

Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, on Tuesday, October 15, 2002, at 7:00 p.m.

**Present:**

Robert F. Kozakiewicz,	Supervisor
Edward Densieski,	Councilman
James Lull,	Councilman
Barbara Blass,	Councilwoman
Rose Sanders,	Councilwoman

**Also Present:**

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

Supervisor Kozakiewicz called the meeting to order at 7:03 p.m.

Supervisor Kozakiewicz: "I call tonight's Town Board meeting to order, the time being 7:03 p.m. At this point, Victor, since you're closest to the podium, would you lead us in the Pledge of Allegiance? Vic Prusinowski, please."

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

Supervisor Kozakiewicz: "Thank you, Victor. Okay. Is there a motion to approve the minutes of the Town Board meeting of September 17<sup>th</sup>?"

Councilwoman Sanders: "So moved."

Supervisor Kozakiewicz: "And is there a second?"

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Seconded by James- by Councilman Lull. Vote, please."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. 5 yes. Minutes are approved."

Supervisor Kozakiewicz: "Barbara, Reports."

**REPORTS:**

Building Department	Monthly report for September, 2002, total collected was \$117,851.55
Police Department	Monthly report for July and August
Receiver of Taxes	Monthly report for September, total collected was \$407,048.18

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

**APPLICATIONS:**

Parade Permit	Roanoke Avenue Halloween parade on October 31 <sup>st</sup> at 1:00 p.m.  Sports Physical Therapy of New York on November 2 <sup>nd</sup> from 8 a.m. to 10 a.m.
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Barbara Grattan: "That concludes Applications."

Supervisor Kozakiewicz: Okay. Correspondence."

**CORRESPONDENCE:**

Susann Lee White	Just received a letter from Susann Lee White regarding the opposition to Resolution No. 1088
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Barbara Grattan: "That concludes Correspondence."

Supervisor Kozakiewicz: "All right. Are there any Committee reports?"

Councilman Densieski: "Mr. Supervisor, just a reminder that on October 21<sup>st</sup> at 10:00 in the morning, we're going to have a public

discussion on handicapped issues facing our community. The entire community is welcome to come down and also I'd just like to thank Jim Lull and his committee for turning out another world class country fair. Thank you."

Councilman Lull: "Thank you, Ed."

Supervisor Kozakiewicz: "Okay. Any other Committee reports? You have CAC meeting coming up, right, Barbara. Do you want to announce that? Is that the 23<sup>rd</sup>?"

Councilwoman Blass: "It's October 23<sup>rd</sup>- Wednesday evening, what will probably be the final Citizens Advisory Committee with respect to the Master Plan is being held in this room at 6:00 probably from six until nine. It is an open meeting. If you're interested in attending, that meeting will probably be getting a consensus of the committee to refer the document- that's the master plan document- to the Planning Board so that they can commence their public hearing process. Thanks for that reminder, Bob."

Supervisor Kozakiewicz: "Yeah. I thought that was an important one to make mention of. This is the continuation of the process that this Board had embarked upon a few years ago with respect to the revisiting of or a comprehensive land use plan if you will, or a master plan, and this is as pointed out, hopefully, the last and final meeting of the Citizens Advisory Committee or as we refer to the CAC in order to gain consensus with respect to the draft document which has been presented to us by our consultants at the end of July and is also on our web site for anybody who's interested in seeing what it contains and what it describes.

And to continue the process so that, hopefully, we stay on that time line that we've talked about a lot before so that the master plan can be finally adopted by this Board and we can move on to the code changes which are envisioned in that document. So that is an important date. So if anybody's interested and wishes to be here, October 23<sup>rd</sup>, Wednesday, 6:00 p.m., this boardroom. Thank you, Barbara. Any other reports?"

Councilman Lull: "Mr. Supervisor, the public- Parking Committee is in the middle of a three-prong approach to approving parking downtown. We have finished the parking lot next to the Salvation Army and to the south of the aquarium. Our next project, number two, will happen within the next couple of weeks and that will be redoing the road between the Riverhead Grill and West Marine, improve the road,

landscape and improve the sidewalks, make them wide enough so you can pass by the Grill without having to walk in the street."

Supervisor Kozakiewicz: "Okay. Is there anybody who wants to address the Board? We have a few more minutes before we actually have our first public meeting. Is there anybody who would just like to take a chance and come up early in the meeting- take a little departure since we have two minutes before our first public hearing and address the Board? Mr. Danowski. Limit it to two minutes, please."

Peter Danowski: "A simple request. Lately I've had clients and members of the public inquire about the Master Plan, the draft Master Plan that's published and is available at the Town Clerk's office, with two specific questions.

One has to do with their desire to obtain a copy of the colored map, and their second desire to see a copy of the appendix. And I haven't been able to, I think, steer them in the right direction. Does anyone on the Board have the knowledge of whether the public can gain a copy of the map which is probably the most important feature in the report and a copy of the appendix?"

Councilwoman Blass: "I have copies of the maps, all of the maps, available to anyone if they come to see me at my office certainly. As far as the appendices are concerned, Mr. Farruci (phonetic) assured me that we will have a hard copy of I believe two volumes of appendices. We do not have them as of yet."

Peter Danowski: "Okay, so it would be incorrect for me to refer people. Just a bit of information here, to the Town Clerk's office to pick up either the maps or the appendices."

Councilwoman Blass: "The appendices certainly not. What I will do is ensure that the copies of the maps that I have are at the- I will make several copies of the maps available to anyone at the Clerk's office. I will put another set down at the library, they should have one already. And- "

Peter Danowski: "I think the difficulty has been in trying to photocopy it, that we're allowed and get colored maps that are with the original set of books. If you copy them in black and white, the copying doesn't come forth very accurately and, so if extra colored maps are available- "

Councilwoman Blass: "Yes."

Peter Danowski: "-- that certainly will be a help. Thank you."

Councilwoman Blass: "You're welcome."

Supervisor Kozakiwicz: "Thank you. Okay, the time of 7:10 p.m. having arrived, Barbara, would you read the affidavits of publishing and posting for tonight's public- first public hearing?"

Public Hearing opened: 7:10 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 October 15, 2002, at 7:10 p.m. regarding the consideration of the application of Sound Housing LLC (Willow Ponds on the Sound) for a exemption from Chapter 109 of the Town Code, entitled Moratorium on Residential Development."

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

George Tsunis: "Good evening, Mr. Supervisor, members of the Town Board. My name is George Tunis. I'm an attorney with the law firm of Rifkin Radler at EAB Plaza in Uniondale, New York. I'm the attorney for the applicant, Sound Housing LLC."

Also joining me this evening is Mr. Seeman from Coastal Environmental and Mr. Wolpert from Young & Young who are our environmental consultant and our engineer respectively.

The subject parcel, Mr. Supervisor, is the map of Willow Ponds formerly the Racquet Club. The parcel is approximately 111 acres. It's located between the Long Island Sound and north of Sound Avenue. It's approximately 708 feet west of the intersection of Doctor's Path and Sound Avenue in the Hamlet of Centerville. The property fronts the Long Island Sound for approximately 1124 linear feet and it also fronts the northern side of Sound Avenue for approximately 1472 linear feet.

The proposal that the applicant seeks to develop, an additional 220 residential condominium units on the subject site with a number of recreational amenities including but not limited to trail paths, pool, clubhouse, putting greens and to combine it with an already existing recreational amenities on the site. Of course, a transfer of development rights and the agricultural zone will be a significant

portion of our application.

The issue before the esteemed Board this evening is the applicant's request for an exemption from the moratorium on residential development pursuant to Riverhead Town Code Section 109-007.

In 1986 an application before this Board by Robert Entenmann regarding the subject property received a change of zone from Residential A to Recreational. And a special permit for 222 condominium units was granted. Mr. Supervisor, as this application is somewhat involved, if you would indulge me, I would like to provide you a brief synopsis of the history of the parcel dating back to 1986 and since that successful application and grant involved a very long and involved planning and zoning and SEQRA process, the applicant has and will continue to attempt to mirror their application with that of the application that was granted in 1986.

There were scoping hearings, findings, draft environmental impact statements, final environmental impact statements, determinations, so we place a lot of validity in the process that took place 16 years ago and I think it's important and incumbent on us to craft the present application as closely if not identically to the former application.

I would like with your indulgence to go through some of the findings that the Town Board then, the lead agency under SEQRA, discussed in their resolution granting the approval. Finding number three spoke about the Water District and the benefit to the district and to the community at large because properties included in District Extension 36, provided potable water to areas that had been subject to agricultural chemical contamination which was cured by the development of this project.

Finding number four spoke to, and I quote, as such groundwater conditions will permit two residential units to the acre with septic systems. I further quote pursuant to Article 6 of the Sanitary Code, the proposed units can be constructed with septic systems. Such densities and system obviate the necessity of sewage treatment facilities.

Mr. Supervisor, the limitation of 222 units was not accidental. It was not a number that was pulled out of a hat. The maximum amount of units utilizing septic systems was determined and that figure was backed into. Your own findings back up that statement.

Furthermore, the current proposal will utilize an existing sewage treatment plant, not required by the 1986 resolution and approval, but the applicant, the developer, put in a sewage treatment plant at a cost of \$1.8 million dollars. If you couple the existing sewage plant with the public water it allows the applicant an opportunity to seek greater densities in the recreational zone.

As a matter of fact, there are tremendous benefits that are derived from public water and a sewage treatment plant. The most significant is the treatment of nitrates through a sewage treatment plant. And I have for you a calculation, the authority of which comes from the Suffolk County Health Department design sewage flow rates, standards for approval of plants and construction of sewage disposal systems. Mr. Supervisor, 220 single family homes provide nitrogen loading pounds per day of 27.52. Four hundred and forty two two and three bedroom condominiums provide nitrogen loading total pounds per day of 11. It's almost 65% less if there's a treatment plant. I'd like to hand this up for the record. I think it's significant.

Finding number five spoke to the dedication of farmland. The 1986 application was, in my opinion, a wonderful one. The applicant offered to dedicate 111 acres of off site farmland. This was very consistent with what the Suffolk County Farm Program and the Master Plan had encouraged. I quote, acceptance of this offer will preserve farmland consistent with the Town Master Plan and the Suffolk County Farmland Program. And at no cost to the local or county taxpayers. The Board in 1986 seized upon an opportunity to preserve farmland while having the developer pick up the cost.

