spoke with Mr. McClennan. I expressed my concerns and he told me that that site should not have a construction entrance or any entrance whatsoever located where it is. And I cited that I agree with him because I myself had spoken to Mr. Giannos about a year ago about this and he told me there would be no entrance at all in that area.

Yesterday I took upon myself to go across the street and speak

with the job super who is on site and he assured me that this was a temporary site for the construction. But what does temporary mean? Temporary could mean that it will be there until the Home Depot is actually built. And that scares me. Millbrook Park is a very active family park.

I expressed my concerns to the Board about a year ago about the road conditions and the fact that we have had so many 18 wheeler trucks flying up and down the road which is something that I'm not looking to prevent but I'm looking to have a safe environment.

I feel that with the already increased traffic, especially with the trucks I just mentioned, that we don't need to have more big trucks going right in and out across the street from our park. I don't mean to use this, I would have said it whether this had happened or not, but in wake of what happened last Tuesday, I do not want to see a disaster happen out my front door. Because disasters do happen. And I truly feel that it needs to be addressed and that entrance needs to be moved up even if it's just 200 feet up the road. It does not need to be directly across from us.

And I would like to know what either I could do or what you could do for us about this situation."

Supervisor Kozakiewicz: "Having brought it to my attention, I will get Mr. Giannos and Mr. (inaudible) on the phone and tell them that it has to cease."

Diane Woodcheke: "Okay."

Supervisor Kozakiewicz: "All right? And, hopefully, they will be cooperative and if not then we'll have to do whatever we have to do to make sure that it happens."

Diane Woodcheke: "Okay."

Supervisor Kozakiewicz: "All right. Thank you for bringing it to our attention."

Diane Woodcheke: "Thanks. And at what point do you feel that I should maybe re-address this if it's not corrected?"

Supervisor Kozakiewicz: "I would say call my office by the end of the week if it's still taking place."

Diane Woodcheke: "Okay."

Supervisor Kozakiewicz: "All right?"

Diane Woodcheke: "Thank you very much for your attention."

Supervisor Kozakiewicz: "Thank you. Thank you. Mr. Haizlip."

Steve Haizlip: "Steve Haizlip of Calverton. Bob, I guess you've heard the song It's Later Than You Think. Well, September is almost gone and you've got about 11 days to get the light up at Edwards and Sound Avenue. I don't believe we're going to make it in September. As I said before, it took me two years and 13 days for 58 and I've been working on this one now going on 19 months.

Now, on this here Resolution 974 about bids for construction. Is this- is that an automatic thing every year to the same outfit?"

Supervisor Kozakiewicz: "No, no. We go out to bid every year and different outfits come in with different amounts with- depending upon what type of annual construction work that's being offered, and that's why it's an annual thing. It's not the same bidders who get the same work every time. No."

Steve Haizlip: "All right. Now, every once in a while I'm called on to go up to the F-14 park, open and close the gate when Mr. Van de Wetering is not available. On my way back, I always hit holes at Calverton Industries on the edge of a road. I guess that's because I drive over close to the white line. I have made seven trips up there checking and what really riles me is you write to Mr. Broadman (phonetic) the State Highway Transportation officer, you don't get no response from him. I'm an outcast. I only need Steve to pay some taxes for my salary. You write to Mr. Cahill (phonetic). You don't get nothing from him either.

Now, I went up there yesterday. I just wanted to make one last check. Those same two holes in the edge of the macadam, rocks up on the edge, and a truck coming out, dust flying all over, and it didn't subside until I got down to about TS Haulers. I want to tell you about TS Haulers. If one thing, they do keep the edge of that road swept and clean and watered down in there. So that's roughly now.

On this Cablevision, you know, it's coming to the point where I don't believe Cablevision and what they're saying and it's hard to believe what's coming from you. So I wrote to Mrs. Hellar (phonetic)

I believe it is, and I'm asking her what the law says and why are we getting gestapoed and kicked around? Now, I don't mean to get you upset, Bob, but there's a rumor that when you signed a contract, \$262,000 is going to the Republican party."

Supervisor Kozakiewicz: "I can only imagine where that rumor came from. Zabby. Zabby."

Councilman Kent: "Is that working?"

Supervisor Kozakiewicz: "It's a rumor."

Zabby: "Okay. I'm timing myself. I brought my own Radio Shack and I'm starting right now. Okay. Well, it's not a rumor or maybe it is. It was started by Newsday and it already happened. In the last campaign, Cablevision gave \$262,000 to the national GOP. So, that's that."

At any rate, I just wanted to speak a little- read a little bit of the preamble given this World Trade Center thing in the wake of this.

We, the people of the United States in order to form a more perfect union, establish justice, provide for the common defense, secure the blessings of liberty to ourselves and our posterity. Now, amendment one, among the many things, Congress shall make no law abridging the right of the people to petition the government for a redress of grievances. And so I ask that we get together and this Town Board provides a home defense for Riverhead against the monopoly and bully and predator and hijacker, Cablevision.

Bob told Vasso Patrikis and me that getting that second channel was really not that high of a priority for him. He had other things, more important things to do in the scheme of things. But even here in the wake of the World Trade Center tragedy, we're talking about freedom of speech, a basic freedom and, Bob, you have all the power.

People, I have to correct some disinformation that was flying around last time. We can't go to the FCC. Bob Kozakiewicz as the administrator of the Cablevision contract 17 years old, has all of the power to do everything. And all that I ever wanted to do was empower the man. And that's exactly right. These breaches of contract are, I think we should have somebody draw up a proposition to have a referendum as to whether we should do something about Cablevision, what the Town wants to do. And I think the Town would want

Cablevision to correct the breaches of contract, the many that exist.

People in corporation in power like Cablevision in our town, local town governments here have been and continue to chip away at our freedom, little by little before we know it or without us knowing it, behind closed doors. Cablevision does not want to give up channel time because it means money to them and the politicians do not want to be on TV because it makes them accountable.

For instance, upon signing a new franchise agreement with Cablevision before the election, the east end Supervisors will allow Cablevision to get off the hook from filming our three Town Board meetings which we used to see on Channel 70 until Cablevision hijacked them. Already Bob Kozakiewicz has censored part of the August 21st Town Board meeting because he was handing our corporate welfare to special interest groups. Censorship is- this is what our government is reduced to? We must make our government accountable.

In March 2000, Cablevision in a stealthy move reclassified our Town Board meetings from governmental programming to Cablevision's local programming. Because of this Cablevision was able to put our three Town Board meetings on their porn channel such as 88, 86 and now triple X pay per view adult porn Channel 71. I just called yesterday and found out that Bob who thought he had gotten a second channel, government and education, never got it. He was hoodwinked.

It was all along a triple X pay per view adult porn channel. So all our three Supervisors in Southold, Southampton and Riverhead have stood by for one year when we could have had a second channel by the contract that was 17 years old as Ms. Patrikis pointed out.

Seeing with the events of Tuesday, September 11, 2001, it is time we all come together to fight for honesty and truth. In this instance, we need the three towns to come together and fight the monopoly Cablevision. We want all the three Town Supervisors to write a letter to Cablevision rejecting Cablevision's (inaudible), take back and demand that our Town Board meetings be reclassified as government produced and owned by the people before any further discussions with Cablevision.

Cablevision is in breach of their contracts with the three Towns. These new to be corrected by people like Independent Phil Cardinale and others who have the power- "

Supervisor Kozakiewicz: "Zabby."

Zabby: "-- to change the wrongs- "

Supervisor Kozakiewicz: "Thank you."

Zabby: "-- and not be afraid to stand up for what is right because now is the time- "

Supervisor Kozakiewicz: "Zabby."

Zabby: "I just want to finish the sentence. May I?"

Supervisor Kozakiewicz: "You have your five minutes."

Zabby: "I know. I said- I'm in the middle of a sentence."

Supervisor Kozakiewicz: "If that's all- is it two seconds, five seconds- and- "

Zabby: "Yes, it's ten seconds."

Supervisor Kozakiewicz: "Go ahead."

Zabby: "To finish the sentence."

Supervisor Kozakiewicz: "Please go."

Zabby: "Okay. These need to be corrected by people like Phil Cardinale and others who have the power to change the wrongs and not be afraid to stand up for what is right because now is the time and they have the backing of the east end community. Think globally and act locally. Thank you."

Supervisor Kozakiewicz: "Thank you, Zabby. Steve Kirschenbaum."

Steve Kirschenbaum: "Mr. Supervisor, Members of the Town Board, Steve Kirschenbaum, Calverton. Over the past two years, I tried hard to do a lot of things to help this town, jeopardized my marriage a little bit, took a lot of time away from the family to try to do something that I thought was right and my group thought was right. What I'd like to say as far as this referendum is concerned, you have a lot of diverse groups in the Town of Riverhead. You have civic associations with good people. You have the good people here today. You have religious groups, different races, creeds and colors in Riverhead. And in Riverhead everybody has a different point of view.

And the problem with this town is the squeaky wheel gets the grease. And you know what? I come here and I pressured you that I think this airport is a good idea. And you know what? That's my point of view. You're going to get hundreds of people who step up or dozens over the next couple months, they're going to say it's a bad idea. But you know what? The only way to find out what the public feels about an issue as important as this to the economics of this town, to the industrial development of this town, to job training, tax base, even the defense of our country, is to put it to a vote.

And now a vote, as a member of the Town Board, isn't a vote for an airport or against an airport? It's a vote for the democratic process. A vote in favor of this is a vote to let the public decide on the single most important issue. A vote against this airport is a clear vote against the democratic process and I urge you as a Town Board to let the public finally put this issue to rest so I could go back to my family, so these good people in this audience, pro and con, could go back to their families and let the public once and for all speak on this issue. Thank you, Mr. Supervisor."

Supervisor Kozakiewicz: "Mike Spindler."

Mike Spindler: "Mike Spindler, Calverton, Town of Riverhead. It was brought to my attention late last evening that a resolution regarding a public vote on a public airport at Calverton was to be voted on today. I urge all Board members and Supervisor Kozakiewicz to vote no to this resolution.

With over 20 years experience in and around aviation and airports, I feel that it is virtually impossible and unfair to expect the average citizen to make an informed decision on something as complex as a public airport. The grossly inadequate and distorted previous airport resolution clearly demonstrated that this airport issue cannot not be explained in a few simple sentences and then voted on publicly.

There are too many details that need to be examined and scrutinized for this type of resolution to be voted on publicly. The facts surrounding the theater vote were just a drop in the bucket compared to the complexities and ramifications of a vote on a public airport. And we all saw at a Town Board meeting how much misinformation surrounded just the voting process for the simple theater vote.

How can one expect my 80 year old mother, my wife or my 21 year

old son to know all that is involved in public airport operations and vote responsibly on same? Without knowing all the facts, their vote would be a shot in the dark at best and a gross injustice to the future of Riverhead town. The ramifications of this ill informed public vote will be the burden of our children's children and the taxpayers of this town well into the 21st century. A vote in favor of a public airport at Calverton essentially slams the door shut on all sustainable, highly beneficial, multi-million dollar tax generating projects being proposed at Calverton and which have been proposed at Calverton.

Decisions of this magnitude and complexity should be based on sound research and fact by thoroughly informed educated lawmakers, not infatuated aviators or others with further agendas.

This research was already done by previous administrations and it is time for our town to move forward with the sustainable development zoning that is already in place. I want to make it clear that I am strongly in favor of the 10,000 foot runway and using that for light industrial and corporate headquarters type.

Okay. Let's try to figure out where this airport will take us. Some of our elected officials and most of those who support an airport state in substance that they do not want to see a large commercial or even a smaller regional airport, jetport, propellor port, heliport, whatever you want to in Calverton. Are they being completely truthful or just telling us what they know we want to hear? Why have they and I believe this is true, why have they quietly required taxiway setbacks at Calverton that would accommodate 737 and 727 aircraft? Correct me if I'm wrong.

The FAA and municipal planners state there will never be a need for this type of airport and I've spoken to them personally, even when considering future population growth on the east end. McArthur is having a difficult time as it is. McArthur actually wanted to be at Republic, for your information.

When is the last time you saw an airport advertise for business on TV? McArthur does it on Channel 12, not an encouraging economic indicator. The airport officials that I have spoken with all agree that these larger airports are where the real employment opportunities are and that over 90% of the smaller general aviation airports in New York State lose money, including the three in our own backyard. Speak to the airport managers, they'll tell you that.

It seems pretty simple to me. I believe all agree that the larger airports that provide employment opportunity and/or revenue are not needed or wanted by most on the east end and are an environmental and quality of life disaster. Newer airports like the one out in Denver are being built far out from the city, not the old way of building, you know, right in town.

When looked at objectively and honestly it is difficult if not impossible to find a small general aviation airport that will live up to the unrealistic expectations public airport proponents have for aviation at Calverton. This airport would be an ever increasing tax burden on Riverhead residents with little to no benefit. Just drive down the road, look at Gabreski, Brookhaven, East Hampton, for something we don't even need. They're right over there.

We have three airports within minutes of town. I believe that development of the Calverton facility comes down to two options. Option One, a public airport with a drag strip and a racing complex. Grouped together, they are very compatible uses. They displace all forms of new economy sustainable, environmentally friendly development. Very old school, extremely limited employment opportunities with an ever increasing tax burden and a decline in quality of life.

Option Two, which is my choice- "

Supervisor Kozakiewicz: "Mr. Spindler, would you sum up. It's been five minutes."

Mike Spindler: "Okay. I just- one second. My choice is a first class light industrial advanced technology complex, office park and possible corporate headquarters in the industrial core with corporate tenants having use of a 10,000 foot runway, allow a reasonable amount- the other thing I wanted to say is in the referendum you are saying commercial use. Right now, I believe there is a commercial use there and that I'm not positive, but I think the parachute man operates off of a 135 certificate. That is a- that needs to be- this referendum is not completely accurate. You want to put in there- do you know what 121 carriers are? Okay. You've been working on an airport for two years, Ed, and I've got a lot of respect for you as a local businessman, but as far as aviation goes, you've been working on this for two years. You should know what a 121 carrier is. That is an airline operator.

A 135 operator is a man who operates an airplane for hire, okay?

Now, I'm not sure if he operates under that. I'm not totally familiar with his operation. But that- the resolution is flawed in that and possibly other aspects."

Supervisor Kozakiewicz: "Thank you."

Mike Spindler: "Thank you."

Supervisor Kozakiewicz: "Sandra Mott."

Sandra Mott: "Sandra Mott, Riverhead. Um, I'm going to discuss or ask you about several issues. I'm going to discuss the airport referendum issue first. Um, in light of the World Trade Center tragedy, I quite frankly think the federal government should retake by eminent domain the Calverton facility in total. The isolation of the facility provides a security for the government and the forces that will be needed in the future. I think you should hold off on your Burman deal. \$17 million dollars has never been enough. I'd like to know if there is a transfer back clause in any of the agreements we have with the government on that facility and how they can be implemented with or without your agreement.

In addition to that, the highest and best use is as an airport. You can be reimbursed for your costs, your expenses in total. Let's remember that Mr. Burman is being sued by the federal government for noncompliance with the handicapped issues up island at his housing facilities. So why would we want to sell government property for peanuts for a man who's being sued by the federal government?

We would be able to recognize the need for national security, local economic development. It's been used before for Naval facilities. I think it should be reconsidered. And I personally am going to contact my Congressmen and my Senators just for that purpose.

Now that's my comment on that.

As to Cablevision, I was asked- someone asked me in passing whether or not anyone on the Board has received any money contributions from Cablevision for their campaign in any manner, shape or form in kind services, financial support?"

Councilman Kent: "No."

Sandra Mott: "Mr. Lull- Chris is saying no. Mr. Lull, Bob?"

Supervisor Kozakiewicz: "I attended that seminar or that meeting at the Ramada."

Sandra Mott: "Financial? Ed?"

Councilman Densieski: "Nope."

Sandra Mott: "Phil?"

Councilman Cardinale: "No. But I do- are you certain, Bob, you didn't receive a contribution from Cablevision?"

Supervisor Kozakiewicz: "I have not looked at my filing. I don't handle- "

Councilman Cardinale: "Well, I have- "

Supervisor Kozakiewicz: "-- if it's there- "

Councilman Cardinale: "-- and you have received a contribution from Cablevision. I looked at it last week."

Supervisor Kozakiewicz: "All right. So I have. Okay."

Sandra Mott: "Okay. Okay, well, then- "

Supervisor Kozakiewicz: "Let me say something- "

Sandra Mott: "I'm not trying to say you shouldn't be taking money, but I think it should be open and above board and stated as such. That's all I'm saying."

Councilman Densieski: "It is. You can go to the Board of Elections and FOIL it just like Phil just did."

Sandra Mott: "No, I'm just asking right now. I'm not going to the Board of Elections."

Councilman Densieski: "It's public information."

Supervisor Kozakiewicz: "Okay."

Sandra Mott: "I'm asking you right now and you've answered me and I accept your answer."

Supervisor Kozakiewicz: "Phil, how much did I receive?"

Councilman Cardinale: "I think it was a few hundred dollars."

Supervisor Kozakiewicz: "Okay."

Sandra Mott: "None the less, maybe to clear the air, maybe that should be returned."

Supervisor Kozakiewicz: "Clearly they're doing me a lot of favors because these last couple of meetings I've been not doing very well on this Cablevision issue obviously."

Sandra Mott: "Okay, my five minutes is running and you didn't interrupt anybody else."

Supervisor Kozakiewicz: "Go ahead."

Sandra Mott: "Thank you."

Supervisor Kozakiewicz: "We'll give you an extra minute. Okay?"

Sandra Mott: "Thank you. In regard to the special permit regarding the Route 58 business that has been postponed for today, there were not addresses on the resolution. There are no maps outside, there are no maps inside, how are you supposed to discuss something? Where are these restaurants going to be? All these special permits given to all these different people for all these different reasons, whether it's restaurants or housing or mobile home communities or this, that and the other thing, enough is enough. You're not taking the whole package into consideration when you're giving them away. Special should be special. And my final concern is the hearing going to be tomorrow for the quote unquote extension of Glenwood Village (inaudible) tomorrow. It is. Have the proper environmental groups been notified or do they just get public notice? Was there any courtesy extended to them? Because this cannot be fought by the community of Glenwood Village in opposition. That is a tenant landlord relationship. Anyone who comes to this podium tomorrow to speak has to recognize that fact. We cannot, by we, I'm talking about my family and I or the other people I've spoken to in the neighborhood, do it. There has to be some outside support. If it's going to be done, the environmental groups need to be here to

give their expertise. I thank you for your time.

But could you answer me, is there a transfer back clause in any of the agreements? I understood, I read it somewhere a long time ago in regard to issues of transferring the property back. There is no transfer back clause with the Naval- "

Supervisor Kozakiewicz: "You're talking about the Navy?"

Sandra Mott: "Yeah."

Supervisor Kozakiewicz: "The federal property. I believe there was a provision that needed to be re-developed and that was what the HR&A plan was about and if it wasn't, then there is if I remember a possibility of a reverter but- a reverter was not actually in that deed. Is that right? It was not."

Sandra Mott: "So they will not be able to come back. But they could actually close it on eminent domain?"

Supervisor Kozakiewicz: "I- I- again, we're talking about a federal decision and the Department of Defense or a decision of the President. I'm sure that if there was a state of emergency and an all out war- "

Sandra Mott: "We're at war. (Inaudible)."

Supervisor Kozakiewicz: "-- then there's probably an ability by the federal government to take lands for federal purposes in connection with that event. And that would be a decision made by the federal government- "

Sandra Mott: "Right."

Supervisor Kozakiewicz: "-- as to the need and the extent of the need."

Sandra Mott: "Well, I'll tell you one thing. If they don't take it back and Mr. Burman gets it, he's going to be a happy man."

Supervisor Kozakiewicz: "Mr. Kasperovich."

William Kasperovich: "William Kasperovich from Wading River. I have two resolutions that I'd like to talk about. The first is 958 which is titled accepts performance bond of Wading Woods Associates

LLC offered by Mr. Cardinale and seconded by Mr. Kent. Other than the tax map number which is not always accurate or true is the only indication of what this is all about. A stranger comes in from New Mexico to read this, there's no way that he could tell from the resolution what's involved or what it's all about. I think this is an improper resolution and should be re-written.

I mentioned before the numbering of pages in the resolutions should be instituted as soon as is possible even though I have brought this up several years ago. You take a page out of place or if there is a couple pages missing, there is no way to know what is wrong. And I say they should be numbered. The pages should be numbered. This would facilitate and save a lot of time in the Town Clerk's Office, in people searching things out, and I offer the thought and the suggestion once again.

The last item I have which I suspect there's an involvement with the current budget or the budget for next year, Resolution 982. This is titled authorizes the Town Clerk to publish and post a help wanted ad for Junior Civil Engineer Trainee. And other than the title, it requires a BS in Engineering and Auto Cad experience preferred. Now, we have one senior learned individual who is the town engineer by the name of Mr. Testa who's pretty much alone in this Town Hall. There's nobody in this Town Hall that has any civil engineering experience. Now, we had a young man in here before. He learned his way around; he got some experience and then he flies away to a better paying position. So all our tolerating his lack of knowledge or inadequacies was for naught because when he got a better offer, he took it.

Now here again we're asking for a young fellow we would have to train, we have to educate. And so where does this leave Mr. Testa? He's still standing alone."

Barbara Grattan: "Bill, five minutes."

William Kasperovich: "And you people to my chagrin are not knowledgeable about civil engineering matters. And I think you're overlooking a situation that would be for the betterment of the town to get somebody that- to be helpful to Mr. Testa and not require him to train a young man."

Supervisor Kozakiewicz: "Thank you, Bill. Judy Pitsiokis."

Judy Pitsiokis: "Good afternoon. Judy Pitsiokis, Wading River. Like several of the people who have been up here before me, I have

questions about the airport referendum. I feel I need answers to them before I'm even in a position to have an opinion on the proposal. I'm concerned that the language of the referendum does not clearly set out the range of possibilities envisioned. I'm concerned because it does not appear to me to alert the public in laymen's terms as to such issues as proposed flight frequency, the size of the planes permitted, provisions made for the storage of hazards such as jet fuel, and whether or not the FAA would be involved in the proposal.

One of my big concerns is the tax implications of the project. Transportation officials in New York have said last week that more than 90%, as Mr. Spindler said, of New York's airports lose money. The ones that make money are the large jetports that are located in major metropolitan areas. Much more densely populated than we are. Since I assume you're not proposing a LaGuardia airport, I'm concerned that this will be a continuing drain on the taxpayers of the Town of Riverhead.

I also am wondering what other funding sources might be utilized. In other words, basically, what is this going to cost us and where is the money going to come from both in the short and the long term.

I'm wondering if the proposals are all affected by statements made this week by the Secretary of Transportation Manetta, that funding for small airports will be drastically reduced and the focus will instead be on funding the expansion of large airports. And does it reflect industry estimates of a 20% reduction in flights overall.

I'm wondering how many airport or airlines rather have specifically expressed an interest in locating here, which ones, what jobs they will bring, what those jobs will pay, and what their proposals are in wake of last week's disaster to assure that security is maintained. I'm wondering which proposals that are now being considered for the Grumman property would be jeopardized by an airport. We lost the Wilpon deal due to at least in part to uncertainties about aviation and I'm wondering what others might follow.

Which civic or environmental groups have you worked with to develop this proposal and the language specifically to be placed in the referendum. What do the Supervisors of neighboring towns which will surely be affected by the location of an airport here, think of the proposal? Did they expect to be compensated in any way for the inconvenience to their towns?

And, lastly, what studies have you done on the effect of airports of this type, which type I don't even know what it is, on the value of surrounding homes of the type that we have in the area surrounding this airport or on the value of surrounding areas zoned industrial, commercial and recreational as the areas immediately surrounding the proposed airport?

I just feel like those are the kinds of questions that need to be answered and need to be publicized so that people know what they're voting on. Just looking at the language in the proposed referendum, I have no idea and I suspect that very few people in town would either. Thank you."

Supervisor Kozakiewicz: "Thank you. That concludes the cards. Ann Miloski. George, I have some hands in the back. I'll get to you in a few moments."

Ann Miloski: "My name is Ann Miloski, Calverton. And I live very close to the Grumman site. I'm also a business person in Riverhead. And I have a problem with this Resolution 1008, which authorizes submission of a proposal concerning use of existing facilities at the Calverton Enterprise Park as a public use airport. I feel this resolution is vague. The part on page two that authorizes the referendum is really a disguised bond that will give the Town carte blanche with Riverhead taxpayers' money. It's also a disguise in rezoning of the property and I believe it requires a public hearing. And for that reason, I'm going to have to read this letter of protest which I don't like to do, but I'm doing it anyway."

Supervisor Kozakiewicz, Councilmen Cardinale, Densieski, Kent, Lull and Town Attorney, Dawn Thomas:

We are opposing this resolution because in our opinion it is vague and it is not telling the taxpayers of the Town of Riverhead the truth. Before any proposal or resolution is passed of this magnitude, the Board has to clarify these issues. If this vote is taken today and proves to be harmful and puts the town in legal jeopardy, action to begin litigation will be taken and hold each town member named above responsible.

Thank you."

Barbara Grattan: "Can I have that for the record, Ann?"

Supervisor Kozakiewicz: "Mr. Villella, I saw your hand up

before. Vincent- Vinny Villella, you want to come up?"

Vinny Villella: "Supervisor, Town Board. I'm just going to talk on a couple of issues. But I had a whole folder here that I was going to speak about but I don't think it's the time to do it now because I know you're running the primary and I really don't want to say too much about what's going on. Except for one thing that's been bother me is the ads that you have in the paper. I hope- I know you're not writing them. But tell the person whoever is writing them to stop lying about what's been accomplished and everything. Because some of the issues that you have in there, Supervisor Stark started a few of those programs and I did some. So you can't be taking credit for something- the people won't stand for. I know, Bob, how a campaign goes. I know you probably didn't even have anything to do with this ad. Whoever is in charge of your campaign, let them know because if it's not corrected, I've got pages and pages of facts here that will correct it. And I don't want to do it now."

Councilman Densieski: "Vinny, didn't you complete projects that were started by your predecessor?"

Vinny Villella: "Yes, but I gave them credit for most of them, too."

Councilman Densieski: "You did?"

Vinny Villella: "Yeah, he did a good job. I had nothing against Jim."

Councilman Densieski: "I don't remember you saying that during the campaign."

Vinny Villella: "During the campaign I just came to issues, Ed, that's all I did was issues. There was issues that I didn't care he did and there was a lot of things he did that was fine."

Supervisor Kozakiewicz: "Which I think is true for all of us. We're all going to have differences of opinion on various courses of conduct."

Vinny Villella: "But we have facts here and I want to see- make sure that you correct some- you know, just don't put those in the paper again. You're not fooling the public. Because, if anything, it's going to hurt you. Second thing- "

Supervisor Kozakiewicz: "I'm not sure I know what you are talking about and I guess we should sit down at a time- this is not the appropriate time and place, obviously."

Vinny Villella: "Exactly."

Supervisor Kozakiewicz: "All right."

Vinny Villella: "I don't want to do it now. There's a primary coming up. This- I didn't even know this was on today, this resolution on this airport. Here again, three Supervisors, Janoski, Stark and myself, we stood with the people of the Town of Riverhead. Seventy-six percent of the people in this town did not want an airport up there."

Supervisor Kozakiewicz: "And this is not establishing an airport. This is establishing an opportunity for the public to vote on this at a November election, by putting it on, so- "

Vinny Villella: "I understand that, but- "

Supervisor Kozakiewicz: "It's not- we're not saying yes or no. We're saying to the public, yes or no."

Vinny Villella: "Well, I think it's very vague like the other people were saying about this and I think it's a slap in the face because first of all, you can't even have a referendum. You don't even have the right zoning in place so you can do these things that you want to do. How can you have a referendum? You're putting the cart before the horse. You should have changed the zoning and then asked the people for a referendum if they wanted an airport. You can't do it backwards. I'm not- I'm talking to the whole Board here."

Councilman Densieski: "This referendum language fits the zoning and I have the book here. If you want to argue it, we can do that."

Vinny Villella: "In other words, you want a flight school and you want to keep the 7,000 foot runway- "

Councilman Densieski: "No, I'm just saying those things fit the zoning that we have, Vinny. Those things currently fit the zoning. Do you want me to read it to you?"

Vinny Villella: "You would like to see a general aviation small airport there and a flight school there, especially after what

happened last week, the disaster we just went through? You want to invite more of this?"

Supervisor Kozakiewicz: "I don't think that's what this resolution is saying. This resolution is saying we want the public to decide-- "

Vinny Villella: "I'm just letting you know that the people of this town do not want an airport and if you want to put it up for a democratic vote and everything it's going to go down, exactly the way the Suffolk Theater went down."

Supervisor Kozakiewicz: "Well, that's the- that's the democratic process."

Councilman Densieski: "Then we'll know. Then we'll know. Let the people speak and say that."

Vinny Villella: "And 965, the Handicapped Advisory Committee. Can you let me know- expand on what that's all about?"

Councilman Densieski: "Yes. One member of town that resigned, Trina Miles, moved onto another position, is being replaced by the new Town Board Coordinator."

Vinny Villella: "Okay. That's good. Well, I'm glad to see you're finally doing something after a year and a half because it hasn't done anything for that time so- "

Councilman Densieski: "Well, I just took over that committee recently, Vinny, so I can't speak what happened before then."

Vinny Villella: "No, no, I'm not going against you, Ed, or anyone else. I'm just saying where the hell was it when it was needed a year and a half ago? Thank you."

Supervisor Kozakiewicz: "Well, if you want to go into that- "

Councilman Densieski: "Yeah, I don't think we should answer that right now."

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

Steve Haizlip: "Let George- all right, as long as (inaudible),

that means I've got to get up there."

Supervisor Kozakiewicz: "I said Steve Haizlip."

Steve Haizlip: "Steve Haizlip of Calverton. Thank you for allowing me to come back up. Sue Jagger would never forgive me if I didn't bring up the issue that she asked me to. There's 19 people has signed up for water along River Road beyond Edwards Avenue west, and it's two years and a half in the making and they say they desperately need it, they want good water, and can you speed it up?"

Supervisor Kozakiewicz: "Thank you. Was there a hand in the back, did I see? Tim Yousik."

Tim Yousik: "Tim Yousik, business owner in Riverhead. On the resolution for a referendum this November about the aviation up at the Grumman property, I'd just like to say that I support this resolution. I believe that after several years of this being hashed around on whether it's a proper use or not a proper use.

I believe that Mr. Villella was incorrect. I believe the majority of the people in this town actually want to see an airport but more importantly I think they should have the right to at least vote on it. I think it's the responsibility of groups for and against to educate the people however they see fit before the time comes to vote. But I believe the people in this town have a right to take a piece of property that was a gift to us, that has the potential of being a major economic generator, I believe the people of this town have the right to vote on which should go up there. So I support this resolution. Thank you."

Supervisor Kozakiewicz: "Rita Hodun."

Rita Hodun: "Rita Hodun, Calverton. We know there's no airport in Calverton; there's never been an airport in Calverton. Now, you're asking the taxpayers for money for an airport. Do you have the site plan and how much it would cost the taxpayers to make an airport in Calverton? And is all these people that come for out of town and speak for an airport, is all their testimony going to be disregarded? Because it only affects and taxpayers and voters in the Town of Riverhead. Anybody else that spoke, all their testimony should be thrown out because they don't pay the taxes. The people in this town will pay the taxes and pick up that burden. But I would like to see the plans you have for the airport."

Supervisor Kozakiewicz: "Are you suggesting- are you suggesting that we enact the rule that anyone who doesn't live in the Town of Riverhead, doesn't have a right to speak?"

Rita Hodun: "I didn't say that."

Supervisor Kozakiewicz: "At this podium?"

Rita Hodun: "They have a right to speak."

Supervisor Kozakiewicz: "Right. Okay."

Rita Hodun: "But the taxpayers of Riverhead town pay-- when they're soliciting and lobbying for us to spend money. It's the taxpayers in this town that's going to pay, not the out of town people. Out of town people can talk, but don't let it cost the taxpayers in this town money that we've got to pay."

Now, I would like to see the site plans and the bids that are how much it would cost to make an airport in Calverton."

Councilman Densieski: "Rita, we're not going to own any of the infrastructure. Private industry is going to do that. The only thing we're going to own is the runways and the taxiways. Private- "

Rita Hodun: "Well, who's going to- who's making this airport? Because there is no airport. There never was an airport in Calverton."

Supervisor Kozakiewicz: "This is not making an airport. This allowing a referendum in a vote in November for the people to decide whether it should be or shouldn't be. That's what this referendum is doing, this resolution."

Rita Hodun: "Should be or shouldn't be what?"

Councilman Densieski: "An airport."

Supervisor Kozakiewicz: "A public airport, public aviation use. That's what it says."

Rita Hodun: "So who's paying for this?"

Supervisor Kozakiewicz: "And as pointed out, I think, by one of the prior speakers- "

Rita Hodun: "You're not answering the question. Who's going to pay for this?"

Councilman Densieski: "If the referendum passes, the taxpayers will pay. But, hopefully, they will receive benefits back."

Rita Hodun: "Right. The taxpayers are going to pay. Well, how much are the taxpayers going to have to pay? You have to tell- "

Councilman Densieski: "It depends on how much industry you get. There are ways to get (inaudible)."

Rita Hodun: "What- industry has got nothing to do with it. You're talking about an airport."

Councilman Densieski: "The only thing the town would own would be the runways."

Rita Hodun: "You're talking about an airport which isn't there and now you are saying the taxpayers have got to pay. How much will the taxpayers have to pay?"

Councilman Densieski: "The cost of fixing the cracks, fixing the taxiways and mowing the grass. I don't think it will be a tremendous amount of money. I think we can realize a profit."

Rita Hodun: "I think you've got to tell the taxpayers what they're voting for and how much."

Councilman Densieski: "Yeah, I agree."

Supervisor Kozakiewicz: "I'm sure that will be distributed. Thank you."

Rita Hodun: "Before it comes up for election?"

Supervisor Kozakiewicz: "I'm sure, I'm sure."

Rita Hodun: "Okay, now, the planes that were tied there at the Long Island Skydivers, at the polls for the primary, a person came up and said after election, I will tie my plane back there. Now, if those planes are tied back there, does he lose his lease? Because his lease did not say that he could tie planes there. I saw those planes tied there in May because I was there."

Supervisor Kozakiewicz: "The individual who has the use of the license agreement was allowed his use for a certain number of planes and it's been made abundantly clear that he must adhere to and abide by the license agreement."

Rita Hodun: "How many planes can he have tied there?"

Supervisor Kozakiewicz: "My- I think it's three. Three."

Councilman Densieski: "I think it's three."

Supervisor Kozakiewicz: "Okay?"