We are now at the precipice of another such opportunity. This proposal will incorporate a significant Farmland Preservation component to be utilized by a transfer of development rights. The comprehensive plan and the proposed comprehensive plan encourages such a transfer of development rights in the AOZ.

Finding number six maintains a 650 foot buffer north of Sound Avenue. That was consistent with the Sound Avenue corridor study. The current proposal also chooses to maintain the 650 foot setback off of Sound Avenue. The rationale and the logic of the Town Board in 1986 that required that no construction, no development take place within 650 feet off of Sound Avenue was a sound policy. I see no reason to change it. I think if you're driving down Sound Avenue and if you look at the parcel you'll see it very thickly forested and you would have no idea that there is a community behind there. As a matter of fact, Kevin, we took a photo from 350 feet onto the property

off of Sound Avenue. We turned around took a photo of Sound Avenue, 350 feet. There is no way that you can see Sound Avenue from 350 feet onto that parcel.

I would suggest to you, Mr. Supervisor, at 650 feet, it's even more telling. You're not able to see the development from Sound Avenue and vice versa. Clearly a picture shows it is worth a thousand words here.

The seventh finding, the proposed residential use, will maximize real property tax revenues to the town and the Riverhead School District while minimizing the impacts on services. All the interior roads are private and privately maintained. The number of school children anticipated is minimal. The 1986 Town Board must have the gift of prophecy. There is one child in the school district. One. One child in the school district. Clearly, this community in a recreational zone encourages occupants that are retirees and older and second homeowners that do not have the impact on our services and our school. Clearly this impact on the school district and other services is (inaudible) and less than other permitted uses.

Finding number eight spoke to vehicular traffic which anticipated by the proposed use can be accommodated by Sound Avenue. Clearly such needs to be proved by a traffic engineer with what the courts say is uncontroverted intrinsic scientific data. This is a hearing for a moratorium exemption. It's not a hearing for the underlying special permit or the amendment to such.

Clearly we would have to prove that that exists by intrinsic scientific data. Moreover, in accordance with well settled law in New York concerning special permits, a Board may not deny a special permit application as a result of traffic concerns unless the record substantiates that the congestion or hazard from the proposed use will be greater than that which results from the uses permitted by right in the same zone. That's the Robert Lee Realty case.

Finding number nine, the proposed use of the site is superior to permitted residential uses in terms of real tax revenues versus tax burdens and traffic. Each alternative and I'm quoting from the Town Board resolution and findings, each alternative for permitted use would generate more school children, more vehicular trips per day, more demands for highway maintenance and public police services and less real property tax revenues.

Let me- let me attempt to explain myself. If we proceed with the

residential grid subdivision where we can build homes that are 3,000 square feet, four bedrooms, they are the type of living facilities that encourage families with children to move into. There are soccer moms who- they go to work, parents go to work, they drop their kids off in school, they go shopping, they take their children to after school activities, they go to church. And I'm not here to suggest that senior citizens don't go to church, but clearly I think we can all understand that senior citizens or retirees or these types of communities that the outfit is seeking to build are conducive to people who drive less.

It is well settled in New York that a special use exception unlike a variance is tantamount to a legislative finding that the permitted use is in harmony with the general zoning plan and will not adversely affect the neighborhood. That is the matter of Twin County Recycling Corp. v. Yevoli (phonetic).

Zones which qualify for special exception permits represent a threshold legislative acceptance that the specific accord- "

Supervisor Kozakiewicz: "Mr. Tsunis, I hate to interrupt. It's almost like getting involved with someone when they're making their opening statement or closing at a trial and I always really regretted doing that when I had to on trial, but I have to here because you're getting into the legislative definitions with respect to when a Board can deny or grant a special use permit or a special permit. And I think we're here today to hear your reasons why this application should proceed forward under the moratorium which called out an exception or exceptions to the moratorium and set forth criteria within the moratorium local law as opposed to as you pointed out earlier on ruling on the special permit itself.

Because as I see it, the Board is going to take the evidence here. We are going to mull it over and we're going to make a decision on the request which is to grant the exception. And the issue of whether you meet the criteria or threshold for the grant of a special permit is going to be a later public hearing perhaps. Correct?"

George Tsunis: "Correct, Mr. Supervisor."

Supervisor Kozakiewicz: "Okay."

George Tsunis: "And I will try to wrap up quickly. I wish to lay a foundation of the fact that this is a special permit application and not a change of zone application. They are very different

applications. The criteria are substantially different and I wish to- "

Supervisor Kozakiewicz: "I understand- I understand that and I appreciate that. That the change of zone is a different rule of thumb from a special permit in that special permit as you pointed out is a finding that there's been from a general purpose standpoint, an agreement from the Town Board or legislative body that the use is one that a board wishes to see generally within a particular zoning district and then, of course, it's subject to each applicant sustaining the particular proof on an application by case by case or cite by cite as the case might be. And we understand that and I think this Board appreciates the difference between a change of zone and a special permit.

I think what we have not yet heard is why this Board should take this particular application from out of the moratorium and allow it to proceed forward. And I think that's what we're waiting to hear."

George Tsunis: "Mr. Supervisor, you are correct. Now that I've explained that in nauseating detail, I'll get on with the application and I'll get you the criteria that the moratorium speaks to.

There is two more findings I wish to discuss and I will get onto that.

Finding number ten, the proposed use is consistent with the recommendations for development along coastal areas. There was a plan for coastal areas report in 1983. I think it's important that I show you exactly how we preserve this waterfront. I think it's pristine in nature and a valuable recreation asset to the town of Riverhead.

We've maintained that bluff line. We've maintained the 650 foot off of Sound Avenue. There will, Mr. Supervisor, and there needs to be a significant on site preservation of open space and an off space preservation of agricultural development rights.

Finding number eleven, the adverse environmental impacts caused by proposed use are mitigated or outweighed by the preservation of farmland. This is what the prior application which I will suggest to you mirrors our current application said were reasons to mitigate the potential environmental impacts.

I'm not- it's interesting that a zoning attorney would stick up for the farmers but- and I think it's self-serving, but clearly it's a

priority of this Board and all of us not to let the farmland go fallow. If we have an opportunity to preserve by TDR in the agricultural overlay district farmland, I think we should seize upon that. The proposed application is consistent with your comprehensive plan because it cluster develops, it preserves the Sound Avenue corridor. It creates new on site ponds. There is buffering and servicing in compliance with Article VI of the Sanitary Code and expansion of real estate tax base.

There were determinations that spoke to the special permit criteria. I will not get into them because I know you want me to get on to this application. There are criteria that need to be discussed as to why we should be exempted. We have submitted that in written form in our application. You will have it. Being that I have taken a great deal of time, I won't get in to each and every one but I will speak to the most important one. The compatibility with the comprehensive plan and how our application not only there is an application that was approved by this Board and the first TDR ever in Riverhead in 1986, but how it is compatible with the comprehensive master plan that the CAC and this Board have taken a lot of thought and effort into putting it to.

The proposed project is consistent with the comprehensive plan, specifically the land use element goals and policies, policy 2.1A which states the following: The town's agricultural greenbelt should be preserved to the greatest extent possible through the use of cluster development, which we are proposing; the transfer of development rights, which we are proposing; and any other preservation mechanisms which I guess we'll discuss.

The project proposes 220 units on an already disturbed site which will further incorporate a cluster development with land preservation in the form of TDR's. In addition, the goals and policies state higher density housing should be concentrated north of Sound Avenue provided that there are development rights purchase from the agricultural belt. Sound Avenue is a receiving zone. We're in that receiving zone.

A conclusion, this project is clearly compatible with the goals and policies of the comprehensive plan and I urge your favorable consideration. And if you have any questions of me or the community has any questions of me, I would be happy to answer them."

Supervisor Kozakiewicz: "Are there any? If not, I'm going to ask the public- Barbara, yes?"

Councilwoman Blass: "I have a few."

Supervisor Kozakiewicz: "I saw that look. Okay. Go ahead."

Councilwoman Blass: "Thank you. Mr. [redacted]. I'm glad you mentioned that you had a lot of faith and placed a lot of validity on the prior process, and I do, too. The prior process gave you a special permit on the entire 111 acres."

George Tsunis: "That's correct."

Councilwoman Blass: "And in those- in that resolution that you were reading from, those findings went on further to make several Resolves and one of them was that the applicant stipulates by the acceptance of this resolution and construction hereunder of 222 residential condominium units with amenities as shown, that's a density of 222 shall constitute the maximum allowable for the site. That's the entire 111."

George Tsunis: "Right."

Councilwoman Blass: "So, I guess there are a couple of questions that immediately rise to the surface in my mind. The site, although you refer to it as being partially developed, the site has a development plan that took into consideration the entire 111 units-acres, first and foremost.

And secondly, speaking directing to the hardship issue which is one that you have to demonstrate in order to allow this Board to-

George Tsunis: "(inaudible) written comments and I want to get into that and then answer."

Councilwoman Blass: "Yes. Since you stated to us that it was a business decision on your part to put in a sewage treatment plant that you were not required based upon your actual reading of the findings, I'm not so sure that it is our job to maximize your business investment. You put in a sewage treatment plant to service 222 units. That's what you were given an approval for and I'm concerned that you think that somewhere along the line that it is our job to somehow make your investment whole on that site by allowing you to build 440 units on a site that you stipulated 220 was the maximum.

And there are certain statements that are made with respect to compatibility of the master plan that I really take exception to and I

don't want to go into them in detail but when you talk about clustering as opposed to a residential grid subdivision on the site, you are implying that you would have the alternate- you would have the opportunity for a residential grid."

George Tsunis "No, Councilwoman Blass."

Councilwoman Blass: "Okay."

George Tsunis "I'm not."

Councilwoman Blass: "Okay."

George Tsunis "What I have suggested is for this application going forward would have to incorporate or be conditioned on a transfer of development rights."

Councilwoman Blass: "Right."