Rita Hodun: "Okay. There's one other thing. And I know it's very hard with you with the state, but the Charter School. There is no sign warning that there's a school there. Many people don't know there's a school there and I don't know if the school district and if the Town wrote letters. Even if they put a marking on the road or put signs there's a school there. Many people go flying through there. They don't realize there's a school there. And I was hoping maybe the Town could also write a letter and address the state that some warning sign should be put there. I- some of these people still don't slow down and don't realize there's a school there and it's very busy."

Supervisor Kozakiewicz: "That's a very good idea and we will notify DOT."

Rita Hodun: "I mean, I know it's not easy and it's a long process- "

Supervisor Kozakiewicz: "Right."

Rita Hodun: "-- but maybe a letter would- "

Supervisor Kozakiewicz: "It should start."

Rita Hodun: "-- a letter should be sent out just to address that there's a school there. Thank you."

Supervisor Kozakiewicz: "I saw another hand in the back. Bob Miller, please."

Bob Miller: "Bob Miller, Calverton resident. I want to speak also on the airport I guess in vague terms because I think general aviation, public aviation is questionable at this time anyway. But

I'll just bring a point and I think a lot of people have a lot of good points on both sides but I'm going to start with saying maybe money is the root of all evil, I heard that once.

It strikes me that if someone wants to do something badly enough, there's probably money at the end of it, someone has got to make money on it. Someone is going to make money on it. It doesn't sound like the Town because the townspeople will probably pay taxes. So it's probably going to be someone else.

I think with this airport also, if it's put in, the co-existing uses will be very limited. It's certainly going to be less than say light industrial or the like. It certainly won't be more. Like one gentleman alluded to, it could be motor cross, that would be a co-existing use. If you live in Calverton, that wouldn't be the greatest thing.

And I think the last point is, if it does come down to a vote, hopefully, it will be voted against but I think the laymen have to really know the information about the airport. My personal view is that it's mostly negative because I don't have a plane. But, it's- when you talk about tax ramifications, where you live proximity to an airport, it certainly can't be better.

So I think one of the questions you want to come up to- is it better for us? My vote would be no but I think we have to get the information out to the people. Thank you."

Supervisor Kozakiewicz: "Thank you. Joan Griffin."

Joan Griffin: "Good afternoon, Joan Griffin, Baiting Hollow. I just have some information I want to share with you. First piece of information is from New York State Airport System Plan and they give facts and figures about putting a general aviation airport in. The total amount of money need to do this is \$244 million dollars. The federal projected money that they will supply for this is \$72 million of it. The state will match it with \$4 million. Local is the question. \$4 million. Is that the county or the Town of Riverhead? Total projected available if you add those three figures up is only \$80 million dollars. The unmet need is \$164 million dollars or 67% of the money needed to put this airport into use for general aviation.

Another piece of information I have for you is privately owned public use airport. This is from New York State Office of Real Property Services. Those communities that are served by privately

owned public use airports receive the benefits of having convenience access to aviation facilities and services without the need of local government subsidies to cover operating costs as would be expected at a municipality owned airport. Many private airports operate at a minimum profit or at a loss. As a result, private airports have closed at the rate of one or two a year over the past 20 years in New York State.

A number of privately owned airports have accepted state and/or federal grants for capital improvement. This process requires that the airport continue as an airport for a specified period of time and if the land donation credit commitment is made by the sponsor, the airport property to be used for public aviation purposes are forever. These commitments affect the airport property to the value of sale purposes. And, once again, that's from New York State Office of Real Property Services.

Insurance for the airport. Some more information to think of. From the New York State Department of Transportation mailed out a survey to over 250 general aviation businesses, organizations, clubs throughout the state in the year 2000. Preliminary data from 24% response to the survey as of September 27th. This is last year obviously. Of those 25 businesses are considering reducing services or going out of business while four businesses have completely closed down. More than 88% of the respondents providing aircraft charter rentals stated that these rates have seen increases including 66% of those seeing a reduction of flying times, potentially related in the rate increases. Out of all the surveys received, 63 respondents- 63% responded to the premium increase question indicating an increase in the insurance premium ranging from no impact up to 170% increase in one year and some of these increases came with reduced coverage. The average increase from '99 and 2000 was 30% a year.

So that's where the state stands on helping us out. They're not going to help us out that much. We're 67% short of money."

Supervisor Kozakiewicz: "Those figures you cite, is that to build runways and taxiways from scratch and not take into consideration an existing runway?"

Joan Griffin: "They're taking into consideration existing. That's New York State Airport System Plan."

Supervisor Kozakiewicz: "I know. But what I'm saying is, is the plan that you have- "

Joan Griffin: "Is taking into consideration existing airports or runways."

Supervisor Kozakiewicz: "-- that number- that's including existing runways, existing structures, etc.?"

Joan Griffin: "Correct. Okay. Another thing was- "

Supervisor Kozakiewicz: "Can we get a copy of that plan?"

Joan Griffin: "Oh, sure, I'll bring it into Barbara's office."

Supervisor Kozakiewicz: "Thank you."

Joan Griffin: "Also, another thing always mentioned is high paying jobs. We know averaging what it can do and stuff. Brookhaven airport has 86 jobs with \$1,939,000 in payroll. That averages out to \$22,546. I know there's high paying jobs of \$100,000. I know there's low paying jobs of \$12,000. It's an average. It's like when Suffolk Theater was being proposed to us. The average taxpayer will pay only \$46.00 a year and it will be going down over 20 years. Well, if the people in the trailer parks weren't going to pay \$46.00 and people with bigger homes were paying more than \$46.00, so that's all I have to say."

Supervisor Kozakiewicz: "Thank you."

Joan Griffin: "Thank you."

Supervisor Kozakiewicz: "George, and then I'll let Mr. Davis. You got it, George? All right."

George Schmelzer: "Don't forget we have a 10,000 foot runway there. Why do they use the 7,000 foot. They're there already, worth millions. People don't want it, vote against it. If you want it, vote for it. People have a right to decide. This might be indefinite but if it was very definite, they'd kick about that, too. So as far as the airport is concerned, why didn't the previous Supervisors see to it that the state got the land and they agreed to pay taxes on it? Not a word said about that. So, people should have a right to decide. This is it. We've been waiting for this for a long time. I have heard that people are interested in aviation, they can't deal with the town because the town is too vague, because they don't know themselves what to do."

So, as far as the taxpayers wasting money, look at our school district. I looked at the figures two years ago, Mr. David Carlson, the money man manager of the school district, it costs the taxpayers in Riverhead within District 2, almost \$5 million in subsidizing that part of the district which lies in Brookhaven and Southampton. That's okay, though. So we have like a ping pong game going on between the Town Board and the school district. The school district has said it's up to the Town Board; the Town Board says it's up to the school district. So nothing gets done. Nobody seems to care. That's something that should be worked on.

We're talking about saving money. So, there you go. Let the people decide. They say the people don't know. People are not so dumb. Let them decide whether we can have an airport there. After that, we can decide what to do. But let it be that way. Really.

And these people in Wading River and Calverton, the few individuals that think they can run the whole town, why should they? Why should it be (inaudible) the whole town? The whole town should decide and not just a few people at the west end here. Yeah.

Now if the- looking at it, if you had a real commercial airport there like LaGuardia, why, maybe some of the people would move out. That would be better. Let them go back where they came from. Get rid of them. Once they come here, they want to close the door to everybody else, see. So they call it saving the land. Well, we should have a real airport there, all commercial, all the noise you can get. Let these bastards move back where they came from."

Supervisor Kozakiewicz: "George- "

George Schmelzer: "Yeah?"

Supervisor Kozakiewicz: "Watch your tongue."

George Schmelzer: "Well, I'm just telling you what I think. So go ahead with that vote, let the people decide. They can decide yes or no. It's up to them. Very free to vote."

Supervisor Kozakiewicz: "Thank you, George."

George Schmelzer: "That's it."

Supervisor Kozakiewicz: "Thank you."

Councilman Densieski: "George, it looks like you're feeling much better after your surgery."

George Schmelzer: "Well, I'm- I don't feel- not feeling that good. I've got to be very careful. I don't want to fall down on the floor because I might hurt the floor. Okay, thank you."

Supervisor Kozakiewicz: "Thank you."

George Schmelzer: "Thank you."

Supervisor Kozakiewicz: "Mr. Davis."

Lester Davis: "In regard to the proposal for the Grumman land referendum, for or against, the- I'd like- one thing- "

Supervisor Kozakiewicz: "Mr. Davis? I just need your name and address for the record, please."

Lester Davis: "Oh sure, Lester Davis."

Barbara Grattan: "Thank you."

Lester Davis: "And I know there's been a lot of questions about what general aviation is. But to put it simple, it's everything- aviation operations except the airlines and military. That's about the size of it. And now a little of my background, just for a moment.

I built the Coram Airport about 40 years ago. Ten thousand people moved in. After we opened, we never, ever had a single complaint because, two reasons. We had decent buffer areas. There was industrial property for a half a mile- more than- three-quarters of a mile in one direction and some in the other direction (inaudible). And we ran a tight ship. Anybody didn't fly like they were supposed to, they were banned or reported to the FAA.

But, anyway, the Riverhead voters had the opportunity to vote regarding the Riverhead Theater funding and then why should they not have the same privilege here so to speak? Now, something I'd like to clear up. We've heard so much about airports losing money. And I talked to the airport managers, East Hampton, Westhampton, Brookhaven and they're all financially sound.

Now, I will say this about Brookhaven. This is a matter of record. My father used to be a councilman there a number of years

ago, a Town Board member and so forth. This is now, today, and this came from the airport management. Their monies that come into the airport go into the general budget and naturally they're losing money then. Check with Brookhaven, see if that isn't so.

Now, the- I just want to put my notes together here. The- okay, I cleared up the point, hopefully, about financial help and the- oh, make a comparison now. New Jersey, by the way, they have a program that passed their legislature by over 90%-- higher than that, signed by the Governor, that the State of New Jersey will buy the development rights on an airport that's going to be sold, going into a shopping center or housing development or what have you. And, again, it passed the legislature by 90- that give you an idea how they value their airports and their transportation system.

The- just to- oh, here's another misconception. We keep hearing about having how much it's going to cost the taxpayers. Ninety-eight percent of the funding for improvements are paid for by the FAA, not the taxpayers. And it's not even the federal taxpayers. That money is accrued- from assessments from users of all airports. There's even a head tax when you get on an airliner, that's included. Every time that airplane lands and so forth.

And the feds- I used to know the number but it's in the billions today. The- I know a comparison has been made to Westhampton. Well, if I lived over there, I think I'd (inaudible) a little bit. But, if Westhampton had the same buffers that this Grumman field has, there wouldn't be a house all the way from the Westhampton Airport to the ocean. And, again, this is- there isn't a handful of airports in the country that have the built in buffers for up to four miles.

Okay, that's it."

Supervisor Kozakiewicz: "Thank you. Sid Bail."

Sid Bail: "Sid Bail, President of the Wading River Civic Association, plus I'm the head bastard. Some comments on the proposal for a referendum. Two areas I'd like to focus and the idea of let the people decide. I think Steve Kirschenbaum and I think Mike Spindler kind of like complimented each other in their approach to this and Steve talked about a vote for an airport would be a clear vote for the- or someone who votes for the referendum would be a clear vote for the democratic process and voting against it would be a vote against the democratic process.

Now, it seems to me that as Mike Spindler pointed out very, very well, is that you have to know what you're voting about or it makes a travesty of the whole system. About a year ago, we went through this referendum business before and it was a travesty. I went to the work session, I listened to you guys, I came to that meeting. The night it was up we discussed it. You didn't have your hands around it. I've been going to the work sessions religiously, all right, although I missed Monday's work session and my feeling is you don't have your hands around this issue.

Mike's questions about the difference about a part 121 and a part 135, I think, is a very, very valid question. It is a complex issue. When we talk about FAA funding, there was a Suffolk Life editorial where we talked about 95% of the capital improvements being paid for. And, you know, as it turns out it's- Republic Airport in Farmingdale, is the only one that's a part- I guess is a part 135 airport.

This country- this was a tough week for this country, we all know that, was founded upon democratic processes but it was also founded upon republican principles. I am sure, Mr. Supervisor, you read the Federalist papers and I think James Madison and I think Alexander Hamilton and John Jay would be turning over in their graves because to say that the people should decide on a matter that's so poorly and I can't emphasize so poorly written, so poorly drawn as this one, is a real travesty.

I think we elected you people to decide. And one other thing that bothers me and I hate to be uncivil especially since this has been a tough week, is the idea that if you guys pass this, we'll let both sides or the different sides educate the people. Educate the people, with ads in Suffolk Life? Ads in News Review? The election season is not exactly the best forum for educating the people. And that really bothers me. That's like a failure of leadership."

Supervisor Kozakiewicz: "Okay. Anybody who has not had a chance to address the Board? Mr. Langhorne. Anybody who has not. No, anybody who has not. I'd like to move forward, Mrs. Patrikis."

Butch Langhorne: "Butch Langhorne, resident of Calverton. One question that has not been addressed on this issue is do you know how much it's going to cost for this referendum and who is going to pay for it?"

Supervisor Kozakiewicz: "I'm sure it's the same answer that was the last referendum, Board of Elections."

Butch Langhorne: "Will the Board of Elections pay for it?"

Councilman Cardinale: "I'm not certain that's accurate. It depends. They do when there has been as Bob knows a petition and the necessary votes obtained. However, in this instance, we're foregoing that, we're not having that process. We're simply saying we want to and I'll remark about this. I think there are some problems with that issue. But basically it's true that when there is a petition, that the Board of Election paid for the entire cost of the theater election. But when the Board by its own resolution causes the election, if I'm at the Board of Election in the County, I'd say, well, you wanted it, you pay for it. So we have to look and see and I think we should have that answer before we vote."

Councilman Lull: "It's not a special (inaudible)."

Supervisor Kozakiewicz: "There's going to be machines in polling occurring anyway. Right?"

Councilman Cardinale: "Yeah, well, that's true. That might help."

Supervisor Kozakiewicz: "But this would be an extra proposition added to the November 6th ballot which is just a general election anyway so I mean that's existing."

Butch Langhorne: "Okay."

Supervisor Kozakiewicz: "All right?"

Butch Langhorne: "Okay. Could you- "

Supervisor Kozakiewicz: "We know that that election is being held."

Butch Langhorne: "Yea. Could you just check to make sure whether that, you know, this portion of it is going to be absorbed by the County or will that come to the taxpayers of Riverhead?"

Councilman Densieski: "I'm sure it is."

Councilman Cardinale: "I think it's a good question to ask."

Supervisor Kozakiewicz: "We have two ways to address this and one would be to hold a Special Board Meeting at a later time which- to

get these issues addressed- "

Butch Langhorne: "Which might not be a bad idea."

Supervisor Kozakiewicz: "Well- I- the only downside to that is I know people don't always get the chance to attend the Special Board Meetings. And there's always the inference, well, geez, why did that do it at a Special Board Meeting as opposed to a regularly scheduled Board Meeting."

Butch Langhorne: "Good point. I have another question I'd like to ask and that's on the Swezey foundation that was filled up. First of all, it certainly looks good- "

Supervisor Kozakiewicz: "Right."

Butch Langhorne: "I think that hopefully it will have been done the right way."

Supervisor Kozakiewicz: "The Building Department and Town Engineer were out there. They worked very closely with the engineer and construction manager for the project. There were drainage rings and other items done, further request of the Building Department and the Town Engineer to ensure that it was done in the proper fashion."

Butch Langhorne: "Okay. So those walls, those existing walls did not have to be removed?"

Supervisor Kozakiewicz: "They did it with the condition that they had to locate them and note them for future- when it is being built out. So there was conditions put and I can provide you with a copy of the letter that was sent from the Building Department to the Swezey organization as far as the manner in which that was done."

Butch Langhorne: "Did a permit have to be issued for that?"

Supervisor Kozakiewicz: "Not that I am aware of."

Butch Langhorne: "Should a permit have been issued for that?"

Supervisor Kozakiewicz: "I don't believe so but I'll- I- if Mr. Barnes is here, maybe he can address that question. He's not, okay. I'll get back to you on that, Bruce, I mean Butch."

Butch Langhorne: "Okay. I have a 20 by 40 pool in my backyard."

It's not used. So if I want to fill it now because of lack of use, I don't need to get a permit?"

Supervisor Kozakiewicz: "I'll have the Building Department get back to you on that."

Butch Langhorne: "Thank you."

Supervisor Kozakiewicz: "I'll verify that. Anybody else who has not had a chance to speak? If not, we'll take up the resolutions."

Resolution #958

Councilman Cardinale: "Resolution #958 accepts the performance bond of Wading River Woods Associates LLC. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "This is a performance bond for a subdivision."

Supervisor Kozakiewicz: "Right."

Councilman Cardinale: "Um, as most of the Board knows, I generally vote against these because I believe letters of credit are more appropriate and required by our ordinance. So I vote no."

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

Resolution #959

Councilman Kent: "This authorizes the release of a performance bond from Sellpan Enterprises Ltd. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded. In the first Whereas, it should be two zeroes, not three. With that amendment?"

Barbara Grattan: "Okay."

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

Resolution #960

Councilman Densieski: "Authorizes the release of cashier's check and accepts performance bond of James Tsunis. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #961

Councilman Cardinale: "Approves the temporary sign permit for two temporary banners for the Riverhead Democratic headquarters. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent."

Councilman Kent: "Abstain (inaudible)."

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

Resolution #962

Councilman Kent: "Approves two temporary sign permits for Gabrielsen's (Helen's) Country Farm. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "I'm sorry. You are on 961?"

Barbara Grattan: "962."

Supervisor Kozakiewicz: "962."