George Tsunis "Let's say for instance it's in the AOZ and there's a property "X" amount of acres. That parcel can be developed in a residential grid subdivision.

What we are suggesting is let us purchase a parcel like that, let us dedicate it for farmland purposes only, thereby negating the as a matter of right ability, permitted ability, for a developer to build a subdivision and you know all the drains on school services and municipal services that a traditional subdivision would have, and let us build more units into a recreational zone which is less restrictive than a Residence A district. There was a change of zone."

Councilwoman Blass: "That's correct."

George Tsunis: "And it opened the door- it opened the door for an opportunity to seek more units. Your recreational zone speaks to four to seven units under certain circumstances but clearly four or five were contemplated provided that there is a sewage treatment plant which we have constructed.

In 1986, Councilwoman Blass, I don't think anyone contemplated the construction of a sewage treatment plant. That determination was based on septic systems. Your zoning classification, the recreational zone, which I will state one more time is less intensive, is less restrictive than Residence A, allows for greater densities. It doesn't mean that it's an as a matter of right use. It's a

determination. There's a process. There's a SEQRA process, a planning process, there's FEIS's.

We may go down this road and this application is submitted and you may determine that it's not warranted or you may determine that it's warranted up to a certain amount. But that's not something that's before this Board today. What's before this Board today is an exemption to a moratorium. But being in a recreational zoning district, having a sewage treatment plant and having public water, allows us the ability to petition via special permit for a greater density.

And when I did speak to and I'm sorry if you misunderstood me, if I did speak to residential grid subdivision, it wasn't on the existing parcel. It was on a parcel that will be purchased and dedicated in the AOZ and development rights transferred onto the receiving area. And I apologize if I wasn't clear on that.

You also mentioned you had a couple of questions there so, forgive me if I ramble on a little bit. You also speak to hardship. Councilwoman Blass, I- you may be aware there was a prior application submitted several years ago requesting a special permit- amending a special permit actually and putting further cluster development onto this parcel. We were asked by the town to remove it, asked by the town to remove it after we conducted a scoping session, we conducted an environmental impact statement and this is all that's in the record. And we were asked to remove it. We were asked by the Board to remove it because they wanted to deal with an amendment to a special permit and site plan dealing with the former Racquet Club's tennis component. And we ended up, the Planning Board and the Town Board approved the amended special permit and site plan and instead of having a tennis center there were other amenities that were swapped into it like beach access and walking trails.

And there was one other thing that I wish to discuss."

Councilwoman Blass: "If I could just say one thing, Mr. [unclear] That reaffirmation also reaffirmed that the special permit still had a maximum number of units of 222. That was also part of that amended special permit that you just talked about at that time."

George Tsunis: "Councilwoman Blass, in your capacity as the Planning Board Chair and you were a wonderful Planning Board Chair- "

Councilwoman Blass: "Thank you."

George Tsunis: "And I don't say that lightly. You had passed a resolution when we amended that special permit asking the Town Board to put a covenant and restriction on this property that no further development would take place whatsoever. The Town Board chose to disregard that request for a covenant and restriction, disregard that request for a covenant and restriction, and choose to pass the amended special permit without putting that covenant and restriction. I'm confused because you voted for that resolution. If you were- if we were so certain after the affirmation to the 222 limit why would a- "

Supervisor Kozakiewicz: "I have to interrupt. We are going way afield and I believe there's probably other people out there who want to address the Board as to this particular subject matter who we're not allowing to have a chance to speak so- "

Councilwoman Blass: "I apologize, Mr. Supervisor."

Supervisor Kozakiewicz: "No, I- as to the history, it speaks for itself. The documents, I would submit, speak for themselves. Whatever the Planning Board resolution says, it says. What the Town Board resolution says, it says. What the '86 resolution says, it says. What was agreed by the applicant in 1986 is set forth on the record. The- we're here to talk about why this should be lifted out of moratorium and as to the history, I don't think it's appropriate for this time and discussion. It's going to be obviously as I said before, a later discussion perhaps. So unless there's something else you want to address, I'd like to let other speakers tell us or speak to us about this particular exemption."

George Tsunis: "Certainly, Mr. Supervisor."

Supervisor Kozakiewicz: "Thank you."

George Tsunis: "I'm also available to answer any questions."

Supervisor Kozakiewicz: "That's why I figured we'll let them come up and if there are questions that are generated you can respond."

Anybody else who would like to address the Board with respect to this particular public hearing which is the exemption of Willow Ponds? Okay. State your name and address for the record, sir."

Thomas Ingald: "Yes. My name is Thomas Ingald. I'm the President of the HOA Homeowners Association at Willow Ponds."

Good evening, Mr. Supervisor and Members of the Town Board. I'm going to read a prepared statement. I'll give you a copy for your minutes.

I'm speaking tonight in my capacity as the President of the Homeowners Association of Willow Ponds on the Sound. Joining me are Charlie Spinella, Vice-President, and Charlie Ambrosio, the Secretary.

As the Town Board is aware, this project has suffered because of delays in procuring permits, etc., and thus being completed. We're talking about Phases 1, 2 and 3. This has caused the complex to be a work in progress, thus causing some units and amenities to be delayed.

The HOA has been working with the builder's representatives and recently substantial progress has been made in the past few months and we are formulating work schedules and tasks to be completed in the coming months.

We have reviewed the latest plans on Phase 4 which is what this moratorium is about, that have been proposed by the developer and we are impressed with much of the idea. With that in mind, we support the application for the waiver of the moratorium- the exemption.

We have asked the attorney for the developer, Mr. Tsunis, to pledge to us the homeowners present tonight, with the complete commitment that they have made and agreed to in writing to the HOA in reference to Phase 1 and 2 for completion and amenities that they've been promised and they haven't gotten. They've done that in writing as of today.

As for the additional units being built at Phase 4, it is only with the HOA's final approval that the developer has met all its commitments to Phase 1 and 2 and 3, which is going to be built, that we will give any blessing or our blessing at that time. I'm sure the people who will be impacted the most by the enlargement of Willow Ponds community will have some kind of say in this process as it goes on.

As the people's representatives, we would like to say that we have thus far only two children that attend the schools, not one. We haven't suffered any traffic congestion in the complex or in the immediate surrounding areas. Most of the residents of Willow Ponds are like us retirees who enjoy the North Fork and look forward to the builder's enhancements to our community that they promised that will drive our property values up and help share in the cost of operating

our community, and the homeowners association.

I thank you very much for your time and consideration."

Supervisor Kozakiewicz: "Thank you. Is there anyone else who would like to- yes, Mrs. Holland."

Patricia Holland: "Mr. Supervisor, members- "

Supervisor Kozakiewicz: "Your name and address, please. For the record."

Patricia Holland: "My name is Patricia Holland from **Sound** Shore Road, Riverhead. I think I speak for many of us sitting here that it's so obvious what Mrs. Blass said, that there's no reason even talking about this. If all these things that the gentleman was talking about- Mr. **Tsunis**, said, there were very good reasons why they should, when they should. No way did they say anything about why we should do it now. If this is such a wonderful project, then after the moratorium is over, let him present it. But not now. Thank you."

Supervisor Kozakiewicz: "Thank you. There was a gentleman in the middle who had his hand up. Okay. Good evening. Your name and address for the record, please?"

Gene Kleeman: "Gene Kleeman, Willow Ponds. I'd like to approach this in a different way. I retired from the Air Force a little over two and a half years ago. We sold our house in Stony Brook. We bought the house or condo, we were told we'd be in in two months. We came out here to Jamesport, got into a motel, and waited. Nine months later when the monthly rental was going to go to \$4,000 a month for the summer trade, we finally were told. All my lawyer could tell me was, well, you know, they didn't put it very clear, somewhere in page 46 on line 13 or 14 it says the builder has nine months to build a condo.

We like the condo. There were some problems. Okay? We went to the HOA meetings. I think we had good people representing us. My concern is there were two things I learned in the Air Force and I need communication and trust. I have been lied to; I have been misinformed; I've been promised the world and still my house has many things needed to be done, the air around me does. There are many frustrated people.

We know that you care because we're Riverhead members now. I

think it's a good idea if Phase 4 comes in, too. But what I need to know is that the things that are being promised to our people today get done. Not that we're told another, you know, six months or something. I'm glad to say now they're talking about 40 or 50 days, but it's yet to be seen.

So that's all. Trust and communication and the residents will be more than satisfied and they'll have their Phase 4 the way they wanted. Thank you very much."

Supervisor Kozakiewicz: "I have one question for you because I heard Barbara Grattan, our Clerk, mention it. How do we spell your last name?"

Gene Kleeman: "Barbara, you married me. You should know."

Supervisor Kozakiewicz: "Okay, it wasn't her; it was me. I'm not going to blame her. It was me."

Gene Kleeman: K-L-E-E-M-A-N. Barbara, you- "

Barbara Grattan: "I just missed one "E"."

Supervisor Kozakiewicz: "It was me."

Gene Kleeman: "In this very room."

Supervisor Kozakiewicz: "Oops, I'm sorry, Barbara. It was me. It was me. Anybody else who would like to address the Board with- yes, hand in the back. Right there. I mean, in the middle. You."

Councilwoman Blass: "While this woman is approaching. I'm just wondering if there's any legal concern about the representation of- in the original offering plan that the area that was designated perhaps as open space and recreation now being used for something other than that, is there any concern legally on the part of the original people who purchased as a result of the original offering plan that they- "

Supervisor Kozakiewicz: "Well, we can ask one of the homeowners. I'm not sure- okay."

Councilwoman Blass: "Okay. Thanks."

Supervisor Kozakiewicz: "Your name and address."

Nancy Flesch: "Nancy Flesch. 1805 Willow Pond Drive. Riverhead is a great place to visit and a great place to live. My husband and I have been living in the Willow Ponds condominium complex in Riverhead for approximately 11 months and it truly is a wonderful town.

The excitement of living here, however, has been marred by the many problems we have experienced with Sound Housing, the builder of the condominium. From the very beginning, Sound Housing has repeatedly lied, broke promises, and failed to deliver what was contracted for. Phase 1 and Phase 2 of Willow Ponds have been under construction for over three years, with no completion date in sight. At one point, construction was completely halted on the projects due to problems with the town which we never fully understood.