Councilman Densieski: "Yes."

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

Resolution #963

Councilman Densieski: "Approves the temporary sign permit for Black & Decker. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #964

Councilman Kent: "This resolution appoints recreation aides for the purpose of being basketball leaders to the Riverhead Recreation Department. Names are attached. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #965

Councilman Densieski: "Amends Resolution 369 and appoints a member to the Handicapped Advisory Board. That person is Gina Chew. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #966

Councilman Densieski: "Authorizes the Supervisor to execute a license between the Town of Riverhead and the Riverhead Congregation Church of Jehovah's Witnesses. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent."

Councilman Kent: "Yes. Isn't it license agreement though or is it just- "

Supervisor Kozakiewicz: "It's a license agreement, that's correct."

Councilman Kent: "Okay. Because it should- it just doesn't have the word agreement in the Resolve clause."

Supervisor Kozakiewicz: "It should be in the- and also in the heading of the Resolution, there should be the word agreement after the word license."

Councilman Kent: "On the top of page two just add the word Agreement."

Supervisor Kozakiewicz: "Okay."

Councilman Kent: "Yes."

Barbara Grattan: "Page two, execute the attached, okay. Kent, yes."

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

Resolution #967

Councilman Lull: "Authorizes submission of an application to Suffolk County for additional funding for downtown revitalization

project. So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #968

Councilman Kent: "This is a resolution adopting findings and determination pursuant to Article 2 of the Eminent Domain Procedure Law regarding acquisition of property located at 204 Court Street, Riverhead, New York. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #969

Councilman Lull: "Similar to the previous resolution. Adopting findings and determination pursuant to Article 2 of the Eminent Domain Procedure Law regarding acquisition of property located at 207 Railroad Street, Riverhead, New York. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #970

Councilman Densieski: "Resolution adopting the findings and determination pursuant to Article 2 of the Eminent Domain Procedure Law regarding acquisition of property located at 217 Railroad Street, Riverhead, New York. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #971

Councilman Cardinale: "971 again is a resolution adopting findings and determination pursuant to Article 2 of the Eminent Domain Procedure Law regarding acquisition of 201 Railroad Street, Riverhead, New York. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #972

Councilman Kent: "This is a resolution adopting findings and determination pursuant to Article 2 of the Eminent Domain Procedure Law regarding acquisition of 210 Court Street, Riverhead, New York. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Cardinale: "I think I'll vote yes, too."

Barbara Grattan: "Good, the resolution is adopted. Have to be awake here."

Resolution #973

Councilman Lull: "Awards bid on a new four ton diesel fired asphalt reclaimer/storage unit. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "Before I vote on this, could somebody tell me what a four ton diesel fired asphalt reclaimer/storage unit is?"

Councilman Densieski: "I believe it's one of those things that takes the tar off a road and then puts it back down in a smoother condition."

Councilman Cardinale: "Well- "

Councilman Densieski: "Like they just did today."

Supervisor Kozakiewicz: "It reclaims the asphalt, grinds it up, melts it down- "

Councilman Densieski: "Uses the same old stuff that was on the road."

Supervisor Kozakiewicz: "-- and then it can be reused again."

Councilman Cardinale: "That's fascinating. Thank you. And I suppose this is not one of those luxury items you buy even if you don't need, so I'll vote yes."

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

Councilman Kent: "I need one. Yes."

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

Resolution #974

Councilman Kent: "Resolution 974 awards a bid for the annual construction contract. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #975

Councilman Densieski: "Awards bid for equipment for pollution prevention. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #976

Councilman Lull: "Rejects bid for coffee snack vendor truck service. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded. It should also say rejects bid and awards bid."

Councilman Kent: "It doesn't- "

Councilman Cardinale: "But it should."

Supervisor Kozakiewicz: "It's doing both."

Councilman Cardinale: "Yeah, we- let's- "

Councilman Lull: "Yeah, I'm sorry. The heading should say both. The third Whereas- "

Barbara Grattan: "So you want rejects bid and awards?"

Councilman Lull: "And awards bid."

Barbara Grattan: "Okay. Densieski, is that a yes?"

Councilman Densieski: "Yes."

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

Councilman Cardinale: "I was so delighted when the coffee snack vendor up at Calverton offered \$12,100 for the annual rights to sell coffee up there. I remember saying, wow, he must really sell a lot of coffee. However, he never came up with the money. And the second bid- the second bid was \$600. My only question is should we- "

Supervisor Kozakiewicz: "The only other bid."

Councilman Cardinale: "Yeah, the only other bid. Should we re-bid this, do you think, or should we just end the misery? Oh, we're supposed to close soon, okay, yes. I'll take the \$600."

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

Resolution #977

Councilman Densieski: "Authorizes the Town Clerk to advertise for bids for traffic line striping. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #978

Councilman Kent: "This is an authorization to publish a bid for ink cartridges, toner and ribbons. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #979

Councilman Cardinale: "979 is an authorization to publish a bid for equipment for pollution prevention. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Supervisor Kozakiewicz: "Before I vote, I just want to explain because there was an earlier bid that awarded a bid for the pollution control. That was only for part of this bid, we had to re-bid it. And that's the reason why there's two of them which seems inconsistent. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #980

Councilman Densieski: "Authorizes the Town of Riverhead to remove rubbish, debris and the cutting of grass and weeds from property pursuant to Chapter 96 entitled Trash Rubbish and Refuse Disposal of the Riverhead Town. And that is at 431 Kratoville Avenue. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "I have a couple problems with this one. The front page of the resolution describes the property as 432 Kratoville. The notice describes it as 432. The tax map number is 14-2-18.1 and on the notice it is 124-2-18.1. In light of that, is there- "

Councilman Lull: "Move to table."

Councilman Densieski: "Second."

Councilman Cardinale: "Well, we could tear them both down."

Supervisor Kozakiewicz: "I don't think we want to do that. I think we should get the right property before we take action."

Barbara Grattan: "Lull and Densieski to table. Was it?"

Councilman Lull: "Yes."

Supervisor Kozakiewicz: "Moved and seconded to table, yeah."

Barbara Grattan: "Okay."

The Vote: "Densieski."

Councilman Densieski: "Yes, to table."

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

Resolution #981

Councilman Densieski: "Authorizing the sale of a non-exclusive easement over certain real property of the Riverhead Water District that is not required exclusively for the purposes of the Riverhead Water District to and authorizing the settlement of Ronald Schmitt and Lillian J. Schmitt v. Riverhead Water District, Suffolk County Supreme Court Index No. 00-24381. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Chris- "

Councilman Kent: "Before we go to a vote- "

Supervisor Kozakiewicz: "Moved and seconded. Chris, you have a motion to- "

Councilman Kent: "Yeah, I just have a suggestion to add one word in three places."

Supervisor Kozakiewicz: "Word- go ahead."

Councilman Kent: "One word in three places."

Supervisor Kozakiewicz: "Discussion,"

Councilman Kent: "The word exclusively should be added after not required."

Barbara Grattan: "Where is that?"

Councilman Kent: "In the heading. Fourth Whereas clause and the first Resolve clause."

Barbara Grattan: "Okay. Have you got it marked there, Chris?"

Councilman Kent: "Yes."

Barbara Grattan: "Good."

Supervisor Kozakiewicz: "All right, so-- just so we all have that. It's the heading, it's exclusively after not required, the one, two, three, fourth Whereas, and then the- "

Councilman Kent: "First Resolve."

Supervisor Kozakiewicz: "First Resolve. Okay. Okay, and a motion to move it as amended?"

Councilman Lull: "So moved."

Supervisor Kozakiewicz: "Seconded. I mean- thank you for (inaudible). Thank you."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Okay, vote; please."

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

Resolution #982

Councilman Lull: "Authorizes the Town Clerk to publish and post a help wanted ad for a Junior Civil Engineer Trainee. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Yeah, I hope we get somebody sooner rather than later. Yes."

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

Resolution #983

Councilman Kent: "This promotes Louis Coronese to Animal Control Officer II. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Yes, Lou is doing a good job. Yes."

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

Resolution #984

Councilman Kent: "This sets registration fees for the Riverhead Recreation Department. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #985

Councilman Densieski: "Grants employee advance on vacation time. This is one of our employees who is an excellent employee who has somebody that's not well in the family and needs a little time. So we're going to advance him vacation. Yes."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

The Vote: "Densieski, yes; Cardinale, yes."

Councilman Densieski: "I jumped the gun again."

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

Resolution #986

Councilman Lull: "Accepts the resignation of Milton J. Tyte in the Street Lighting Department. So moved."

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #987

Supervisor Kozakiewicz: "This one needs to be tabled."

Councilman Densieski: "Authorizes- "

Supervisor Kozakiewicz: "This one needs to be tabled. There's a mistake in the source of funds and where it's going."

Councilman Densieski: "Okay."

Supervisor Kozakiewicz: "We will need to obviously get it on before the next meeting which is before the STOP date of October 6th, but there was a- the miscellaneous account doesn't have those funds in it."

Councilman Densieski: "Motion to table 987."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded to table."

The Vote: "Densieski."

Councilman Densieski: "Yes, to table."

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

Supervisor Kozakiewicz: "Yes, to table."

Barbara Grattan: "Resolution is tabled."

Councilman Lull: "Actually, can we table (inaudible)."

Resolution #988

Councilman Kent: "988 is a general fund budget adjustment for various items that require adjusting. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #989

Councilman Densieski: "Amends Resolution #900 of 2001 which approves the application of LJ O'Neill Shoe Co. Florsheim Group, Inc. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #990

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

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #991

Councilman Lull: "Budget adjustment in the Sewer District. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #992

Councilman Kent: "This is a budget adjustment from the recreational- the special trust for recreational improvements, \$50,000, \$25,000 of it going to the All Children's Playground project and the other \$25,000 going to Iron Pier Beach improvement project. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes."

Councilman Densieski: "If you haven't been to Stotzky Park to see the children's playground, take your children there, it's really nice. Yes."

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

Councilman Cardinale: "And you have an extra one to take there, too, don't you?"

Councilman Densieski: "Yes, I do."

Councilman Cardinale: "Yes, I vote yes."

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

Resolution #993

Councilman Lull: "Is a budget adoption for 2001 highway equipment capital project budget adjustment. So moved."

Councilman Kent: "Seconded. This actually gives the money to."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull,

yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #994

Councilman Densieski: "Sound Avenue and Twomey Avenue capital project budget adjustment. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #995

Councilman Lull: "Highway Department budget adjustment. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #996

Councilman Kent: "This approves the first half of the application of Darkside Productions for their haunted house on Route 25A in Wading River. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Yeah, I just want to take a minute to thank Councilman Lull because he spent a lot of time working with the police, working with the State of New York and working with the people who have the haunted house to get some of the traffic issues straightened out. So, thank you, Jim. I vote yes."

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

Kozakiewicz, yes. The resolution is adopted.

Resolution #997

Councilman Cardinale: "This approves the second portion from October 19th through the 31st of October of the Darkside Productions haunted house. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #998

Councilman Densieski: "Approves the application of Helen's Greenhouses for hayrides. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #999

Councilman Lull: "Approves the application of Helen's Country Plant Farm for hayrides. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1000

Councilman Lull: "Approves the application of Martha Clara Vineyards for a wine sampling and agricultural and science exhibit. So moved."

Councilman Kent: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Yeah, that's one of Riverhead's newest tasting rooms, the Martha Clara Vineyard, and we need some more vineyards in town. So I'm going to vote yes."

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

Resolution #1001

Councilman Kent: "This resolution is authorizing the town's match for the administration of the Economic Development Zone. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Yeah, I believe ours is in kind services, our match (inaudible), so I vote yes."

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

Resolution #1002

Councilman Densieski: "Authorizes the Town Clerk to post and publish attached notice to bidders for Onan/Cummins Gen Set, Model, 60ENA Generator. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1003

Councilman Lull: "Authorizes the Town Supervisor to execute change order No. 4- and final?"

Supervisor Kozakiewicz: "Final."

Councilman Lull: "Final-- for advanced wastewater treatment facility upgrade and improvements. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1004

Councilman Densieski: "Authorizes the Town Clerk to publish and post notice for a public hearing for the special permit of William Dreis and Anthony Specchio and refers the petition to the Planning Board. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1005

Councilman Densieski: "Authorizes the Supervisor to execute an agreement between the Town of Riverhead and a Riverhead Police Department employee. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "Well, having never voted for a contract

in four years, I don't want to break my record. I, as you know, I hope- do not think that individual contracts with individual employees is a good idea. It breeds favoritism, it breeds inequality, and it breeds bigger numbers than if you negotiated in another manner by simply setting the salary by resolution and indicating the benefits by resolution. So I vote no."

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

Councilman Kent: "This particular employee has been without a contract since December 31, 1998. What we're doing here is reaching an agreement with him. This is a matter that's been the subject of litigation, where this particular employee brought an action against the town. What we're doing actually is settling two years worth of that suit, 1999 and 2000 for approximately \$17,000. So I'll vote yes."

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

Supervisor Kozakiewicz: "This is the same individual who was also our contact during the emergency operations and while that had no role to play with the negotiations, I'd just point that out. And I vote yes as well."

Barbara Grattan: "The resolution is adopted."

Resolution #1006

Councilman Densieski: "Approves the application of James A. Stakey for hayrides. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1007

Barbara Grattan: "Resolution 1007 to pay bills."

Councilman Lull: "So moved."

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1008

Councilman Densieski: "Authorizes the submission of a proposition concerning use of the existing facilities at the Calverton Enterprise Park as a public use airport. So moved."

Councilman Lull: "I'll second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Discussion. I'd just like to- in the third Whereas, where it says airport, change that language to airfield."

Supervisor Kozakiewicz: "Any other changes?"

Councilman Kent: "Where it says the existing airport- "

Councilman Densieski: "The third Whereas, yeah, existing airport, change to airfield."

Councilman Kent: "Actually, that was a question I was going to ask."

Supervisor Kozakiewicz: "Any other discussion?"

Councilman Kent: "I actually have some- some suggested amendments to the abstract. I mean it's my hope that this gets voted down. I mean I'm going to vote no but if we are going to go to referendum, I'd like the public to have as much information as we can provide so that they can make a knowledgeable vote on the issue.

First of all, I do have some questions. At what point are we going to provide the information regarding the cost associated with the operation of the public airport? What impact this decision will have on our taxpayers in this year's town budget? And if we cannot answer these questions, how do we expect the residents to have a- to cast a knowledgeable vote on this issue? Do we know when we're going

to provide the information or- "

Councilman Densieski: "I have estimates on those repairs which I will be glad to share during the work session with the entire Board."

Councilman Kent: "Can I- "

Councilman Cardinale: "I think it's a question of whether the public- when the public gets that information, too."

Councilman Lull: "Well, I think they get that at the work session. Right."

Councilman Densieski: "Work session."

Councilman Cardinale: "But if there was no work session before the vote, then they won't have it before the vote."

Councilman Densieski: "Well, there will be six weeks or more before the vote so I think that's more than enough time for anybody that is interested to get the information needed."

Councilman Cardinale: "I- "

Councilman Kent: "Are we going to include- are we going to appropriate the necessary funds in this year's operating budget?"

Supervisor Kozakiewicz: "If- I- "

Councilman Kent: "Or is this going to be some kind of a bond that we vote on in January after we decide that the airport is going to open?"

Supervisor Kozakiewicz: "It calls for the appropriation of monies from the 2002 budget but in the course of preparing the 2002 budget at this point in time, I have not included funds for this purpose. Did not intend to."

Unidentified from the audience: "Speak up, please."

Supervisor Kozakiewicz: "I didn't, you know, as I'm preparing the budget now, it did not include any monies for this purpose."

Councilman Kent: "Okay, now, are you going to- your budget is

due to us by September 30th."

Supervisor Kozakiewicz: "Correct."

Councilman Kent: "Are you going to include in your presentation to the Town Board the necessary funds to ah- to repair, maintain and operate the facilities?"

Supervisor Kozakiewicz: "I have some of the estimates for that and that's something I will be talking to Jack about as we prepare and get to the final revisions of the budget, my budget that is."

Councilman Cardinale: "Well, if we pass this resolution, you won't have a choice."

Supervisor Kozakiewicz: "That's- well- "

Councilman Densieski: "I think the bare minimum cost- "

Councilman Cardinale: "Because it calls for the- "

Councilman Densieski: "Well, the bare minimum cost to get it going up to snuff is, I believe, about \$28,000 is the bare minimum."

Councilman Cardinale: "To expend funds- this would permit the expending of funds appropriated in the Town of Riverhead budget for 2002 using funds raised in that tax levy."

Supervisor Kozakiewicz: "Right."

Councilman Cardinale: "So we would have to have it in the September 30th budget proposal."

Councilman Kent: "Okay. Bringing it- "

Supervisor Kozakiewicz: "I would have to include that bare minimum which we just heard the number, the 23- "

Councilman Densieski: "I believe Skydive Long Island's annual thing is about \$25,000."

Councilman Kent: "Well, that's just to repair. You're saying to bring it up to snuff. What about to maintain the facilities, to operate the facilities, to secure the premises because I think we're all a little more concerned about security at airports these days."

And to obtain the necessary insurance to protect the town from potential liability at the premises? God forbid something should happen. I think we're open to- the Town is exposing itself to full liability and the potential to me is staggering especially since the Town- the Town right now is self-insured to a point and I would not think it would be in the best interests of the residents of this Town to be exposed to that type of liability. So we- it's more than just bringing the-

Supervisor Kozakiewicz: "Insurance-

Councilman Kent: "-- facilities up to repair. It's having the funds budgeted to maintain the facility, to operate the facility, to secure the facility and to obtain the insurance."