After waiting 27 months, we finally closed on our unit. Since then it has been a constant battle to get repairs and construction completed. I am far from the only resident still waiting for simple punch list items to be done. This is in addition to the ongoing destruction of our community.

Sound Housing is constantly redoing jobs that were done incorrectly by their workers. Their incompetence has led to numerous electrical outages, cut wires, flooded streets, stagnant pools of water, unsafe roadways, deteriorating construction, unpaved streets, etc., etc. A job is started and sometimes left untouched and not completed for weeks or months.

An example of their failure to address their responsibilities occurred on Tuesday, October 8, when a water main cut by a worker caused a flood. A machine answered several calls to Sound Housing representative. Finally a representative of the Water Authority came and the result was a total shutdown of the water for the entire community. This callous lack of responsibility is typical of Sound Housing.

Willow Ponds looks like a war zone instead of an emerging community. Its residents face a myriad of obstacles on a daily basis. The frustration in dealing with Sound Housing is taking a toll on everyone.

In an obvious attempt to appease Willow Ponds residents so that we would not object to more construction, mainly Phase 4, Sound Housing has made promises to rectify their ongoing problems. But they have broken so many promises in the past. How are they to be believed

now? Their actions are too little, too late.

At a meeting held on September 26 with the Willow Ponds Homeowners Association Officers, Sound Housing's representative and residents of Willow Ponds, Mr. Kevin Barasso was questioned as to why projects have not been completed. His response was that he couldn't get anyone to do the work. Nobody is willing to work for Sound Housing.

I ask you if Sound Housing cannot finish Phase 1 and 2, and has not even started on Phase 3, how can they be allowed to wreak more havoc on this community by being allowed to build a phase 4? Riverhead is making great strides to prevent over development of this town and more construction will over burden and destroy the historic beauty of Sound Avenue.

I therefore respectfully that their petition to build another 220 units be denied."

Supervisor Kozakiewicz: "Thank you."

Barbara Grattan: "Nancy, could I have that for the record, please? Thank you."

Supervisor Kozakiewicz: "Is there anyone else who would like to address the Board with respect to this exemption hearing? All right. Anybody else? George, do you wish to re-address or, if not, we're going to close it."

George Tsunis: "Just one short issue, Mr. Supervisor. Councilwoman Blass brings up an excellent legal point. The offering plan that was approved by the Attorney General spoke of 444 units. I'll be happy to provide you a copy of that but I think your Planning Board already has it."

Councilwoman Blass: "The offering- the original offering plan that was submitted as a result of the original change of zone and special permit indicated 444?"

George Tsunis: "Actually, Ms. Blass, those units- that offering plan was submitted in the '80's. The parcel went bankrupt and it was under a prior- "

Supervisor Kozakiewicz: "Which offering plan? Are you saying a plan in the '80's was submitted showing 444 or a more recent offering

plan?"

George Tsunis: "The most recent plan- "

Supervisor Kozakiewicz: "Okay."

Councilwoman Blass: "But you don't have permission- "

George Tsunis: "This parcel was purchased in the '90's by my clients. They resubmitted an offering plan which resulted in construction of units in the community. That spoke to 444. I don't think there's anyone here who purchased a unit under the old offering plan. I think that went- that went fallow and was never built upon."

Councilwoman Blass: "And, Mr. Tsunis, I have to ask you how is it that you can file an offering plan for 444 units when you're only approved condominium map that is- allows you to build anything in the town, only shows a maximum of- 220-- "

George Tsunis: "The offering plan was done in two phases. It clearly spoke to 222 units. However, you spoke about potential notification to purchasers. They did say in there that there is a possibility and we're going to have a proposal to construct a Phase 4 as we call it, with up to a maximum of 222 additional units. It was something that we thought about."

When we constructed a sewage treatment plant, when we put in the recent offering plans, we had an eye that we might further develop onto the property and come forth with an application. With that in mind, we wrote an offering plan that spoke about a potential Phase 4, a potential Phase 4 development.

I think the issue you had was are- were the purchasers- "

Supervisor Kozakiewicz: "I think the question that- you answered it. When the purchasers of these units purchased, the offering plan that they purchased under indicated the possible development of 444. Correct?"

George Tsunis: "That is correct, Mr. Supervisor."

Supervisor Kozakiewicz: "Okay. One question. Because we talked about it a couple times, the sewage treatment plant. Was that done at the developer's own volition or as a result of Health Department requirements? Was that- whether they made that decision."

I'm trying to find out how that came about."

George Tsunis: "One moment, please."

Supervisor Kozakiewicz: "All right. And your name and address for the record, please?"

Chris Keegan: "Chris Keegan."

Supervisor Kozakiewicz: "Okay."

Chris Keegan: "518 Sylvan Avenue, Bayport."

Supervisor Kozakiewicz: "Okay."

Chris Keegan: "For the applicant, Sound Housing."

Supervisor Kozakiewicz: "I'm going to repeat the question. Was the decision to put in the sewage treatment plant a decision made of the developer's own volition or as a result of the Suffolk County Department of Health Services requiring it?"

Chris Keegan: "The original project in '86 was approved with a de-nitrification system which was not re-approvable at the time the current applicant purchased the property. This then required them to do something which was either to go back to the Board and ask for septic systems and potentially have to redesign the project to accommodate that or to go ahead with a sewage treatment plant which meant designing and getting it approved by public works and renovating all of the sewer lines that were in the ground. The option was taken to build a sewer treatment plant for its potential for positive not only within the development but potentially to surrounding parcels."

Supervisor Kozakiewicz: "Okay. So it was Health Department- the Health Department rules should change and because of the fact that it had already been constructed, the choice was to go with the septic-sewage treatment plant, correct?"

Chris Keegan: "That's correct."

Supervisor Kozakiewicz: "Okay. Thank you."

George Tsunis: "We could have just as easily gone with septic systems but then we would have been limited to two to an acre. We chose to use a sewage treatment facility which not only cut down on

nitrites but also held the possibility of further development."

Supervisor Kozakiewicz: "Thank you. Anybody else before I close it? Going once, going twice. Nope? Okay. Close the public hearing, the time being 7:56 p.m."

Public Hearing closed: 7:56 p.m.

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Public Hearing opened: 7:56 p.m.

Supervisor Kozakiewicz: "And 7:56 p.m. still being the allotted time, Barbara, would you read the affidavits of publishing and posting for our second public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on October 15, 2002, at 7:15 p.m. regarding the consideration of a Local Law to amend Chapter 108 of the Town Code entitled, Section 108-3 Definitions - Country Inn."

Supervisor Kozakiewicz: "Okay. As Barbara has indicated, this is a proposed- a public hearing to hear a proposed change to the Code, the Zoning Code, Chapter 108-3 which is our Definitions provision to take the use of a country inn and to change the definition so that it's no longer a commercial building of not more than 50 rooms but a commercial use of real property consisting of a building not to exceed two stories and which contains no more than 20 rooms arranged or designed to be made available as overnight accommodations for guests for a stay of no longer than a two week rental."

Is there anybody who would like to address the Board either for or against? Mr. Danowski. And Mr. O'Dea, you'll be next. I saw your hand. You were just a little slow on the draw."

Peter Danowski: "I could give a deference to age here and let Mr. O'Dea go first."

Supervisor Kozakiewicz: "Youth before- is that what you're saying, the younger one goes first?"

Peter Danowski: "My name is Pete Danowski and I have represented Mr. Kenneth Barra (phonetic) who is here tonight, East Wind Caterers, with regard to a country inn that's been approved by

the Town Board, that is completing construction, that's a beautiful building, as Kenny always builds. It's well landscaped and it's really, I think, a building the whole town should be proud of in the town.

It bothers me that this amendment got proposed. So my first comment is addressed- a general comment about why we're having this public hearing in the first place."

Supervisor Kozakiewicz: "I'm not sure we need to address that, but I will tell you that this has been a change that we heard many, many moons ago and I think there's been just a couple additional calls to arms that we should reconsider where it's going and what we should do. I think the Board has heard probably two or three times what are we doing about the country inn ordinance and why not at least go out to public hearing and see what commentary is in return. So it's not something that just happened in the last month; it's not something that happened in the last two months.

I think probably almost from the date the zoning amendment had been proposed and adopted, there was some view within the Town Hall confines by others who thought that it might have been over broad."

Peter Danowski: "I guess that brings me to the point which is the Town Board previously, not long ago, after consideration of whatever comments they had, both from the public and anything they heard privately and any reports they might have had internally in the Town Hall, I believe the year was 1997, created legislation. I take it they thought it over, they considered all the input and they created an ordinance that I thought was well needed in this town.

We need to address where people can seek accommodations in the town. We had a definition of hotel. We know historically that's been a problem. Even very recently we had a person on Route 58 that saw to do a hotel and sought a change in the description of permitted terms on Route 58 and that was denied. We've had arguments about the word motel and these historical discussions regarding those uses, I think, led to a very clear, well-reasoned ordinance that was recently adopted in 1997.

Then, historically, I look at your own resolution setting this public hearing. And it recites a very recent code amendment adding country inn by resolution in another zoning district in the town, Recreational District. So, you even very recently said, you know what? Country Inns should be allowed without amendment to the code

definition in a new zone in the town. So now after you've added it, a very, very short time later you're seeking to have a public hearing to reduce it.

Well, I'm certainly opposed to it and I think if everyone considers who would build a country inn in less than 50 rooms, I think you're going to find out you'll have eliminated the use as a practical matter. That people will not be able to reasonably this building to run a business on 20 rooms. Grant you, you can have your bed and breakfast of a couple rooms in a house. I'm in favor of that. I think that's a great idea.

But you'll jump and basically eliminate everything in between. You'll have a couple of bed and breakfasts. Then you'll have motels and where you permit, hotels.

Specifically, I was very concerned about Mr. Barra's application which this Board should know has been pending for over a year before the Planning Department, the Architectural Review Board, the consulting engineer's office and I have filed a letter with the Town Clerk and I've asked this Board by that letter which is on file to approve the site plan resolution for Mr. Barra's project prior to considering any potential amendment to this plan.

Just by way of information, that plan would basically be at 40% of the building area of the current operation that's being completed now so that it will be approximately a total area of a restaurant and a country inn of 31,000 square feet.

That process and that site plan began well over a year ago. It's gotten a favorable reception from the Architectural Review Board, favorable responses from the Town's consulting engineers, has been addressed by way of the modified site plan with delivery of the amended plans to the Town's Planning Department which I presume would act by turning over copies to the Town Clerk for distribution.

So my end line is we're opposed to the amendment and specifically would ask you to hold off considering any amendment until you grant a site plan resolution approval for my client.

As to general needs in the town, it just seems to me you want to encourage agra-business, you want people to spend their time out here all year round. You have a gentleman who pays large tax dollars to this town, he's done a beautiful job with the country inn that he's building now. Why would you want to defeat his second chance at

creating something beautiful in the town? Thank you."

Supervisor Kozakiewicz: "I have a question, if I may. Because I know I've heard the comment before that if you do it less than 50 rooms it's not profitable and then we can make a generalized statement and it may be true. I'm not in the inn and hotel business. But what I'm trying to understand is the underlying facts that draws one to that conclusion. I assume the cost of building per square foot is the same if it's a 20 room building, a 30 room building or 100 room building. Is that correct?"

Peter Danowski: "I'm a lawyer and I won't address that question. I'm hopeful that someone else will address that question tonight before this hearing is closed."

Supervisor Kozakiewicz: "Okay."

Peter Danowski: "And I will re-address it if no one addresses the question."

Supervisor Kozakiewicz: "All right. Is there anybody else who would like to address the- John- I mean Dick O'Dea I had next and then John. I saw you kind of- you put up your hand. All right, John, did you wish to speak? Okay."

Richard O'Dea: "Richard O'Dea, Planning Board."

Supervisor Kozakiewicz: "That's O'-D-E-A. We had it wrong in the last Town Board minutes."

Richard O'Dea: "Thank you, Mr. Supervisor. I appreciate that. The many rooms that you refer to goes back to October 10<sup>th</sup> of 2000 that the Planning Board- "

Supervisor Kozakiewicz: "Seems longer."

Richard O'Dea: "-- they sent in a response to a Recreational District add on. And it basically outlines just the things you said, the 20 rooms. The present Planning Board has discussed it at least twice at work session and regular meeting and they are all in concurrence of the 20 room scenario and the restaurant and the balance of this situation.

Second part of my question- my appearance is the Planning Board in relation to the master plan will have a public hearing November

7<sup>th</sup>, 6:00 to 10, setting their whole meeting aside for that purpose only."

Supervisor Kozakiewicz: "For the master plan?"

Richard O'Dea: "Master plan and also November 21 in the daytime for those that can't make the nighttime will be 3:00 to 6. And we're hoping everybody shows up."

Councilman Densieski: "Dick, did any of the members give the reasonings why they wanted to see it go to 20?"

Richard O'Dea: "More accommodating to tourists, move it- too large, it's too, 50 is too large. The 20 is more countrified for the agra-tourism business, (inaudible) in the districts that it's allowed in.

Basically, 50 room and the building that probably is on all our minds now is kind of- looks a little too big for a pleasant farm community. I imagine they feel that way."

Supervisor Kozakiewicz: "Thank you."

Richard O'Dea: "Thank you."

Supervisor Kozakiewicz: "John Fields. And there's a hand behind you, Sid, so-- "

John Fields: "John Fields. I'm a resident of Wading River here in the town. I'm also the manager of the Inn at East Wind. I'm nervous getting up here speaking anyway. Now I'm going to be put on the spot to talk about the profitability of a 20 room inn.

I'll start off with what I was going to say and that is when I first heard about the country inn being built at East Wind, I think I had a picture in my mind from a career standpoint anyway, that it would be a small, quaint building, something, you know, you'd see in New England or on the, you know, the shores of Rhode Island or something like that. Maybe like a mansion type of a facility. And really didn't even think about employment or any type of career move.

And I live in Wading River and I would drive past the building every day and I watched it being constructed and I said there's an awful lot more going on in there besides 50 rooms. I mention that because I think the restriction of 50 rooms should be over and done.

If you're going to amend the resolution that was passed, then perhaps you should think about restrictions in other senses.

I invite any one of you for no political reasons, but to come and take a look at the property. I don't believe any of you have been there. And I can show you the room-side of that building versus the catering end of it, the restaurants that are in there, the spa that is in there, the indoor pool that is in there. I mean there are various entities to this one building.

So when somebody talks about the massiveness of it, perhaps the restrictions should be on a different end, if that's all right with Kenny. And I would ask you to think about that.

Fifty rooms makes sense and I believe that 20 rooms, and I know this from a professional standpoint, that 20 rooms would not be profitable in a sense that when you have folks that are looking to come to stay at a hotel, they're looking for different amenities, be it an outdoor pool, an indoor pool, tennis court, a spa, fitness room, a restaurant, all these things cost money. If you have 20 rooms, you're going to have to have these amenities to attract people. If you're going to have those amenities, they're going to cost more. If you have 20 rooms, you might as well have 50 rooms.

I think, too, that if you have 20 rooms and you have these amenities, your costs are going to be astronomical per room and you may end up turning people away based on your price per room. Fifty makes it a little bit- you can kind of spread it out a little bit more. I hope that makes sense."

Supervisor Kozakiewicz: "Yes?"

Catherine McKeen: "I'm Catherine McKeen (phonetic). I live in Wading River. As an exercise, one can do a web search by entering the category country inn and this is what I did this afternoon. What you find when you do that is that country inns are typically listed along with bed and breakfast establishments and that, like B&B's, country inns are usually historic houses that have been restored to much of their former appearance.

They generally advertise a certain historic ambiance in order to attract people who prefer this kind of accommodation to that of the typical hotel or a motel chain or otherwise.

As a group, country inns and B&B's typically have far fewer rooms

than motels, hotels, or what are called on these web sites family resorts.

Here's a sampling of Long Island inns, bed and breakfast and family resorts that you can find on the web. The Sterling Harbor House is a restored Victorian house near Greenport. This is in the category country inn/B&B and it has five rooms. The Harbor Knoll in Greenport is listed as a bed and breakfast. This has four rooms. Watson's by the Bay near Greenport is a Victorian era B&B with five rooms. The South Winds bed and breakfast in Westhampton Beach has four rooms. The Vintage bed and breakfast in Cutchogue has three rooms. The Mill House Inn in East Hampton is a beautiful inn that dates from 1790. That has eight rooms. Rams Head Inn on Shelter Island dates from 1929, has 17 rooms. The Three Village Inn in Stony Brook is composed of a main inn dating from 1751 and several beach cottages adjoining Stony Brook Harbor and that has a total of 26 rooms.

Compare these establishments with the family resort category also on the web. The Townsend Manor Inn in Greenport lists 20 to 49 rooms but they're in three separate buildings and separate houses. The Sound View Inn in Greenport lists 50 to 200 rooms. I guess this means that rooms can be closed off from one another to quadruple the available number of smaller units. One look at the Sound View Inn in Greenport and it's clear that this structure which stretches out on the sand facing Long Island Sound, is more like a motel than a bed and breakfast or a country inn.

The pattern for country inn as a category holds true for other parts of the northeast and, in fact, for the whole United States if you do a search on the web.

The Rose Inn in Groton, New York, in the Finger Lakes region, was built in 1850, is on 17 acres and has only 22 rooms. The Rabbit Hill in Waterford, Vermont is called country inn classic, was built in 1795. It has 19 guestrooms. The Inn at Cooperstown, New York, built in 1874 has 17 rooms. None of these examples of country inn, an accepted category, is anything like the East Wind Catering facility in Wading River. In fact, it's a travesty from my point of view that the East Wind was approved under the category Country Inn. It's nothing of the kind.

Twenty rooms in the category Country Inn is actually on the generous side. The town might consider even a smaller number as it revises the code. And I encourage you to revise the code as you

intend- as you are impelled to do. It might also- the town might also find a way to encourage the conversion of historic houses in Riverhead to country inns rather than have a spate of new buildings on open land co-opting the term for themselves which has meant something different to the owners of real historic inns and properties. Thank you."

Supervisor Kozakiewicz: "Thank you, Mrs. McKeen. Sid Bail."

Sid Bail: "Good evening. Sid Bail, President of the Wading River Civic Association. I find myself in a very interesting position here with a little bit of ambivalence. And I've known Mr. Barra for while. He's done a lot for the community. He's helped out a lot of causes. But I'm here not to support him. I'm here to support the definition, the new definition of a country inn for a couple of reasons.

First of all, we had an extended discussion at our last civic meeting on this and one of the key reasons is the update for the master plan. One of the things- the professionals are preparing it said that one of the main goals for Wading River is to keep it small and quaint. This goes back to the previous speaker's comment.

When the country inn was originally proposed, I never really envisioned what Ken Barra was going to produce and it is, you know, some people find it beautiful, but it is quite large. I think everyone would, you know, acknowledge it. He's put in a lot of time and effort. He gave me a tour of the facility. It's all very nice. But it's certainly much larger. It really strikes you, you know, when you get anywhere near in Wading River. You get a lot of comments about it, some favorable, some not favorable.

Now a second country inn. If one of the goals is to keep Wading River small and quaint, you know, 100 rooms, even though the second building is smaller than the first building, I don't know if that falls into a description of small and quaint. And Mr. Barra has made the point that 20 rooms, it's just not- and Mr. Fields also, it's just not economical. And I don't know. Although one thing in the new definition as opposed to say a motel is he does have the right for a restaurant.

Also, I could see the 20 rooms. These aren't just people who are going to be coming out on the weekends picking pumpkins and say, look, Mildred, there's a country inn. Why don't we pull in and stay here? And explore, you know, the east end. I think for the most part, these are going to be people who are out to functions at the main country

inn, you know. Already, you know, a lot of folks are commuting from other places, you know, to participate in weddings, etc.

So I don't know if 20 rooms is the magic number. I don't know if it's detrimental, especially with a restaurant on premise and I'm sure with Mr. Barra's background it would be a heck of a good restaurant. So, this is why that, you know, the Civic supports the re-definition of the concept of country inn. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board? Yes, Rolph Kestling."