Councilman Densieski: "Chris, I think most of those questions will be answered if the referendum passes."

Supervisor Kozakiewicz: "We currently have insurance for the airspace. We currently have that insurance in effect and then any user that's on the property also provides insurance coverage naming the Town of Riverhead as an additional insured. Again, that's the present scenario, the status of it."

Councilman Kent: "Okay. Well, I would like this- I for one would like this information before I agree to place the matter on the ballot. And I know you're asking for my vote, Ed, in proposing the resolution which, you know, I respect that, but I would like the answer to the questions before I vote- before I would place the matter on the ballot, I would want to be convinced (1) that you have the figures, (2) that they're accurate. Not that I doubt that you're- your intentions, I believe, are honest and sincere but I would like them to be looked at by someone who I feel can advise me whether they're accurate and complete."

I don't think at this point we have the answers to those questions. So I think it's- as somebody brought up, I don't remember the exact words that were used, but I believe this- this language, the referendum language and the abstract is incomplete and, therefore, does not provide the voting public the opportunity to cast a knowledgeable vote on the issue.

But I would like to suggest that we amend- if we're going to bring this up for a vote- at least amend the abstract to include the words, in the second paragraph, an approval of this referendum would

authorize the Town to budget for and expend, I think we should say, appropriate funds to make necessary improvements to the areas that you talk about improving, and then add to that, to maintain said facilities, to secure and operate said facilities, and to obtain the insurance necessary to protect the Town from potential liability at the premises. I think we should add that language to the abstract so people understand that there's more to it than just repairing the present facility. It's also maintaining it, operating it, securing it, and insuring it, whatever those costs would amount to."

Councilman Cardinale: "Are you inclined to- Chris, are you making a motion to amend?"

Councilman Kent: "Well, I think we should at least amend the abstract. If that's- if the attached- if the abstract attached to the resolution is included as part of the vote which it seems to be because it's in the body of the resolution, I think we have to amend it prior to the vote. I don't think we have the right to amend it later because it's within the body of the resolution. It's not attached as an addendum to the resolution; it's in the body of the resolution.

So if we're going to say that this is the referendum language and this is the abstract that's going to appear at the time the vote is taken by the public- at the time the public has the opportunity to vote, I think we need to make sure that the language is complete, it includes all the things that have to be considered by the voter prior to casting their vote, and I also- there is a little bit of a question on the referendum itself.

I think the language should say that to appropriate and expend the funds rather than to say just to expend the funds appropriated. There's a difference in that because it's really two actions. First the Town has to appropriate the money and then we have to expend the money. And we also have to let the public know, which it does say, that it's going to be raised by your taxes as part of a levy against your property for this year's budget."

Councilman Cardinale: "I think in order-- to explain to the public why we're having this discussion in public at this particular meeting. It would be helpful to realize that the language- I have them all here. The first version was offered by Ed around 24 hours ago. I received and I think Chris did, too, a faxed different version around 6:00 last night in my office. And when I walked in here today at 2:00, I received a third version of this proposed referendum and

resolution on my desk here.

I think it appropriate that we consider this matter. I think it appropriate that we consider it more carefully than we've had the opportunity to do and I think it inappropriate to make the changes now, more appropriate to make them in a work session with the public invited to attend.

Therefore, I think the appropriate motion here which I'm about to make is to table this resolution for further discussion by the Board."

Councilman Densieski: "Phil, Phil, those things that were faxed to you- "

Councilman Kent: "I'll- "

Councilman Cardinale: "Yeah- "

Councilman Densieski: "Were they marked draft?"

Supervisor Kozakiewicz: "We're in discussion."

Councilman Cardinale: "Oh, yeah, that's not my- "

Councilman Densieski: "Draft."

Councilman Cardinale: "-- they were drafts, one, two, three. The third draft was on my- was here at 2:00. My point, Eddie, is not that you're trying to hide anything. My point is that you're still in the drafting stage. This is not ready for prime time. It just isn't.

If I wanted to vote for this, I'm telling you it's not ready for prime time."

Councilman Kent: "I'll second the motion to table."

Supervisor Kozakiewicz: "If, if- there's a motion and a second to table. Um, discussion on that table. If we do want to go that route, there is a time period here before which this must be done. And my understanding is it's October 1st is our deadline to put this forward. Which gets me back to my earlier point that I had made that if we are going to go that route, we'll have to have a special Board meeting if that's the desire of the Board."

Councilman Kent: "Well, I think we need some- "

Supervisor Kozakiewicz: "Any other discussion?"

Councilman Kent: "We need something more complete than this."

Councilman Densieski: "I disagree with you."

Supervisor Kozakiewicz: "Well, this was done with the Association of Town, Kevin Crawford was involved during the process as far as the discussion with regard to the form of this public referendum, is that correct?"

Councilman Kent: "I don't doubt that. I don't doubt the form. What I'm questioning is the information that's available for us prior to casting our vote, which I don't think it is available to us and I would like to have that available- that information available to me before I cast my vote on putting something on the ballot.

I know you're saying that we'll have it before the vote."

Councilman Densieski: "You'll have it if you go get it, you know."

Councilman Cardinale: "I think the other problem is the language of the- the other substantive problem is the language of the referendum which will appear to the public is subject to a great deal of discussion, change, additions. We're starting to do it now.

It is also- would be a nice idea even if it's not a publicly noticed hearing, that maybe before October 1st, we have the public comment on the resolution whether they understand it, have a public hearing, if only by invitation, put it on the radio. This is an important vote and we need to do the language and we need to do it correctly.

I hearken back to, remember when we did the Cal-- the theater vote? It was stated by members of this Board, notably the Supervisor, the- just completely incorrect information, that it couldn't be done in the proper- in the- in all of the districts. That it would cost us \$50,000 to do it- "

Supervisor Kozakiewicz: "Which is what we were told- "

Councilman Cardinale: "Had we- well, yeah, but that's bad information because it's hastily obtained and sloppily compiled."

Supervisor Kozakiewicz: "Well, you know that the State reversed itself. They initially issued a letter saying it could be one way and then they changed their minds the next day. So- "

Councilman Densieski: "Every resolution that ever comes through here is subject to change and has bad information, we have to make a decision. Why can't we let the people of Riverhead be involved in their own future? Why can't we let them vote? What are you afraid of?"

Councilman Cardinale: "Your failure to plan- your failure to plan does not constitute our- "

(Unidentified from the audience): Inaudible

Councilman Kent: "This is our discussion at this point. You had your opportunity to be heard, okay? This is now our discussion."

Councilman Cardinale: "This could have been produced a month ago. It was not. It was produced a day ago. I am in a very interesting position here because I am not- I mean, the concept is of interest. The manner in which it is being presented and the manner in which it is being set forth makes it impossible for me to take this as seriously as I'd like to.

There's- I mean, I could read the speech now or I can read the speech at the vote. But in addition to what he is saying, Chris, there's a dozen other things wrong with this resolution."

Supervisor Kozakiewicz: "Well, I think that yesterday this topic was discussed. It was discussed two weeks ago at a work session at which point in time the Board in concept agreed to allow Councilman Densieski to go forward and research it further in order to provide information back to the Town Board in order to have us consider the vote today. He did that.

Last night I know that a memorandum was circulated to the Board members concerning whether the town law allows us to (1) push this forward without the petition coming in. Because I know that was a question, do we need to have a petition submitted by the requisite number of people in the Town in order for the matter to move from a permissive referendum status through the type of mandatory status that we're placing on the ballot as proposed today.

A memorandum was drafted and was sent to the Board members for

their review and the opinion provided was that, yes, this could be done based upon the allowances of town law 220 as well as town law 81 which allows a submission of a proposition to establish airports, landing fields, etc.

As pointed out this was further discussion with the Association of Towns who does provide assistance to the townships when they need them in order to draft resolutions, rules, referendum, and, in fact, Mr. Crawford from the State, said that this was a permissible manner in which to go forward.

I know that both you and Councilman Kent have raised your reasons as to why you are troubled by this language and that it's not perhaps detailed enough, it's not exact enough and certainly those are issues which, I believe, to be valid.

There's been a motion to table and a second to table. I don't know if there's any further discussion. If there's not, I think we should take up the vote on the motion to table and keep moving forward."

The Vote: "Densieski."

Councilman Densieski: "I want the people of Riverhead to decide their own fate with this single most largest issue we have in Riverhead Town. So I'm going to vote no to table."

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

Councilman Cardinale: "Two statements Ed just made are not mutually exclusive. You could want the people to vote on this matter but still want to table. I vote yes to table."

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

Councilman Kent: "I want the people to have the opportunity to vote on something that they know what they're voting on. I want them to know the ramifications of their vote, how much it's going to cost if we do go forward with this. And I don't know that-- the answer to those questions now. I'd like to know them before I allow this to be placed on the referendum for the public to vote and I'm going to vote yes to table."

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

Councilman Lull: "Somehow- somehow the idea that a scoop of ice cream is going to cost you \$.50 so you have to know that ahead of time before you enter the shop, doesn't seem to make much sense to me. Sometime between now and the time that there is a vote, the information about what is going to- what are the specifics here, is going to be disseminated, will have to be disseminated. If we don't disseminate it, you know it will be disseminated, it doesn't make any difference.

And so I don't see any particular- I don't see any particular advantage to scheduling a Town Board- a special Town Board meeting and work session and meeting which it would have to be both, to take up this one issue and make sure that we get it done in a time that would allow it to be put before the Town- the members of the Town for them to make a decision. That's the key. And so I would vote not to table."

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

Supervisor Kozakiewicz: "When this whole discussion started to- grew up again, one of the things I asked was can we get some idea of what the costs are going to be and I have been provided with a breakout of what those costs are anticipated to be as far as start up capital improvements and I'm going to read them. And, of course, I'm sure they will be subject to further scrutiny and further discussion.

Repair all runway and taxiway asphalt surfaces optional year one, the sum provided was \$123,000.00.

Repair all concrete surfaces, runway, taxiway. This is a necessary item, \$22,200.00.

Initial sweep and vacuum of runway and taxiway surfaces, \$5,000.00.

Remark runways and remove the balance of excess, if necessary, and this is necessary, \$3,000.00.

Repair any voids in deer fencing, meter and electrify, \$10,000.00.

Bulbs and globes for runway lighting, runway 523, \$1,000.00.

The necessary overall cost initially, according to these estimates, is a little over \$41,000.

Optional year one repair surfaces is \$123,000. Both, we're looking at 164, that's to do the repairs."

Councilman Densieski: "That's over a cost of years."

Supervisor Kozakiewicz: "That's over a cost of years but that's the numbers so it comes to 164. And as I said, I think these are the figures that we have now. I'm sure there will be others who will scrutinize them and the information will get out there."

Councilman Densieski: "Also, if- you're just getting those numbers from, you know, from the outside consultant. If a lot of those things were done inhouse like sweeping, which we have sweepers, there's going to be a tremendous value- "

Supervisor Kozakiewicz: "I think we have to look at it as what we're looking at as far as a worse case scenario and that's the numbers. I vote no to table."

Barbara Grattan: "Okay, resolution."

Councilman Cardinale: "Okay, I'd like to have further discussion on amendments in that case. Chris, would you restate your proposed amendments? I don't want to confuse them by stating mine in the middle of yours."

Councilman Lull: "Chris, can I- can I interrupt you for a second because I understand what you said in the second paragraph here. But being the fact that it says repair and maintenance in the actual referendum, if the second paragraph of the abstract says- "

Unidentified from the audience: "Can't hear you."

Unidentified from the audience: "Speak up."

Supervisor Kozakiewicz: "Speak up."

Councilman Lull: "I'm talking to Chris Kent."

Supervisor Kozakiewicz: "Well, but, the public should be heard. This is a public- this is a Town Board meeting."

Councilman Lull: "Okay. The referendum- the referendum says repair and maintenance. The second paragraph of the abstract which you wanted to include other things in, I think it would be specific

enough until we get- until we talk about actual costs. As an approval of this referendum, would authorize the Town to budget for and expend, as you wish, appropriate funds- appropriated funds to make the necessary improvements to and maintenance of existing facilities. I think just those words rather than getting the other complications involved, that simply ties it together with the other, that it's repair and maintenance."

Councilman Kent: "Well, just as long as- I think the public should know exactly what's entailed in owning an airport."

Councilman Lull: "I was answering only the issue you said about repair and maintenance. About the language."

Councilman Kent: "Right. Um, basically the only thing it details is the capital. It details the capital repairs that are necessary but it does not go into what the costs would be associated with maintaining and operating it and securing it. And I think even what Bob read to us which, but the way, I haven't seen that- "

Supervisor Kozakiewicz: "I'll provide it. I just got it today myself."

Councilman Kent: "Okay, so. That wasn't shared with us. That only detailed capital improvements that are necessary. It also doesn't talk about operational maintenance, security, whatever. I'm not an airport expert. That's why I would want the opportunity to review what's proposed, what the costs are that are suggested that would cover our expenditures, and I would want to go in with my eyes open knowing if I was going into the ice cream store, that I have enough money in my pocket when the man goes to hand me the cone. That way I don't get- end up washing the dishes in the kitchen.

Supervisor Kozakiewicz: "Well- "

Councilman Kent: "So as far as that goes, I- I haven't had that opportunity. Bob has the capital improvement-- a breakdown of what the capital improvements are."

Supervisor Kozakiewicz: "I just got it."

Councilman Kent: "I know you just got it."

Supervisor Kozakiewicz: "I know."

Councilman Kent: "Which means we haven't seen it."

Supervisor Kozakiewicz: "I asked for it."

Councilman Kent: "What kind of estimates- what kind of estimates do we have for maintaining the premises and operating it? Keeping it secure? Are you going to provide security or is somebody else going to provide security?"

Councilman Densieski: "I think, Chris- I think a lot of your questions are good questions but I don't think there's a need to answer a lot of those questions until we know if it's going to pass or not."

Supervisor Kozakiewicz: "I think- I think this is a- there's a- we're going to have this debate and we're going to be here until midnight tonight."

Councilman Cardinale: "Let's get back to the amendments."

Supervisor Kozakiewicz: "We're either going to table it, which we didn't do, or go to the amendments and have a vote if there's a- otherwise, you know."

Councilman Cardinale: "Let's get real basic on an amendment."

Supervisor Kozakiewicz: "Because we're going to be here forever like we always are when we have an issue of dispute."

Councilman Cardinale: "On the resolution- rather the public referendum language. How about we try this. Instead of saying Calverton Enterprise Park, Epcal, which half the Town probably doesn't even know what the heck it is, why don't we say the former Grumman property? That's what you're doing. You're using the runways of the former Grumman property. Let's make sure people understand that.

I don't know what Epcal is. I think three people use it and the three of them are on the Town Board. So why don't- I'm suggesting that we say located at the former Grumman property.

Next question. What is a non-commercial public use airport? What does the word non-commercial mean?"

Supervisor Kozakeiwicz: "No commercial airlines."

Councilman Cardinale: "Okay. Next question. If you are defining non-commercial as not including commercial airlines, are you- are you going to tell the public that if you accept FAA funding, you must and, in fact, this was in an earlier draft since deleted, you must accept commercial airliners of 30 or less passengers. Thirty or less you must accept."

Supervisor Kozakiewicz: "That's if you- "

Councilman Densieski: "That's if you accept (inaudible)."

Councilman Cardinale: "Are you telling the public that you are never going to accept FAA funding? Then let's put it in. And if you are not telling the public that, let's put it in that you are going to accept FAA funding and cut out the commercial."

So, my suggestion is that if we're going to use non-commercial, we put in that and - with the non-commercial public use airport which will not accept FAA funding. That's my second amendment.

So now it would read authorize the Town of Riverhead or its designated agency or representative to operate. Are we going to run it ourselves or are we going to have our designated agency or representative- "

Supervisor Kozakiewicz: "Rather than- we're going- we do this all the time."

Councilman Cardinale: "Well, we're going to do it for a while because- "

Supervisor Kozakiewicz: "We do it all the time. Is there a motion to approve the amendments that have been made by- "

Councilman Cardinale: "There's a motion to amend on the floor."

Supervisor Kozakiewicz: "I know."

Councilman Cardinale: "I'm not making a motion to- "

Supervisor Kozakiewicz: "And rather than- "

Councilman Kent: "I don't think he's finished yet so- "

Councilman Cardinale: "I haven't even made my motion. I'm

trying to tell you what amendments I want."

Supervisor Kozakiewicz: "All right."

Councilman Cardinale: "First thing I would suggest if we're going to make this- "

Supervisor Kozakiewicz: "This is the reason we tried to do this at work session."

Councilman Cardinale: "That's why we should do- let' try- "

Supervisor Kozakiewicz: "We tried to do it at work session."

Councilman Cardinale: "You didn't try to do it at work session. You didn't even have a draft at the work session."

Councilman Lull: "Yes, we did."

Councilman Cardinale: "We didn't have a draft until I walked in here."

Councilman Lull: "No, we had a draft."

Councilman Densieski: "No, that's not true. You said you've got two of them now."

Councilman Cardinale: "We had one version- "

Supervisor Kozakiewicz: "All these issues never came up yesterday in work session."

Councilman Cardinale: "Of course, because they were different papers. You gave me one paper yesterday, one paper at 6:00 and one paper today."

Supervisor Kozakiewicz: "But still it's the same- the same issues could have been brought up at that point in time, a lot of them."

Councilman Cardinale: "Not if you- not language issues. Unless you have the language that you propose, you can't make issue- you can't amend language. So I'm asking that Calverton Enterprise Park, Epcal, be deleted and former Grumman property inserted."