Rolph Kestling: "Rolph Kestling, Wading River. I'm just speaking for myself. As I drive past the country inn, I think it's a wonderful place. I may never be a resident there but I think it's a plus for Riverhead, bringing in a lot of tax dollars, no impact of the school whatsoever. So, I approve of it. I'm speaking for myself, nobody else.

I just want to add one thing I thought of. You're trying to set a limit on country inns. If the federal government can't tell you could limit say how much a bushel of potatoes is, because every state has a different (inaudible) a bushel of potatoes. Thank you."

Supervisor Kozakiewicz: "Thank you. We're going to take a little bit of a break to allow Barbara to switch the CD."

(Short recess)

Supervisor Kozakiewicz: "Tell me when you're ready, Barbara. Is that CD ready to go?"

Barbara Grattan: "Almost."

Supervisor Kozakiewicz: "All right. Technology."

Barbara Grattan: "You've got it."

Supervisor Kozakiewicz: "All right. Okay. We'll take up where we left off while the CD was changing. Sal Mastropolo. On country inns still. Sal, welcome back."

Sal Mastropolo: "Thank you. Sal Mastropolo, Calverton. Just offer one comment. Whether you settle of 20, 30, 40 or 50, there should be some kind of a limitation in the definition that allows "X"

number of square feet of auxiliary space as compared to the amount of space that's set aside for rooms. I mean you can have 20 rooms or you can have 50 rooms, but if you have four times the amount of space in stores and spas and pools, then you are blowing the country inn out of proportion. Thank you."

Supervisor Kozakiewicz: "Thank you."

Councilwoman Blass: "Can I comment on that?"

Supervisor Kozakiewicz: "Anybody else who would like to address the Board? Hand in the back, Mike Spindler."

Mike Spindler: "Mike Spindler, Calverton. I echo the sentiments of the woman who spoke previously."

Supervisor Kozakiewicz: "Mrs. McKeen."

Mike Spindler: "Mrs. McKeen. Very good. I was here- "

Supervisor Kozakiewicz: "So you're done. You're just going to echo the comments and- "

Mike Spindler: "Well, I was here the last time when you did this resolution and I found it, you know, 50 rooms is not a country inn. I didn't really prepare anything for this. I didn't know it was coming up but I do support that 20 room limit. Maybe not 20 exactly. I don't know the economics of it. But you would be hard pressed to define the building that's up in Wading River as a country inn. At least I would. Thank you."

Supervisor Kozakiewicz: "Thank you. You may not be doing Mr. Barra a favor, George, by speaking- yeah."

Ken Barra: "Ken Barra. I'm also a Wading River resident. I don't know, Bob, tell me what you want me to do here. I'm trying to bring people to town, spend money, keep them in town. Right now we have everybody comes to town, they pick their pumpkins, they pick their strawberries, they pick their green beans and they head back in town."

I thought the whole idea of the master plan was to keep people around here so they could go to the different areas, the vineyards, the golf courses, the outlets, the aquarium. These buildings cost a lot of money. Nobody drives down 25A and says, hey, honey, let's stop

at this place.

I have people that work for me full time that have to go to Nassau, Queens, Manhattan, western Suffolk County, that have to be solicited, corporations, companies, organizations, to come out to this area here. It's not like they're driving down 25A. I'm not off the expressway. Fifty rooms, the building I built now, is it big? Yes, it is. Did it get oversized? Yes. The property now that we're proposing to do is less than half the size. But I think what this town needs if this is what we're going to be doing and this is the focus of where we're going, you need a place for these people to stay. Come on. You've got the hookers out there by the circle. You've got the Green Tree that just turned- she can't make money. She just turned it into a Section 8."

Supervisor Kozakiewicz: "How many rooms is that?"

Ken Barra: "How many rooms is that? Thirty. Can't make money. Spent a fortune. The place is beautiful. Re-did the whole thing.

There's another country inn that's so called right by the ice cream (inaudible). Sorry I don't know the names. Peconic Country Inn, Section 8. Listen, if a businessman is going to build something, whether it be me or somebody else, he's got to make money. That's the bottom line here. You want the people to stay in town, spend money at local places, you can't put up these 20 room inns. Nobody drives down 25A. It's impossible what you're asking. It's just- does not make sense.

The cost of the construction, yes. I agree what you said, 20 rooms, 50 rooms, 100 rooms. It's not that. You have to have things to keep them there. You need the spa, you need the pool, you need the tennis courts. These are the things that keep them in town. The Ma-Pa, they're not doing these. Even the Southampton Inn. Total renovation. They don't want to go to these places that are two, three, rooms and smelly and mildewy because they only open them up for the seasons. You know, I'm trying to bring people into town.

Next year, I'm going to do over 600 weddings. Do you want me to keep them in town, spending money or you want them to go home that night? You tell me.

I don't know. I don't know. I'm trying, I really am. I'm trying to bring people to the town. Isn't that what we're here about? Isn't that what we're trying to do? I don't understand. Is my

building so ugly? Let me tell you something. I think- if I don't have one of the nicest buildings, I've got the nicest building in town. I don't know who keeps their place as nice as I do. I pay a lot of taxes.

The majority of the people that I employ which is close to 150 right now, over 250 upon completion, most of the people are from the area. I don't pay- it's 11 and a half acres by the way, too. Let's not lose fact of the size of the building. Yes, it's a big building. But I'm also on 11 and a half acres.

I work with this town. I don't do what you tell me to do. I do above and beyond what you tell me to do. And I don't think anybody can argue that. I do a lot of fund raisers, a lot of charities. I work with the community. We share a common road between me and the Town of Riverhead. I just re-paved it, \$30,000. Barbara, did you get a bill for \$15,000? No, you didn't. Did you? Well, we are supposed to split the cost of that. I paid for that. But it does benefit me because we both use the road. But, guess what? East Wind picked it up.

Is anybody from the trailer park here tonight? The flooding problem we had for the last 50 years? Prevent those trailer parks from floating around, like little boxes, I just spent \$50,000 on drainage on Sound Avenue, had nothing to do with my application and does not benefit me because I know that's the next statement that's going to come out.

I live here. I have to look at this building. I live in that building. I'm in that building more than I'm home. I do things because I take pride in it. So, I don't know, Bob, tell me what you want me to do here now."

Supervisor Kozakiewicz: "This is not- I think we're missing the point of what this public hearing is about. All right? This is not a question and ask and putting people to task. All right. Because- we always get that to us. This is a result of the Planning Board asking us to consider a public hearing and all we're here tonight is to hear people's comments, for or against, what we should do, whether we should re-think it. Should we refine the amount of rooms? Should we refine the accessory uses that are combined with it?

You cited a number of cases where local hotels because of their size couldn't make it. I heard one that's a local Ram's Head Inn which is small and they do make it. I mean we could go down this road

forever. I think what we're looking to hear is the comments pro and con and then it's going to come back to us. We're going to have to be the ones who are going to make the hard decision, either yes or no, what's the right number, and the public hearing tonight is to gather that information. To hear what the people have to say so that we know what we can do.

I hear your comments and I appreciate your comments. I know you've done a lot. Your efforts with respect to the common road, your efforts with respect to Ramblewood and the drainage, I- after we had spoken last week I actually took a ride up there just to see the drainage areas you talked about that had been put in. I appreciate that and I think so do the residents across the street who live in those mobile home units and I know from the town stand-point, we appreciate the fact that that road's been improved.

That's not the issue. The issue is what is right as far as the definition of country inn. What is the appropriate number of rooms. And if we're going to say it's 50 or 45 or 40, do we limit as this proposed legislation is proposed the size of the restaurant and the size of the bar. That's what we're looking to receive comment on if that's fair."

Ken Barra: "Do you agree though, the amount of traffic that I would get on 25A, you know, let's say 8:30 at night. There's- do I have any transient traffic? So what you do when you don't have any transient traffic, you have to employ people to go out and give them substantial salaries or commissions or pay percentages for them to solicit organizations and companies to bring them to town.

What you're talking about is a couple of facilities that have probably been around for many years and perhaps in the same family. But nobody in their right mind is going to take a raw piece of land, pay "X" amount of dollars for it, go to the Health Department, buy land credits or put a sewage treatment plant in. Oh, by the way, for the other gentleman. I put a sewage treatment plant in, too. Cost a lot of money and it's also cost a lot to maintain it. So the nitrates going into the water or into the groundwater are you know very nil at this point.

It's- I'm not on a main road. It's- there's no expressway, there's no- you have to bring the people in. The pumpkin pickers, they come out for the day and they go home. Thank you very much."

Supervisor Kozakiewicz: "Thank you. Anybody else who would

like to address the Board? Just to see if there is anybody else who hasn't had a chance yes. There's a hand in the back. Come on up. This is for the country inn. We're in a public hearing. No, no. We're still in the public hearing for country inn. Anybody else? Mr. Danowski. George, you really wish to talk about this? All right. Okay."

Peter Danowski: "I look forward to George's comment."

Supervisor Kozakiewicz: "So do I. I'm on the edge of my seat already."

Peter Danowski: "Just to follow up the lady who did make the presentation on country inns. I think we both can go back and forth on number of rooms and I certainly agree with her. I've stayed at bed and breakfasts throughout the country and that's to be distinguished.

But I'll make part of the record our own research, probably on the same computer link-up here, noting and I look at McArthur Place. It's an entity in the Sonoma historic district out in California. Sixty-four rooms. I mean take a look at the Windham Country Inn. There's two or three examples here I'll make part of the Town Clerk's record here."

Supervisor Kozakiewicz: "Windham Country Inn is where?"

Peter Danowski: "It's in upstate New York."

Supervisor Kozakiewicz: "Okay."

Peter Danowski: "All right. And so you can have this fight as you say about the number of rooms but clearly there are country inns throughout the United States have more than 50 rooms. Thank you."

Supervisor Kozakiewicz: "Okay. Thank you. George Schmelzer."

George Schmelzer: "It seems to me some people are jealous of other people's success. Who knows more about country inns than the guy himself. It's his land, his money.

Some lady mentioned about upstate New York, old shack and old buildings."