I'm asking that after the word airport, and this is all on the document that will be stated in public referendum, that four line thing. After the word airport on the third line, which will not accept FAA funding. Um, I'd also like to- obviously this will remove the property from sale but I suppose that fact will be brought out in the debate.

Obviously this will require a zone change. Are we going to let the people know that in the resolution or are we just going to keep that until later? Obviously this will require FAA approval of a public use airport. Obviously this will require approval of the 7,000 foot runway for any use because it's not open now. Are we going to tell them- by voting yes on this, they're voting yes on all those things. Are we going to tell them that?"

Supervisor Kozakiewicz: "They're voting yes to determine if they- I mean all these issues that you are raising I think are similar to what was put forth in a referendum vote a few years ago by people to say, listen, how much- what's the implications of a 2% tax collection? What are the implications of this? How is this going to be- "

Councilman Cardinale: "All right."

Supervisor Kozakiewicz: "-- handled? Who's going to administer the funds? What properties are going to be purchased? And a lot of this information was not there ahead of time; some of it was."

Councilman Cardinale: "All right, let me ask you another really (inaudible)-- "

Supervisor Kozakiewicz: "Rather than do that, make your amendments- "

Councilman Cardinale: "I've made two amendments and I'll make a few more."

Supervisor Kozakiewicz: "Okay. That's what I'd like to get to because- "

Councilman Cardinale: "Okay. I also would like to know if this is an advisory referendum and have we an opinion as to whether it's even legal to have an advisory referendum?"

Supervisor Kozakiewicz: "You have an opinion from counsel- from

yesterday."

Councilman Densieski: "The opinion is right on your- "

Councilman Cardinale: "I have an opinion from- I don't even have an opinion. I have- "

Supervisor Kozakiewicz: "You received an opinion yesterday."

Councilman Cardinale: "No, this is not an opinion. It is a one page memorandum. This is it. This is the opinion of our counsel."

Supervisor Kozakiewicz: "Which says that- which says that town law 220 and town law 81- "

Councilman Cardinale: "That's it."

Supervisor Kozakiewicz: "-- authorize it."

Councilman Cardinale: "And she did this in about a half hour."

Supervisor Kozakiewicz: "But the opinion is that they are authorized by the town law."

Councilman Cardinale: "If that."

Supervisor Kozakiewicz: " Let's, you know, you're doing this all the time."

Councilman Cardinale: "We're about to be sued, you realize that. When you pass this resolution in this form, you are going to be sued. I mean that's reality. She told you so. We have a letter that was handed to us by the Calverton Civic Association that they're going to sue you if you pass this resolution and you are as careless as this."

Supervisor Kozakiewicz: "No, I'm not being careless. We're- this is something that's been reviewed. We went up- we talked to the Association of Towns, the Association- "

Councilman Cardinale: "Who's we?"

Supervisor Kozakiewicz: "The Town Attorney. I mean- "

Councilman Cardinale: "Well, that's not us; that's not the

Board."

Supervisor Kozakiewicz: "-- I know you do not trust the Town Attorney."

Councilman Cardinale: "We're the guys that got elected, not the Town Attorney."

Supervisor Kozakiewicz: "I know that you do not trust the Town Attorney. You've made that clear."

Councilman Cardinale: "You just brought her with you. Why are we not participants in this discussion with- "

Supervisor Kozakiewicz: "I wasn't a participant in the discussions with Mr. Crawford. I asked the question."

Councilman Cardinale: "We should have been. We should have had a conference call if we were going to do this today. All right."

I have two resolution amendments on the table. I would also like to add to the language of the referendum in addition to those two amendments, information, I guess at the abstract- in the abstract, that to vote for this will require a zone change by the Town Board, will require FAA approval of a public use airport, will require FAA approval of any use for the 7,000 foot runway, and that's it. Those are my changes. So moved."

Supervisor Kozakiewicz: "Second? Is there a second?"

Councilman Kent: "Seconded. But I wanted to add some language on that abstract. In the second paragraph, definitely change the word use to expend, use and expend- for and- to budget for and expend appropriated funds."

Supervisor Kozakiewicz: "We have that."

Councilman Kent: "Okay. And the language I would also like to be explicit that it requires us- it requires operational costs. I don't know if we need to detail them like I did, but there are a lot of operational costs to operating an airport and the public has to know that their tax monies are going to be used to operate an airport."

Councilman Cardinale: "I don't think you guys know what you're

voting on. Why don't we have a recitation of the suggested amendments?"

Supervisor Kozakiewicz: "At this point, I'm not sure what all the amendments are. I know up at the top former Grumman property instead of Calverton Enterprise Park, Epcal. Additional language, airport in the referendum which states the following, which would not accept FAA funding. In the abstract, the word use is deleted and in its place the word expend is inserted. And also the additions of the words to maintain the existing facilities, to secure the existing facilities and to provide insurance upon the existing facilities. Is that correct?"

Councilman Kent: "You want to add that language?"

Supervisor Kozakiewicz: "That is what you were suggesting, right?"

Councilman Kent: "I had it saying to maintain and operate said facilities, to secure the premises and obtain the insurance necessary to protect the Town from the potential liability at said premises."

Supervisor Kozakiewicz: "Okay. So it's been moved and seconded with those changes."

Councilman Cardinale: "And there is- there was also a suggestion that the abstract reflect the necessary changes that have to be made to the zoning and with the FAA for approvals. So the public knows that that has to be done."

Supervisor Kozakiewicz: "I think that can be explained as part of the process but all right. Vote. Is there a second on that?"

Councilman Densieski: "Yeah, Chris- "

Barbara Grattan: "Kent."

Councilman Kent: "Yeah, I seconded it."

Supervisor Kozakiewicz: "All right, okay."

The Vote: "Densieski."

Councilman Densieski: "No as amended."

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

Councilman Cardinale: "I think we're voting only on the amendments- "

Councilman Densieski: "Yes."

Supervisor Kozakiewicz: "Right."

Councilman Cardinale: "-- and I think the amendments will be helpful to the public understanding what's in Eddie's mind, if anything."

Councilman Densieski: "If anything, help yourself."

Councilman Cardinale: "If anything, I couldn't resist that."

Councilman Densieski: "I owe you one."

Councilman Cardinale: "So I vote yes, I'd like to have those amendments included."

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

Councilman Kent: "Yes, I want the amendments included also."

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

Councilman Lull: "No."

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

Supervisor Kozakiewicz: "I'm sure what the amendments will consist of. I, again, think that- I vote no rather than get into a long winded explanation."

Barbara Grattan: "That resolution is- "

Councilman Lull: "Mr. Supervisor, I would like to offer a couple amendments."

Councilman Cardinale: "Oh."

Councilman Lull: "Okay? First of all, with what- in the referendum where it says Calverton Enterprise Park, Epcal, I believe

it should say Epcot- the Enterprise Park at Calverton and then in parenthesis former Grumman property. Okay? I believe that needs to be more specific and I believe Phil is right.

I also believe that the use of the word expend instead of use in the second paragraph of the abstract is a good idea and I also believe that the second paragraph should include the following language. It should say an approval of this referendum would also authorize the Town to budget for and expend appropriated funds to make the necessary improvements to and maintenance of the existing facilities. I say that because in the referendum it says repair and maintenance. I'm simply- to bring the abstract more in line with the referendum."

Councilman Kent: "So there's no intent to operate this place? Because it doesn't say operate- other than at the very top where it talks about to operate the existing runways. Can we put that in the abstract?"

Councilman Lull: (Inaudible)

Councilman Kent: "How about if we just say the operation of the premises and all costs associated there with."

Supervisor Kozakiewicz: "The way Jim proposed it was somewhat consistent with the language at the top, that made some sense."

Councilman Lull: "I would also have no problem if Chris would like that with the last word of the second paragraph of the abstract to promote safe operation of the facility. The word operation has been used in the referendum. You are probably right, it should be used in the abstract. That's it."

Supervisor Kozakiewicz: "Is there a second of those changes as amended?"

Councilman Densieski: "Yes. Second."

Supervisor Kozakiewicz: "Moved and seconded."

Councilman Kent: "So we're changing the word from use- "

Councilman Lull: "To operation."

Councilman Kent: "-- to expend and the second time we use the word use, we're going to change it to operation. That word use is

over used."

Councilman Lull: "We use use, yes. Two different words."

Councilman Kent: "I know, use and use."

Supervisor Kozakiewicz: "Motion to make those amendments. A second to make those amendments. Vote on the amendments."

The Vote: "Densieski."

Councilman Densieski: "Um, as Mike (inaudible) who I hope is still a friend of mine says that you know, I don't know all the FAA terms, I don't know all the FAA regulations, I don't know a lot about aviation but I do believe, and Phil says he wants to know what's in my head, I'm going to tell him. I do believe in my opinion that if we have a referendum, the people of Riverhead will get to decide their own future and in my belief, if we do have limited aviation at the Grumman- former Grumman site, I believe we are going to have high paying jobs and high tech jobs and I believe we will expand the tax base and I believe we will create good jobs that can afford to pay the taxes that we have in this Town. And guess what? Maybe we'll even make a profit there. So I'm going to vote yes."

Councilman Cardinale: "For the amendments?"

Supervisor Kozakiewicz: "For the amendment. This is for the amendment to- "

Councilman Densieski: "Amended resolution?"

Councilman Cardinale: "No, just on the amendments."

Supervisor Kozakiewicz: "I think we're just voting on the amendments at this point."

Councilman Densieski: "Okay."

Councilman Cardinale: "It was a good speech."

Barbara Grattan: "So you're voting yes?"

Councilman Densieski: "Yes."

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

Councilman Cardinale: "Yeah, I think the amendments are helpful if not complete. I'll vote yes."

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

Councilman Kent: "Yes, to the amendments. I wish there were more, but- "

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

Supervisor Kozakiewicz: "Now the vote on the resolution as amended."

Barbara Grattan: "That's including everybody's amendments?"

Supervisor Kozakiewicz: "No."

Councilman Densieski: "No."

Supervisor Kozakiewicz: "No, just the last- "

Councilman Kent: "Do you have a final- do you have a final version?"

Barbara Grattan: "I have no idea."

Supervisor Kozakiewicz: "I think it's been so confusing- "

Councilman Lull: "I do. I have a- "

Supervisor Kozakiewicz: "Okay, good."

Councilman Cardinale: "Jim's resolution- "

Supervisor Kozakiewicz: "Is it being moved?"

Councilman Cardinale: "Jim's amendments only."

Supervisor Kozakiewicz: "Jim, are you moving- "

Councilman Cardinale: "Which may tell you something immediately."

Supervisor Kozakiewicz: "Who's moving it with the changes that Jim made?"

Councilman Cardinale: "Even though they're the same as some of ours."

Councilman Kent: "I'll move it."

Supervisor Kozakiewicz: "All right."

Barbara Grattan: "You've moving that?"

Supervisor Kozakiewicz: "With the changes made. Is there a second to move it with the way the changes were made?"

Councilman Densieski: "Yes."

Barbara Grattan: "Densieski."

Supervisor Kozakiewicz: "Moved and seconded with those changes."

The Vote: "Densieski."

Councilman Densieski: "For reasons stated, yes."

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

Councilman Cardinale: "Judy Pitsiokis came up and spoke today and said I have questions, I need information before I can even state my opinion of this resolution. Um, Sid said it was a travesty to ask people to vote with the absence of facts, that we do not have, that we don't have our hands around the issue. I listened to both of those statements and I thought also of the phrase I used in the theater vote that the opponents were putting the cart before the horse.

This is not necessarily a bad idea but like most of Ed's ideas, it is- "

Councilman Densieski: "Easy on me, Phil."

Councilman Cardinale: "-- immature, not ready for prime time, not well thought out. I want to point out something that everyone did today and everyone will do throughout if this is passed. There are two separate issues here and you slide into one from the other.

The first is this an appropriate vote? Is this an appropriate issue for a referendum vote by the public? Um, there are some

legitimate concerns in regard to that question. And I am amused and perhaps will get more so when I hear Jim Lull's vote on this because a year ago we- he spoke quite eloquently as did Chris on the legitimate issues associated with whether this is an appropriate issue for referendum vote by the public.

There are issues that Sid referred to. There are issues regarding the nature of representative government, whether you are hiring us and electing us to make these tough decisions to do the hard work, to burn the midnight oil, to get informed and to make these decisions, or whether we are in ancient Greece again where we are voting- everyone votes, it's a plebiscite, at least then every- all the guys voted.

There's a legitimate issue on representative government and there's a legitimate issue that Sid remarked very clearly of what is the nature of leadership, political leadership. Is this punt to the public because we can't figure out what to do? Jim spoke eloquently in voting no the last time. Chris spoke eloquently in voting no. I want to hear what Jim particularly has to say about it tonight.

But it's interesting because I figured that there may be- might be a real possibility here that I could be the swing vote. Because there is a distinction between whether this is an appropriate issue for referendum and whether if there were a referendum how you would appropriately vote.

So just because you may, as I have indicated, have grave doubts about whether an airport helps the economic health of this Town or the environmental health of this Town, it doesn't mean that you could be- you would be necessarily against a referendum. The problem here is what Judy said and Sid said. The referendum isn't the problem. The idea isn't the problem. It's the execution once again.

So many questions remain. It was presented 24 hours ago by- by Ed. There's a one page version, a two or three page version I got last night at 6:00, and a new version today. It is vague. It is hastily and carelessly prepared. It contains less than the necessary facts. It is presented for consideration without sufficient reflection by the Board and without any opportunity, any substantive opportunity for public comment.

We have not answered fundamental questions. Is this going to- is this going to be able to meet the test that the Calverton Civic Association or others in the Town might bring? Is it advisory such

that it is not a proper referendum. What does the word non-commercial mean? Will FAA funds be accepted and if so won't that- will that not necessarily require commercial use? Will this be- will 700 acres have to be removed from sale and hence we will have to land bank 700 acres in order to have a small airport up there? Won't this require a zone change? What will that do the Town when we just passed the zoning less than two years ago? Will this not require FAA approval for a public use airport? And isn't that procedure a lengthy one, much more difficult than a publicly owned private use airport?

Will this not require FAA opening of the second runway? A not easy task. How long? How much more anguish will this Town go through? What is the required cost to the Town, both for the referendum and for the implementation of it if passed?

There are legal issues that haven't even been touched upon notably I raised the issue yesterday that after you do this resolution- there's nothing in this- after you do this resolution, can we immediately put it on for a vote to the public in the election?

The statute that the Town official or the Town Attorney quotes me is the following. The Town Board upon its motion may cause to be submitted for the approval of the electors any act or resolution of such Board which- for which a petition could be filed. So, it says that the Town Board may cause to be submitted for approval a resolution for which the public could challenge as I did with the theater vote, but you have to have the resolution, as I read that, in place first. There's no resolution here by which three people of this Board are on record saying they want a public airport.

There may be three people on this Board that want a referendum, i.e., they want to punt the public, but I believe that there is a requisite before that that there be a resolution by three members of this Board saying that they want an airport and then saying we know a lot of people out there want to challenge it and therefore we are going to put this 3-2 decision on the ballot for a vote.

I think we're putting the cart before the horse, I think it's illegal. I think it's challengeable and I think it will be challenged.

The- such a simple thing as Grumman property or Epcal can confuse people. Should- and most importantly, I think, should we not have a public hearing, not this nonsense when everybody wants to go home to dinner and when nobody even knew it was on when you walked in here

because it was the most important resolution- two of the most important resolutions are thrown on as add ons. Shouldn't we have a public hearing, with public input on this issue? And what's the big deal if it's off for November and on for January? What's the deal here? Is this trying to get an honest answer- is this trying to get an honest vote or is this trying to incorporate a new issue into this year's election?

I believe that I have inadequate information upon which to vote. I believe that this is a good idea possibly that Ed has but I am not going to be forced into a hasty, ill informed vote because the agenda is being set for ulterior purposes by another.

If he wanted my vote we could have talked over the last two months. We didn't. He didn't- he didn't show me the language. He didn't show any of us the language. I vote to abstain on this vote because I do not have sufficient information to make an intelligent vote."

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

Councilman Kent: "Um, Phil says I voted no a year ago after speaking eloquently. I'm still going to vote no. I don't know if I'm going to speak eloquently. I'll try.

Um, this was a decision that was made in the last 24 hours, basically to have this vote on this. Um, I'm going to back to some of the things I believe in and why I was elected, why I think I was elected, and what I was elected to do.

We have a representative form of government. I believe I was elected to represent the public because you felt, or the people who voted for me anyway, believed that I was going to act in their best interests and I was going to represent what they would want me to do as their elected official. Do I always do exactly what the majority of the public wants done? Probably not.

I tried to explain this one night at the Calverton Civic Association and I thought I was going to get lynched and tossed out of there. We are elected to serve four years, the Town Board members. We make our decisions based on all the information we have before us and using our best life experiences and our judgment. We're elected to protect the people who live in our Town. I take that very seriously. I read everything that comes before us. I listen to everybody who comes up to the podium and I try to make a decision

based on all facts I have before me. It's almost like being a judge and deciding a case based on conflicting testimony and evidence.

You have to decide what you bring into your decision making process and what you exclude from your decision making process. If I've done a good job, you elect me again, or maybe you don't. Sometimes you don't even elect a person if they've done a good job. But that's the way our process works.

I believe that the proposal that's before us now is inadequate. I don't believe it provides me with enough information to decide to put this referendum on the ballot. And I'm someone who sits here in Town Hall, I come here just about every day, I read my mail, I read the information that's sent to us. I don't believe there's enough information for me to make an intelligent decision, a decision with information on this issue right now.

So how can we expect the public- how can we force our decision making upon the public when you do not have the time to research the issue, get all the information you need to make an informed decision? That's what we were elected to do.

I believe this decision has a lot to do with zoning. As much as you want an airport in our Town, I think it's a zoning decision. Ultimately it comes down to how we want this property used and that's a zoning decision which I think should be left to the Town Board. I think the right thing to do here might be we decide the zoning. If you don't like it, petition us, get it on the ballot. If these guys want to vote for an airport, why don't we have the vote for the airport up here and then the people who want to act contrary to how we vote, petition and put the- put it on for referendum. Put the issue on for referendum after we've acted.

What we're doing here is basically saying we don't want to act. We want the public to tell us how we should act and, you know, after you tell us how we should act, then we'll do what's necessary to make the property be useable the way you tell us we should have the property be used.

I don't think that's the right way to do it. Come out. You want an airport there or not? Why don't we answer that question honestly up here and then if the public is not happy, then they can petition and the issue can be put before the public by referendum.

So I don't believe this issue is ready to be put before the

public by referendum, (1) because I don't believe we've made the decision up here yet, so it's premature in that way, and (2) because the information provided is not complete. We don't know how much it's going to cost. We're telling you to vote on it when we don't really know exactly how it will be used, who will operate it, how we will maintain it. I think those are important issues.

And before I'd let the public vote on that, I will have wanted to make my own decision first because that's what you elected me to do. You elected me to look at the issues, read the information, make a decision, and if you're dissatisfied, you react. So that's what I want the opportunity to do. It hasn't been afforded us yet, so I vote no."

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

Councilman Lull: "Chris is very right. This is not what we were elected to do. What we were elected to do was to make such decisions. I have been here for six years. This discussion has been going on for six years. The decision has not been made. Granted, there's a lot of information out there and some of us are very thorough about following that information, trying to make the sense out of everything we get.

The present zoning at the property does not allow for commercial-regular commercial air flights and does not allow for any flight larger than 30 seats. It- and this referendum- the abstract in the referendum does not suggest that there should be any change there and it's not necessary that there should be or needs to be a change there. I do not disagree with Phil on that one issue. But that's maybe the only issue and, in fact, he's very right.

I made the argument in the theater vote and I voted against a referendum. And the reason I voted against the referendum is simply because it was a downtown urban renewal project. It was not the- of the size of this, has nothing to do with this kind of thing. That was the kind of- the kind of decisions that I believe a Town Board should make.

But here we have a chance and I believe that we should take the chance. There is six weeks between now and the time this will appear on the ballot. The information gets to the public or the public finds itself the information but that's not the way it should work. The information gets to the public, hopefully, as best as possible. I have a much better feeling about the people of Riverhead, I guess,

than some others. I have a feeling that you will make a decision and you will make a decision that is reasonably informed.

We will make a decision based on things that are important to you. Hey, well, you know, this is the way elections are. But that you have a chance to make that decision, I think, is important. At this point, as all Republican as it might be, I'm going to vote in favor of the resolution."

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

Supervisor Kozakiewicz: "First and foremost, the idea of an airport referendum is something that has been discussed by us. We tried last year, many of the same questions were commented or raised at that point in time and I agree with Councilman Cardinale. I think Councilman Kent did put his comments into very good words both then and now. And that's- and I think everybody stated why they feel the way they feel about this particular resolution and why they're either for it or opposed to it.

In the year and nine months or so I've been here, this issue just keeps cropping up and keeps popping up and I know that Jim just said that it's been an issue that's been out there for six years. There aren't too many times that I can say I agree wholly with George Schmelzer's words but I do today and I think his words were let the people be heard.

I also agree that people in this Town are quite smart, quite bright, they will do the research, they will do the analysis, they will look at the full implications, they will get themselves acquainted with the issue and the matter will be resolved, I hope once and for all.

The- there's been a lot of comments from a lot of people tonight and again I don't want anyone to walk away with any thought that comments haven't been heard because there have been some good points made, some valid points made.

There was also a comment, I think, about the possibility of litigation and I think that's something that we experience as Town Board members every day that we are here. When we take action or don't take action-- or even when we don't take action such as not moving along the SEQRA process quick enough or not adopting a DEIS in quick enough fashion, one of the first things we see coming across our desks is the threat of litigation. That's not something that can

stifle us or stop us from moving forward and I think we have to move forward.

I would like to hope that this most democratic way of having the public finally put this very important question to rest will be seen just in that way. I think it's not unlike back when the Jamesport proposition was coming up, when Lilco was proposing to do things out in Jamesport, the issue was addressed in a public referendum. I think this is an extremely important issue that the residents should be heard on and, therefore, I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #1009

Barbara Grattan: "Approves the site plan of Riverhead Fire District training facility."

Supervisor Kozakiewicz: "Is there a motion?"

Barbara Grattan: "Councilman Kent."

Councilman Kent: "Oh, you want me to move it? Okay, I'll move the resolution approving the site plan of the Riverhead Fire District training facility. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Unidentified - from the audience: "Mr. Supervisor, may I be heard on three small errors in the resolution?"

Supervisor Kozakiewicz: "This is highly unusual."

Councilman Kent: "He's asking for amendments to the resolution itself."

Unidentified - from the audience: "All it is is the use of the word (inaudible) in three places. That's all we're talking about."

Barbara Grattan: "Can you come up to the mike, please, and tell us?"

William Glass: "Hi. William Glass, 611 High Street, Port Jefferson. I'm the attorney for the Riverhead Fire District. Again, I'm only mentioning this just for the sake of clarify and make sure that the resolution is, in fact, correct.

There are three instances in the document, the first being on the fourth page, paragraph nine where it talks about the Riverhead Fire Department, and it's a natural mistake. That happens quite often. One is more used to using the word Department but it should say District. And the sixth page, paragraph eight, is exactly the same language again. No difference in context. And finally at the very end of the document, I just point this out, the covenants and restrictions, the signature line, again, says Department as opposed to District. And, in fact, it's the District that owns the property and is making application."

Councilman Kent: "The second time is where it says- paragraph eight- "

William Glass: "That's right. On the sixth page, paragraph eight. That's all."

Councilman Kent: "All right."

Councilman Cardinale: "Thank you."

William Glass: "Thank you very much."

Supervisor Kozakiewicz: "Thank you."

Councilman Cardinale: "I have a question before the vote or discussion. We had a work session Thursday, we had a work session Monday. At that session yesterday, we discussed this issue at length. When we left the second session, the Supervisor indicated not that there would be a resolution on, in fact, but that he was going to be speaking with the Riverhead Fire District in regard to this matter."

Supervisor Kozakiewicz: "I did."

Councilman Cardinale: "And all of a sudden when I arrive here at 2:00, there is a resolution. I am surprised. Can you help me out here, Bob?"

Supervisor Kozakiewicz: "The- I said there might be a resolution on that might be taken up. Apparently you didn't hear

that."

Councilman Cardinale: "I didn't."

Supervisor Kozakiewicz: "What I also- what we also talked about at that meeting was the possibility of meeting with the Commissioners, meeting with the Chairmen again, which I did. We discussed the alternatives that were talked about at the Town Board work session and based- "

Councilman Cardinale: "Well, you didn't come back and tell the Board if your discussion, which is- "

Supervisor Kozakiewicz: "Okay, I will now."

Councilman Cardinale: "-- nice of you."

Supervisor Kozakiewicz: "Which was that we suggested the Grumman property and suggested that it be considered as a alternative site and I was advised or informed that that site was not an appropriate alternative site for them. That based upon their reasons, they did not wish to entertain that at this point in time, that they wished the vote go forward which was discussed although I beg to differ with you on that point and, therefore, this was put on. It was- that was the reason why.

I tried. In fact, I think you said if I was successful, I would get a bottle of scotch- "

Councilman Cardinale: "That's correct."

Supervisor Kozakiewicz: "And I did not have any success."

Councilman Cardinale: "Bob is not getting the bottle of scotch-diplomatic scotch."

Supervisor Kozakiewicz: "I did not- I did not have any luck in convincing them to take up the counter-proposal which was offered yesterday morning."

Councilman Cardinale: "And when did you intend to report back to the Board?"

Supervisor Kozakiewicz: "I assumed that when this was on you would know that it was on."

Councilman Cardinale: "Oh, that's pretty much the way you operate. When it's on, I know it's on."

Supervisor Kozakiewicz: "No, no, Phil, come on. I did discuss this. I told you Thursday that it was going to be a topic of discussion. I told you that we would take it up by resolution. We suggested an alternative."

Councilman Cardinale: "Wait a second."

Supervisor Kozakiewicz: "Those items were discussed yesterday in work session."

Councilman Cardinale: "That's not correct. At yesterday's work session there was no resolution. There was no resolution."

Supervisor Kozakiewicz: "There was a resolution that was tabled."

Councilman Cardinale: "No, there was no resolution like this."

Supervisor Kozakiewicz: "There was a resolution that was tabled."

Councilman Cardinale: "There was no new resolution. This isn't a tabled resolution. This is a new resolution. There was no resolution and I don't know when Chris first saw it but I first saw it when I walked in at 2:00 and there was no communication between me and you for the last 24 hours. What's the deal?"

Councilman Kent: "I first saw this today also."

Councilman Cardinale: "I thought we were going to knock that off, Bob. What's going on?"

Supervisor Kozakiewicz: "This has nothing to do with that. It was discussed, I brought it up. I said we were possibly going to take it up for a vote tomorrow- "

Councilman Cardinale: "Bob, it's dated September 18th, the resolution. You know, you are speaking out of three sides of your mouth."

Supervisor Kozakiewicz: "No, I'm not. I said it would be taken up for a vote if I was not successful. Now, we can either table it,

not take it up. I mean, I know that one of the things that I was beat up on was, geez, this thing is being put off to September 18th, isn't that cute? Isn't that nice? I know why you're doing that, Bob, and that was part of the discussions that this Board had. I brought it to the Board's attention. The Fire District was aware of it.

Listen I would rather it not come up now, believe me. I've got a primary next Tuesday. We all know I have a primary next Tuesday and I would prefer not to have to vote on this at this point in time.

However, in discussions with the Fire District, throughout the discussions with the Fire District, one of the things that was always said, we'll look at all the alternatives, we'll try to pursue the alternatives. The Board will have to make a decision how it wishes to vote. If the alternatives are not successful, we reviewed the site plan, we added to the site plan, we put additional buffer into the site plan, and here we are. I'm being criticized because one of the things I said I would try to do is have this on for a vote September 18th so the Fire District can finally have an answer and so that this issue can finally be put to rest."

Councilman Cardinale: "You're being criticized because you are not operating a participatory council. You are doing it on your own. You're not even showing the resolutions to the other members of the Board. This is a Board. This isn't a dictatorship and it isn't a kingship."

Supervisor Kozakiewicz: "I am well aware of that and I, once again- "

Councilman Cardinale: "But you are doing- September 18th. I'm looking at a resolution dated the day of the meeting. How could I have seen it before?"

Supervisor Kozakiewicz: "If it's- if you- do you wish to table it and that's fine. I made a commitment that we try and get this addressed by September 18th Board meeting. We would address it. We can- I mean, if what you are suggesting is to defer it again, I have been- "

Councilman Cardinale: "I wish- I wish you had told me- shown me the resolution so I could propose some changes and we weren't going to be here until 7:00 if we're going to do that. That's what I wish."

Supervisor Kozakiewicz: "Well, if there's changes you wish to

make, it's now almost 6:00 and certainly there's been a good- I mean, one of the things we even talked about with changing the rules and procedures is that we would have a printed version of a resolution on before the meeting convened. That was done. Copies were made available. That was done.

I tried to meet with- and I did meet- I met last Wednesday with the Fire Commissioners, I met with the Fire Commissioner, the Chairman today, I've had numerous meetings with them. I've tried to talk about and convince them that there are alternative sites, that we would be willing out terms with them.

In fact, the Grumman property has been proposed by others. That was suggested as well today again and I unfortunately do not have a Fire District who has said that they are willing to accept the other sites. They feel that for training purposes, there are problems logistically with going out to the Grumman property and that the site- "

Councilman Cardinale: "Bob, it's not the resolution. It's your style I'm addressing. It's not the substance, it's the style. You're not- you're running this place as if it's your fiefdom instead of a Board."

Councilman Densieski: "Phil, if you want to make amendments, I'll stay. Let's make them and let's discuss them."

Supervisor Kozakiewicz: "It's not a question of running it as a fiefdom. I was given a directive to go back to the Fire District. I did that. I failed."

Councilman Cardinale: "You didn't come back and tell us what you did. That's what you're supposed to do."

Supervisor Kozakiewicz: "Phil, this was on prior to the 2:00 meeting. If you had such an issue with it, why didn't we do it right at the start instead of this same behavior."

Councilman Cardinale: "Because we've been in this meeting since 2:00."

Supervisor Kozakiewicz: "We could have taken a break. We could have adjourned if this was so objectionable to you."

Councilman Cardinale: "The only significant resolutions that we

have dealt with this evening were dealt with as add ons. That tells me- "

Supervisor Kozakiewicz: "And both of them were discussed yesterday at work session."

Councilman Cardinale: "And none of them- neither of them was available at work session to review."

Councilman Densieski: "Hold on, Phil. I'll take a blame for the aviation one. That's my fault, not the Supervisor's."

Councilman Cardinale: "Okay. Then you are both at fault."

Councilman Densieski: "Thank you."

Supervisor Kozakiewicz: "I'm at- if I'm at fault it's because I gave my word that we take this up for a vote on September 18th and I'm fully aware of the need for the Fire District to put some closure to this. I'm also fully aware of the complaints- not the complaints, I'm sorry- the comments and the information that has been provided to the Town Board both by petitions and by letters for and against the proposed facility and I just- based upon my unsuccessful inabilities to negotiate what you suggested at the work session, I met again with the Fire Commissioners today- the Chairman, and I was not successful. They asked that we put it up for a vote and because this has been a matter that has been put up for a vote before, because there was a tabled resolution which we had considered before, maybe I should have contacted you immediately when those discussions fell through. In that regard, perhaps I made a mistake.

However, I also try to be a person of my word. I try to follow up when I say that a matter is going to be taken up by a vote on a date certain. I made that commitment and I'm just looking to honor that commitment tonight by having this resolution on."

Councilman Cardinale: "On to substance, fourth whereas clause, may I ask this? Whereas a copy of the site plan has been marked and initialed by the Town Board to show changes that limit the planned construction to a fire training facility only which does not request permission to construct a fire house or training track. These changes are set forth in this resolution.

Is there an initial- can I see this initialed site plan? And who initialed it?"

Supervisor Kozakiewicz: "It hasn't been initialed yet. It's out on the wall."

Councilman Cardinale: "Well, why are we reciting that we've initialed things that we haven't initialed and some of us haven't even seen?"

Supervisor Kozakiewicz: "We saw the plan. It's out there on the wall. If you want to bring it in, we'll take a break. Let's take a break."

Councilman Cardinale: "How about the next whereas?"

Supervisor Kozakiewicz: "Let's take a break at this point and we'll- "

Councilman Cardinale: "How about the next whereas before we take a break? Whereas the Town Board has completed the required eight step balancing- when did we do this eight step balancing set forth in this decision? And based upon the application of that balancing tests has determined the applicant is exempt from zoning."

Actually I believe they may well be exempt from zoning but there is absolutely no evidence of that in this resolution. You have not done any balancing in regard to zoning because you don't have a resolution in regard to zoning and that is something I said about a month and was told that it would be remedied. There's nothing in here about how we balanced and determined that the Fire District is not subject to zoning."

Supervisor Kozakiewicz: "Okay, and then you have a right to vote no for that reason."

Councilman Cardinale: "But I'm not- but that's the kind of setting- that's setting up members of this Board who would have voted yes to vote no because of your ineptness in setting up a resolution. I would vote yes if I saw some reasoning; I said that to you yesterday."

Supervisor Kozakiewicz: "And I did ask and I went back and tried to redraft, rebeef and put more substance in here. Rather than do this, if you want to take a break to look at the plan, see what's been initialed, let's take the break and let's come back out. Is there a motion to take an adjournment?"

Councilman Cardinale: "Or is there any particular reason- "

Supervisor Kozakiewicz: "I mean is there anything else that you have problems with the resolution?"

Councilman Cardinale: "Yes. Mostly those two are the critical ones, that they're- and I said this four weeks ago or six weeks ago, that you need--"

Supervisor Kozakiewicz: "August 7th."

Councilman Cardinale: "Yeah, August 7th. You need reasoning establishing why zoning does not apply to the Fire District, which it may well not. One of the reasons it may not is because there's no provision within our code as we discussed for the Fire District being permitted to put anything anywhere. So if you insist that they're subject to zoning, that's pretty unfair because there's no place in Town they can build anything. But that's not in here."

Supervisor Kozakiewicz: "Yes, it is. Second page."

Councilman Cardinale: "But it's not in here on the zoning issue."

Supervisor Kozakiewicz: "Yes, it is. There's eight paragraphs on page two which go through- "

Councilman Cardinale: "I've seen the paragraphs and they are- I mentioned at the meeting yesterday that I believed that it would be difficult to scope or to shape a decision which would withstand challenge, which I fully expect we're doing to get.

And I get things like the nature and scope of the instrumentality seeking the exemption. We're going to balance the nature and scope of the instrumentality. All I get is a statement. The nature and scope of the instrumentality seeking the exemption is the Riverhead Fire District. Well, everybody knows it's the Riverhead Fire District. What you're supposed to be doing is balancing the Riverhead Fire District as a political instrumentality against the Town and what- and how that balances as to this issue. That's a recitation, that's not a balancing."