Supervisor Kozakiewicz: "Not some lady. That was Mrs. McKeen."

George Schmelzer: "I don't know who it is. So, we haven't gotten any 17 room old shacks around here to convert. So if there was no place to go for tourists and businessmen, then probably the Town Board would be complaining the building industry doesn't adequately supply the needs. We've got the County of Suffolk. We don't want any building higher than 35 feet. But the Dennison building, that's different. They made it 12 stories- 10 stories."

Supervisor Kozakiewicz: "It's not a country inn."

George Schmelzer: "Yeah, they say it might even be leaning a little bit. I call it the leaning tower of Dennison. So, what- do you just try to control people, it gives you satisfaction that- let them do what he wants. It's his business."

Supervisor Kozakiewicz: "Thank you."

George Schmelzer: "It's his business. His land, his money."

Supervisor Kozakiewicz: "Thank you, George. Anybody else who would like to address the Board? Hand in the middle."

Patricia Holland: "My name is Patricia Holland from Riverhead. I think we're talking semantics here. If someone wants to build something 50 or 60 or 100 rooms, call it something else. But we want a definition for country inn. You want to build something else, call it a hotel, call it whatever. Don't call it a country inn. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board? If not, the time of eight- "

Councilwoman Blass: "May I just make a comment about that, please?"

Supervisor Kozakiewicz: "Sure."

Councilwoman Blass: "Thank you."

Supervisor Kozakiewicz: "Although I think we're looking for public input from the residents, but go ahead."

Councilwoman Blass: "Okay. That's quite all right. I'll reserve my comment then."

Supervisor Kozakiewicz: "Thank you. The public hearing, the time of 8:35 having arrived, declare the public hearing closed."

Public Hearing closed: 8:35 p.m.

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Supervisor Kozakiewicz: "And we open it up for comments on resolutions, resolutions only. And that's a five minute rule, folks. Anybody- Rolph Kestling."

Rolph Kestling: "Rolph Kestling, Wading River, again. Resolution 1088, Cablevision resolution."

Supervisor Kozakiewicz: "Go ahead."

Rolph Kestling: "A few meetings ago when we were discussing Cablevision, I believe I heard Councilman Lull said there will be more discussions on this. So- "

Supervisor Kozakiewicz: "And there were."

Rolph Kestling: "-- did I hear it correctly? Well, I haven't heard any discussions and then you've got the resolution so it was a surprise to me."

Councilman Lull: "We've had two work sessions of discussion."

Rolph Kestling: "Huh?"

Councilman Lull: "We've had two work sessions of discussion."

Rolph Kestling: "Oh, they were only at the work sessions? Not for, the understanding, the way I understood there would be public discussion."

Councilman Lull: "Sorry."

Rolph Kestling: "Okay. Next thing. This east end access. It's been revised, this new Cablevision from what we got on the internet and around. I mean they had so and so many pages and I think you made some revisions on it. Is that correct? It's not the same one."

Supervisor Kozakiewicz: "The access kit is the one that was

part of the document. That one has not changed. There's other changes today to the contract. What was being asked was that we substitute the east end access kit for the one that was part of this document and east end access kit has not been substituted."

Rolph Kestling: "Has not been substituted. Okay. Now, I'm just surprised that it was on and I was under the impression that it would be more of a discussion. Thank you."

Supervisor Kozakiewicz: "Thank you, Rolph. Anybody else who would like to address resolutions? Hand in the back, with the orange and white jacket. Is that orange or brownish? I know I'm blind. Thanks, for reminding me."

John Nicholson: "Thank you, good evening. How are you?"

Supervisor Kozakiewicz: "How are you?"

John Nicholson: "Good. What I would like to talk about- "

Barbara Grattan: "I've got to have your name first."

John Nicholson: "I'm sorry. My name is John Nicholson and I'm from the next town over."

Supervisor Kozakiewicz: "Which town is that?"

Councilwoman Blass: "In which direction?"

Supervisor Kozakiewicz: "Which town? Southold, Southampton or Brookhaven?"

John Nicholson: "Brookhaven."

Supervisor Kozakiewicz: "Okay."

John Nicholson: "Okay. What I'd like to talk about is the resolution on the free access to channel 70."

Supervisor Kozakiewicz: "Okay."

John Nicholson: "And that I feel that under the new contract, the people's rights would be taken away from them because they will not have full access to the channel."

Supervisor Kozakiewicz: "Are you aware of anybody who's been denied access?"

John Nicholson: "No one has been denied access yet."

Supervisor Kozakiewicz: "Okay, thank you."

John Nicholson: "Under- but I feel that under the- I haven't seen the contract. But under the new contract some of their rights will be taken away because they won't have full access."

Supervisor Kozakiewicz: "Well, the access kit is the one that's been in place, so it hasn't changed. That's been done by Cablevision with the PSC."

John Nicholson: "So, there is nothing being taken away from?"

Supervisor Kozakiewicz: "Well, we're not doing the east end access kit which has been proposed by the east end public access producers but we are not doing anything different from the existing access kit that's in place."

John Nicholson: "Okay. So that means you're not eliminating any time from it?"

Supervisor Kozakiewicz: "I mean I don't know of anybody who's been denied access under the current arrangement. And the current arrangement is what's going to be continued forward."

John Nicholson: "Okay."

Supervisor Kozakiewicz: "All right. What this document speaks to."

John Nicholson: "Okay."

Supervisor Kozakiewicz: "All right?"

John Nicholson: "Yes. Thank you."

Supervisor Kozakiewicz: "Thank you. George Schmelzer."

George Schmelzer: "What do you need this for?"

Supervisor Kozakiewicz: "What do we need what for?"

George Schmelzer: "Ten year extension."

Supervisor Kozakiewicz: "Because currently we don't have a franchise agreement and part of the renewal of the franchise is to- "

George Schmelzer: "I think- I thought you had a continuing agreement with them."

Supervisor Kozakiewicz: "No. What we have is- they have an obligation or they need to go back to the PSC on a periodic basis to get the current franchise extended. The old franchise discontinued in the early '90's. And I think that's what we've been arguing about for eight years now or so, nine years maybe."

George Schmelzer: "You have to go back every- that's their problem. What's this? It's a hidden grease job here somewhere?"

Supervisor Kozakiewicz: "I don't know what you're talking about, so- "

George Schmelzer: "You don't know?"

Supervisor Kozakiewicz: "I'm going to ignore that. The document is one for you to review. I guess that's for you to look at and tell me."

George Schmelzer: "It's something you're going to have for 10 years, you should have a public hearing by itself."

Supervisor Kozakiewicz: "We had a public hearing, sir."

George Schmelzer: "I don't remember. When?"

Supervisor Kozakiewicz: "A couple meetings back."

Councilman Densieski: "A couple months ago."

George Schmelzer: "On this?"

Supervisor Kozakiewicz: "Yes, sir. It must have been one of the ones- one of the rare meetings you missed, George."

George Schmelzer: "Are you sure it wasn't- "

Supervisor Kozakiewicz: "Either that or you were here and you

forgot."

George Schmelzer: "Are you sure it wasn't a session- a work session?"

Supervisor Kozakiewicz: "No. It was a Town Board meeting and there was discussion and subsequent work session. But it definitely was a public hearing. I think it was September 17<sup>th</sup> if my memory serves me right. September 17<sup>th</sup>. It would have been the second meeting in September."

George Schmelzer: "Well, you haven't said why you need this for. (Inaudible)."

Supervisor Kozakiewicz: "Because it's- "

Councilman Densieski: "You want a senior citizen discount, George?"

Supervisor Kozakiewicz: "If you read the document, which you apparently have not."

George Schmelzer: "Well, I'll just read what's in- this thing says nothing."

Supervisor Kozakiewicz: "I'm talking about the contractual agreement. What we're going to do is we're going to have enforcement tools, provisions in case there is a breach. We're also going to have a senior citizen discount. These are things that I think- these are things I think that are important to establish."

George Schmelzer: "I think that- I hear rumors in the financial world that Cablevision is not in good shape. It might go bankrupt. Then what are you going to do?"

Councilman Densieski: "It's not our problem."

Supervisor Kozakiewicz: "There's a whole procedure in here with regard to transfers and, of course, there's the Bankruptcy Court if that should happen but I don't, you know, I don't- we're speculating."

George Schmelzer: "Well, maybe you better leave it as it is for a while."

Supervisor Kozakiewicz: "Okay."

George Schmelzer: "Thank you."

Supervisor Kozakiewicz: "Thank you."

Councilman Densieski: "We're not going to give them the check we have."

Supervisor Kozakiewicz: "Joan Griffin."

Joan Griffin: "Good evening, Joan Griffin. A different resolution. 1084, authorizes Town Clerk to publish and post the notice of bidders for the Town of Riverhead landfill reclamation project. I thought we had a sixteen month contract going on it."

Supervisor Kozakiewicz: "We do. What we are doing here is while we're allowing that to proceed forward and to its fruition, we are also looking to gain bids at this particular time for the entire project. In light of the fact that we've discovered information out there, we know it works, we know that the process is moving along. We know there's a trail to establish that the landfill reclamation project as we speak is something that's working and making sense. So what we're proposing is to go out to bid for the entire project, the balance, if you will, and see what the bids come in. There's no harm in going out to bid and see how they come back."

Joan Griffin: "Okay. And the company that's doing the initial 16 months will be able to put in a bid also?"

Supervisor Kozakiewicz: "Absolutely. Them and anybody else who is interested."

Joan Griffin: "Okay. And then with the 16 month project going on now, they were supposed to start sometime this month, I believe, the asphalt, the temporary asphalt part of the project."

Supervisor Kozakiewicz: "I think we're probably about a month away from that being started. That's correct."

Joan Griffin: "Okay, thank you."

Supervisor Kozakiewicz: "You're welcome. Anybody else on any resolutions? Okay. We need a break? Brief recess? Oh, Bill Kasperovich, I'm sorry. No, no, if you want to address resolutions, why don't you do that and then we'll take a recess when you conclude. And then we'll take up general- we'll do the resolutions and then

we'll go to open session."