Councilman Kent: "Right. What we should be balancing is the fact that it does not comply with zoning and that it allows for a development of an area that we consider to be probably the most scenic

agricultural vista in our Town. I think that's what we're basically- that's the public interest that we're balancing. We're balancing the alteration of the scenic vista for the construction of a training facility that is also desirable to have our firefighters trained properly and that's the balance we have to make.

I guess in voting for this you're saying the scales tilt for the public interest of having a fire training facility- "

Supervisor Kozakiewicz: "I believe that's what the resolution says. If there's other language that you would like to see included, let's add it in if that's the point."

Councilman Cardinale: "I guess the point is that I thought work sessions were for work and the town-- work sessions were for voting."

Supervisor Kozakiewicz: "I wholly agree with that concept. Unfortunately this one- it got to the point where it just didn't work that way and even if we had adopted our prior rules and procedures that we had argued about, the bottom line is the requirement was to have a printed resolution available prior to the meeting and then have copies available to the public. I did that. If, again, I'm offering if you want to take a break to peruse it again, add additional language that you feel is appropriate for it, let's do that right now and then reconvene."

Councilman Cardinale: "I believe- "

Supervisor Kozakiewicz: "And if you have particular language and wording that you are looking to add onto the resolution."

Councilman Cardinale: "I think I said August 7th. I know I said yesterday that you needed two resolutions, one balancing the zoning question, and one balancing the site plan question. Because you're coming to two separate conclusions.

You're saying which is rather interesting, that zoning does not apply- "

Supervisor Kozakiewicz: "We disagree on this point."

Councilman Cardinale: "-- but the site plan does. Well, if zoning doesn't apply, why does the site plan?"

Supervisor Kozakiewicz: "We disagree on that point whether

there's-- "

Councilman Cardinale: "Can you explain why?"

Supervisor Kozakiewicz: "Dawn, they're not going to be able to hear you, so."

Dawn Thomas: "The zoning wouldn't allow for the construction of the facility- "

Councilman Cardinale: "Right. Correct."

Dawn Thomas: "But the site plan would allow the Town's interest in making sure that the site was developed properly and according to that, would still permit the construction of the facility- then, that's how you can do the two of those- "

Councilman Cardinale: "Okay. You would admit that-- the first question, the threshold question is, does zoning apply to this- does the Fire District- is it bound by zoning? Correct?"

Dawn Thomas: "Yeah, I think- "

Councilman Cardinale: "How do you balance that question in a resolution that's titled approves the site plan of the Riverhead Fire District training facility? How does that get balanced in a site plan resolution?"

Dawn Thomas: "If you read the resolution- "

Councilman Cardinale: "Which I have, just barely."

Dawn Thomas: "-- then you'll see that it says that the zoning doesn't apply. So you're not making- you're making a determination that the zoning wouldn't apply because it would preclude the construction of the facility altogether which is something that you probably want to have."

Councilman Cardinale: "But you- the only place I see zoning mentioned is in a whereas clause where it says we have determined that the applicant is exempt from zoning. I'd like to know where the reasoning is."

Dawn Thomas: "No, it goes on. It goes on. In the finding section of it, it says that- "

Councilman Cardinale: "You're talking about the resolution or the findings? That's the whereas."

Dawn Thomas: "Right. In the whereas section. You're doing your balancing- "

Supervisor Kozakiewicz: "Sixth whereas."

Councilman Cardinale: "Yeah, but you're balancing it in a resolution that has to do with site plan, not with zoning. And that's two separate questions."

Dawn Thomas: "You're- right. You're approving the site plan because you don't have to- because you're making a decision the zoning doesn't apply."

Councilman Cardinale: "Yeah, you're making- "

Dawn Thomas: "In that resolution."

Councilman Cardinale: "Okay. You're making a decision- "

Dawn Thomas: "You can change the title of the resolution to say that."

Councilman Cardinale: "At a minimum we should do that."

Dawn Thomas: "Yeah, if you want to do that."

Supervisor Kozakiewicz: "The only thing that's before us is a site plan application that we're acting upon and then we're determining whether as part of that site plan application zoning is applicable or not."

Councilman Cardinale: "It seems to me somewhere you should have zoning doesn't apply and here's the reasons. There's nothing in there that says that."

Supervisor Kozakiewicz: "Well- "

Dawn Thomas: "It does say that in the whereas and then it goes on. It says, the effect of our local zoning which does not provide for this use within any of the Town's designated zoning use district (inaudible) and the omission of firematic uses from the Town's zoning use district designation evidence of local legislative intent to

acknowledge the Fire District as a (inaudible) in this regard. It addresses it. If you want to add more, you can do that."

Councilman Cardinale: "At a minimum we should- if we're going to do it all in one resolution, which I do not think is a good idea, we should amend the resolution to say that it approves the site plan and finds that zoning is inapplicable to this- to the Fire District in this matter.

From there on out, I ought to leave you to your own devices. If you think this is adequate as the Town Attorney, good. I don't."

Supervisor Kozakiewicz: "And that's your reason for voting against it."

Councilman Cardinale: "No. I'm suggesting an amendment to the title. I'm going to vote for it."

Dawn Thomas: "You can say exempt- "

Councilman Cardinale: "As a matter of fact. But I think you're inviting a lawsuit because- and you're not doing any service to the Fire District by doing it this way or to any other people in the Town."

Supervisor Kozakiewicz: "That whole topic has been broached with them as well."

Councilman Cardinale: "Okay."

Supervisor Kozakiewicz: "I've tried. Believe me, Phil, this has not been something that I have been sitting and not doing anything on. I mean, I may know that you are inferring that I'm operating a fiefdom and I'm just doing things (inaudible) and speciously and quickly but the bottom line is I have had these discussions. I've tried. I've explained that this is a possibility and they're aware of that.

Um, so, um, once again, as you pointed out in one of the prior meetings when you were asking when we're going to deal with the burn building, when are we going to deal with the burn building, and why is it that it's September 18th? Isn't that something that it's going to be September 18th? Is there a reason for that, Mr. Kozakiewicz, Supervisor?

Here it is, September 18th and I'm just doing what I promised the Fire District we would get resolved one way or the other rather than let it languish."

Councilman Cardinale: "Let me move to amend the caption of this resolution. I wish it were two resolutions. I wish it were but it isn't and it isn't going to get that way tonight. So if you want to vote, let's- I ask that it be amended to read approves the site plan and determines that zoning is inapplicable to the Fire District in this matter."

Councilman Lull: "Just say makes zoning determination."

Councilman Cardinale: "Okay. Makes zoning determination is fine. And somewhere in the Resolve clause, like we only have one Resolve- two Resolve clauses, one of which is that we're going to put covenants on them. Resolve that in the matter of the site plan- Resolved the site plan- what are we doing? We're just approving the site plan. Don't we have to have a resolution that says that says zoning- Resolved, that zoning is inapplicable for the reasons set forth herein."

Councilman Densieski: "Doesn't it say that on page two?"

Dawn Thomas: "You can- "

Councilman Cardinale: "No. It says it in the findings but there's no resolution that zoning is inapplicable."

Councilman Densieski: "How about page two, paragraph two? That doesn't- "

Councilman Cardinale: "Page two, paragraph two is the findings. They find that this string of things in the balancing is- is true."

Supervisor Kozakiewicz: "It says that in the fourth- one, two, three, four, fifth whereas that has completed the eight step balancing test and determined that the applicant is exempt from zoning but must comply with the site plan requirements, and then the next whereas clause sets forth the one, two, three, four, five, six, seven, eight, nine, ten- no nine paragraphs as to why we are making the determination."

Councilman Cardinale: "Yeah, but these are the- I'm saying these are the whereas clauses. These are findings. Where do you

resolve that the resolution- that this- that zoning is inapplicable?"

Supervisor Kozakiewicz: "Says- let me read it. Whereas, the Town Board has completed the required eight step balancing test set forth in the case in the Matter of County of Monroe and in Nanuet First Engine Company No. 1, v. Arnold Amster (phonetic) and based upon the application of that balancing test which initially assumes that the town regulations do apply, has determined that the applicant is exempt from zoning but must comply with the site plan requirements set in the town code of the Town of Riverhead, the first, second, third, fourth, fifth."

Councilman Cardinale: "Yeah, which is fundamentally our disagreement. You put in a whereas clause- "

Supervisor Kozakiewicz: "I understand that. And therefore, that's the reason why- "

Councilman Cardinale: "All right."

Dawn Thomas: "(inaudible) paragraph that says Now, Therefore Be It Resolved that based upon the foregoing, the Town Board determines that the findings- adopts the findings listed in the- "

Councilman Cardinale: "Yes."

Dawn Thomas: "-- it would be simple. I could write the paragraph now."

Councilman Cardinale: "Well, why don't you do that. Resolved."

Supervisor Kozakiewicz: "Okay, all right. So what you are saying is you'd like to do a Resolve- "

Councilman Densieski: "Adding Resolved."

Supervisor Kozakiewicz: "-- that's going to restate the Whereas?"

Dawn Thomas: "Right."

Supervisor Kozakiewicz: "Okay."

Dawn Thomas: "Based upon-- you don't have to restate them all. Based upon the foregoing, the Town finds that the Riverhead Fire

District- "

Councilman Lull: "Then take the last two (inaudible) Whereas clause- has determined that the applicant is exempt from zoning but must comply with- " (CD change).

Councilman Cardinale: "-- Riverhead Fire District is exempt from zoning but must comply with site plan requirements of the Town in regard to this matter only. Which is the fire training facility only, not the track, not the substation either."

Councilman Densieski: "Do you have to put all the Resolves in, all the Whereas and the Resolves?"

Supervisor Kozakiewicz: "No, no."

Councilman Cardinale: "But you have to put the resolutions that are critical."

Supervisor Kozakiewicz: "Just so they relate back."

Councilman Cardinale: "I'm tired; I'm hungry. Let's vote."

Supervisor Kozakiewicz: "With that change, so, once again, would you please restate what that Resolve will be just so we're all clear."

Dawn Thomas: "Now, Therefore, Be It Resolved, that based upon the foregoing, the Town Board finds that the Riverhead Fire District is exempt from zoning but must comply with the site plan requirements set forth in the Town code."

Supervisor Kozakiewicz: "Okay. Is there a, I think that's the change. Is there a motion to move it as amended? And we had previously Councilman Kent moving it?"

Barbara Grattan: "No, Cardinale to amend."

Councilman Kent: "Yeah, he can move it. Phil can move it."

Dawn Thomas: "And the title, he wanted to amend it also- "

Supervisor Kozakiewicz: "Right."

Dawn Thomas: "To say and determines- "

Councilman Cardinale: "Yeah, determines."

Supervisor Kozakiewicz: "Yeah, right."

Dawn Thomas: "Zoning exemption- "

Councilman Lull: "For the site plan, make some determination."

Barbara Grattan: "Okay, who's going to second that?"

Councilman Densieski: "I'll second it."

Supervisor Kozakiewicz: "Moved and seconded."

Councilman Kent: "Are we voting on the resolution as amended or the amendments to the resolution?"

Councilman Densieski: "As amended."

Supervisor Kozakiewicz: "Let's move- let's vote on the resolution as amended."

The Vote: "Densieski."

Councilman Densieski: "Yeah, I just want to read one thing before I vote. It says here limit the planned construction to a training facility only and which does not request permission to construct a fire house or a training facility. That training facility would be the racing facility that was initially brought forth. There is no phases in this resolution and there is no race track on this resolution. With that said, I think they can be a good neighbor. I think it's screened properly. It's behind the sump and I vote yes."

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

Councilman Cardinale: "In regard to this matter, it's really an important matter that we're deciding because apparently in the past none of the- there had never been a motion- a resolution determining that zoning does not apply to the Riverhead Fire District.

I've looked at the balancing test in Monroe and tried to apply it. I've also looked at the fact, and I was taken by this when we discussed yesterday at the work session, that there are no areas of the town where we call out uses such as these. So that if we do not allow the Fire District in this instance for a fire training facility

to be considered exempt from zoning, then we are placed in a position where there is no place they can buy a piece of property- we're placing them in a position where there's no place they can buy a piece of property and be assured they can use it for a fire training facility which strikes me as leading- misleading them.

They bought this property, I believe, under the impression that they were exempted from zoning. They are not totally exempted from zoning. They are exempted from zoning in certain instances for certain functions where this balancing test comes out in their favor. What we are supposed to be doing here is balancing the public interest as to which government interest should prevail and there is a presumption that the host government, that is the Town's zoning, should apply.

For the reason that none of our zoning districts permit this use to the Fire Department, for the reason that historically we have not subjected them to zoning, and for the reasons stated in the balancing test in the Monroe case, I believe for this use, fire training facility use only, that this resolution is correct in its conclusions if not in its elocution of those conclusions. So I believe, I am comfortable in voting for it.

I want to say, however, to those of you who like me believe that this is a very poor spot to select, that once I reach that conclusion all my environmental considerations have no longer any function because it's really a judicial conclusion. Either they are exempt for the- and I believe they are for the reasons stated. That is one of the reasons I wanted it very clearly stated why they are exempt, because that's the whole justification for our actions.

If they are exempt, simply don't have the say to tell them this isn't a great spot for your proposed use. They are exempt in my opinion. Therefore, I vote yes."

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

Councilman Kent: "In my opinion, they are not exempt and I want to say some things. This will probably pass, but I'm going to vote no and I'm going to explain my vote.

Although it may not be explicitly permitted use in any district, it's not a prohibited use in any district either and I think it would be more appropriate that this type of use would be located in an industrial zone not an agricultural zone. And I believe that it can

be approved by special permit within an industrial zone and I do believe we have the right to balance the interests of the public and in this matter I believe that that location is inappropriate. And I think I can make my decision based on that alone.

It is not permitted in that zone. That property is zoned agricultural and as I said earlier, I believe that intersection is probably the most scenic agricultural vista, if not in our Town, definitely in our Town, but perhaps on the east end. And I would hate to see that develop in any way and that's why I'm working to try to have that whole area, the development rights for that whole area, purchased by the Town and/or the county.

The whole- that whole intersection now is under consideration for purchase of development rights and I do believe there are alternative locations within our Town where this type of development will fit nicely and I'm really kind of surprised that we can't or that relocating this use to a portion of the Grumman site is unacceptable. I don't really understand that. Nobody really went into detail over that and I hope even after this site plan is approved, usually that's probably the end, but I would hope that the Fire District would still discuss it with me at least to explain to me why 10 acres at the Grumman site would be unacceptable.

I think it has better access if we put you at the very southeast corner of the property. It has great access to the expressway so that it can be jointly used with other districts and I think it would be an appropriate site for this type of development.

As far as the site plan, I wish I could vote on it separately because after I voted no on the zoning use, believe it or not, I could probably vote yes on the site plan because I think the buffering, the screening has been- the site plan as designed has been done to the fullest extent possible to protect the public and the scenery around it from this type of development.

But I do believe we have the right to make a zoning decision here and if you balance the interest under the eight factors test which is- has been spelled out by case law, if you go through it in my mind I believe the other public interests from not putting it in that location outweigh the public interest of locating it in that site-at that site.

So I'm going to vote no and I still hope that we can even discuss further the possibility of purchasing development rights or at least

trading the development rights at that location that you've intended to develop for some property at the Calverton site."

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

Councilman Lull: "Well, given the climate obviously we, probably but not obviously, but we'll probably be sued no matter what the decision is here. But I had a chance to see the original plan when this property was first purchased by the Fire District and was developed with the help of a planner and this was in the mid-'90's and the original plan did include a training facility and a substation.

And that original plan which did not, by the way, include a track, that original plan seemed to be a very well thought out plan. Things have changed in that area since then so that by far perhaps the most important decision that has been made here is the decision of screening. And I believe the Fire District has worked very well with the Planning Department in putting together a really serious screening so that the property will be less- so that the building will be less intrusive into the area than it might have been otherwise.

Phil is absolutely right. We have never dealt with a Fire District proposal before in terms of its zoning. We don't have any- it's not mentioned anywhere in our zoning. But I will tell you one thing, this time we're working on site plan and nobody has ever subjected the Fire District to a site plan review before. And the site plan review which did come away with, I think, an adequate screening of the facility was an important step. It's a step that's never been taken before and I'm glad we took it this time. Yes."

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

Supervisor Kozakiewicz: "It's been stated by the others that this is the first time that the Town Board has applied the balancing test to these type of applications. There have been other instances where the Fire District has done work and as pointed out by Councilman Lull not been subjected to site plan review. This has been an extensive process. There has been quite a few discussions between the Riverhead Fire District, the Planning Department, the Town Board and we've gone to many extents to have this discussions at quite length.

I believe although I know there is dissent that we can address this in one resolution. I still believe that it can be and has been adequately set forth in one resolution. The balancing test has been described. It's set forth in the second page in the Whereases and

based upon the reasons that have been set forth in that second page, I vote yes."

Barbara Grattan: "The resolution is adopted."

(Unidentified - from the audience): "Gentlemen, I sat here all morning or all afternoon (inaudible). I don't wish to keep you, but if you'd just read this and I'll address the Board the next time you meet."

Supervisor Kozakiewicz: "Sure, sure, thank you."

Councilman Densieski: "Sure."

Councilman Lull: "Okay."

Supervisor Kozakiewicz: "Thank you. Okay."

Barbara Grattan: "Did you adjourn the meeting?"

Supervisor Kozakiewicz: "Adjourned, I'm sorry."

Meeting adjourned: 6:15 p.m.

Barbara Grattan
Town Clerk