William Kasperovich: "William Kasperovich from Wading River. Staying on the subject just brought forth on the- this 1088, the settlement with Cablevision, the only way anybody could comment on this resolution is by going through the old franchise and the new franchise and seeing how and what language was used in what portion of the franchise to cover these items.

This resolution might- with the Whereas, covered in a general sense but where in the franchise it does this, this is some 80 odd pages that have to be perused through. And since there was no Town Board coverage after the heated discussion of two meetings ago, I say the only way this resolution would be acceptable to me were to have the franchise attached to it and highlighted which sentence in which paragraphs accommodate these items.

Other than that- and that's a long tedious job. I'm sure it's- nobody will be jumping up and volunteering to do it. Probably two or three or four full days of study. And, I'm afraid that's all I can say about that, but I thought I said my piece and unfortunately got a lot of people unhappy about it but it was scrutinized and presented in the best way it could.

Now, I come upon resolution 1075 where again for the second time there is an appointment interpretation consultant- "

Supervisor Kozakiewicz: "The resolution has been changed to say interpreter. It didn't make it on the agenda that way. The agenda had been prepared with the old resolution. The new resolution is entitled appoints interpreter."

William Kasperovich: "Okay. Use up my few minutes here to- resolution that, well, 1063 is a \$3,000 fund item on equipment, repairs and maintenance, not a significant thing in this other than when I see scavenger waste, it just- (inaudible) Pete Danowski likes to say is very bothersome to me. The Scavenger Waste to me we are today taking care of people outside our township, not in the- when we have a subject matter brought up, a million dollar magnitude, and as an issue is made about the time to express the impropriety of such a major undertaking, I don't know how further to do any good coming up here and talking to the Town Board. Thank you, gentlemen and ladies."

Councilman Densieski: "Thank you, Bill."

Supervisor Kozakiewicz: "Thank you, Mr. Kasperovich. Anybody else who would like to address the Board on the subject matter of the resolutions that are appearing on the agenda today? Michael Spindler."

Michael Spindler: "106- Mike Spindler, Calverton. 1064, I would support that resolution for the outdoor lighting."

Supervisor Kozakiewicz: "That's referring it to the Planning Board for their review."

Michael Spindler: "Very good."

Supervisor Kozakiewicz: "All right."

Michael Spindler: "Very good. Approves site plan of Riverhead Enterprises, 75 East Main Street. Just a brief, what is that?"

Councilman Densieski: "It's the old unemployment business. They're going to redo the facia on that building."

Michael Spindler: "That's critical in my opinion. For downtown Main Street architecture review is absolutely critical."

Councilman Densieski: "Yeah. It's already going through. They- oh, no, I'm sorry. One East Main Street has had the elevations done and they are also in for the building permit so those elevations are going to be started on promptly."

Michael Spindler: "I personally- I just believe Mr. Tuccio's restaurant and that type of design would be something I would encourage in the town. Digger O'Dell's, stuff like that."

Also accepts offer of sale of development rights. I don't know the numbers involved in this but I would certainly encourage the purchase of development rights. Farmland is cheaper than school kids in the long run. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board with respect to resolutions? Yes, Sid Bail, please."

Sid Bail: "I, too, would like to support the resolution- the lighting resolution that you guys all worked very hard on. Thank you."

Supervisor Kozakiewicz: "Thank you so much. Anybody else? If not, I think there's been a request to take a 10 minutes recess. Well, five minutes becomes 10. So let's say 9:00 we'll be back in here to resume. The time being 8:52 p.m., we'll be back at 9:00 to resume. Thanks."

Recess: 8:52 p.m.

Meeting resumed: 9:02 p.m.

Supervisor Kozakiewicz: "Are you ready? All right, good. The time being 9:02 p.m., we're resuming. Barbara, resolutions."

Resolution #1054

Councilwoman Blass: "This resolution authorizes the Town Clerk to publish and post a notice of public hearing to consider the adoption of the 2003 annual budget for the Town of Riverhead. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1055

Councilwoman Sanders: "This resolution is for a capital project budget adoption for the EPCAL water extension. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1056

Councilman Densieski: "1056 is an EPCAL sewer improvement capital project budget adoption. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1057

Councilwoman Blass: "This resolution is a budget adjustment in connection with the Calverton Sewer District. So moved."

Councilman Lull: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1058

Councilwoman Blass: "This resolution is a budget adoption for a capital project in connection with the acquisition of development rights on the Gammon Farm. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Yes. Bob Gammon is the guy that runs the very successful Farmer's Market on the riverfront and I'm glad to accept his parcel and take this- preserve this land forever. Yes."

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

Resolution #1059

Councilman Lull: "Is a capital project budget adoption, excuse me, for the purchase of development rights from the John Sipala farm. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Yes. With the same comments I said before. I'd also like to mention that John Sipala is also a gentleman that does a lot for the community at large and I'm glad to accept these rights. Yes."

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

Resolution #1060

Councilman Densieski: "Is a Kings Drive, Goodale Court and Ballman Court road improvement capital project budget adoption. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1061

Councilman Lull: "Is a budget adjustment Town Board special program fund. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1062

Councilman Densieski: "Zilnicki III-- I'm not sure which one-- it says Zilnicki III farmland development rights capital project budget adoption. So moved."

Councilman Lull: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Supervisor Kozakiewicz: "I think that stands for the third deal- "

Councilman Densieski: "Third transaction?"

Supervisor Kozakiewicz: "Right."

Councilman Densieski: "Okay, is that Allen Zilnicki?"

Supervisor Kozakiewicz: "Yes, it is."

Councilman Densieski: "Okay, good."

Supervisor Kozakiewicz: "Yes."

Councilman Densieski: "Keep them coming."

Barbara Grattan: "The resolution is adopted."

Resolution #1063

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

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1064

Councilman Densieski: "Refers a zoning amendment to the Riverhead Planning Board - Article XXXXV of the Outdoor Lighting. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "And moved and seconded."

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

Councilman Densieski: "I'd just like to point out we did have a lot of community support. We also got a letter from Cornell and we also found out that the Citizens Energy Plan is using the Riverhead document to put in their plan. So it's a pretty good thing. Yes."

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

Supervisor Kozakiewicz: "I'm not going- I can't avoid doing this because I always get picked on for not being able to tell time. What was the number that you said, Councilman Densieski?"

Councilman Densieski: "Forty-five."

Supervisor Kozakiewicz: "Did you say 44 or 45?"

Councilman Densieski: "I've got 45."

Supervisor Kozakiewicz: "Okay."

Councilman Densieski: "Am I right?"

Supervisor Kozakiewicz: "I thought you said 44 before. Maybe I wasn't paying attention."

Councilman Densieski: "Okay."

Supervisor Kozakiewicz: "Yes."

Councilman Densieski: "I'm very sorry for that typographical error on my part. Thank you, sir."

Supervisor Kozakiewicz: "Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #1065

Councilwoman Blass: "This resolution refers zoning amendment to the Riverhead Planning Board in connection with the agricultural worker housing law. So moved."

Councilman Lull: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Yes. I would just like to say that I fully support the intent of this amendment to the local law that's already on the books. There are a couple of things in not wanting- not wanting to delay the referral to the Planning Board because I believe that these changes should be enacted sooner rather than later.

There are some at least five internal inconsistencies in the text and I'm just going to attach a memo to the referral over to the Planning Board and I'm certain that we'll be able to incorporate them into the final changes before the law gets adopted. But I did not want to hold it up. I think it's a good thing. So my vote is yes."

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

Councilman Densieski: "Yes. I have confidence that Barbara can dot the i's and cross the t's on that legislation. And I'd like to also point out that the Long Island Farm Bureau also sent a letter of support for this legislation. With that said, I'll vote yes."

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

Resolution #1066

Councilwoman Sanders: "This resolution is an order establishing Extension 7A to the Riverhead Water District, Mill Pond Commons. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1067

Councilwoman Blass: "This resolution is an order establishing a lateral sewer main in connection with the Mill Pond Commons sewer lateral connection to the Riverhead Sewer District. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1068

Councilwoman Sanders: "This resolution authorizes the Town Clerk to call for a public hearing with Shade Tree Acres subdivision, Section 2, in Wading River for a lateral water main in the Riverhead Water District. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1069

Councilman Densieski: "Extends a bid for contract for milk. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1070

Councilwoman Blass: "This resolution rejects bids for water service materials and authorizes the Town Clerk to publish and post notice to bidders. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1071

Councilwoman Sanders: "Authorizes the Town Clerk to publish and post notice to bidders for tractor loader backhoe for use in the Riverhead Water District. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1072

Councilman Densieski: "Authorizes the Town Clerk to publish and post notice to bidders for sealed bids for junk and abandoned vehicles. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1073

Councilman Lull: "Appoints Valerie Marvin, Esq. as a hearing officer in the matter of a disciplinary proceeding against a town employee. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Um, I can't support this. This hearing is going to be for about a person who had alcohol in his system after other things had happened. I hope they don't ever check other people for alcohol. I think this guy should just be put back to work. I don't think you're doing the right thing. I'm going to vote no."

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

resolution is adopted."

Resolution #1074

Councilman Lull: "Following the resignations of two members of the Human Services Advisory Board, this resolution appoints Sister Margaret Smyth, the director of the North Fork Hispanic Apostolate, and Michael Stolz, the Executive Director of Clubhouse of Suffolk as new members of the Human Services Advisory Board. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Yeah. Always thankful to welcome our new volunteers. Yes."

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

Resolution #1075

Councilwoman Blass: "This resolution appoints an interpreter for the Police Department and Justice Court. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Lull: "I'll vote yes for the consultant. Yes."

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

Resolution #1076

Councilwoman Blass: "This resolution authorizes the Town Clerk to publish and post a notice to consider the purchase of development rights of a parcel located in the Town of Riverhead owned by Daniel Dimola and Pamela Dalton. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "I don't know if it's true or if it's just a coincidence. But since we put Sean on at least half-time for doing purchase of development rights, it seems to have picked up and if that's the case, we thank you. And I vote yes."

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

Resolution #1077

Councilman Lull: "Accepts the offer of sale of development rights for the John Sipala farm. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Just for the record, this is the offer of sale of development rights for 46 acres. Yes."

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

Resolution #1078

Councilman Densieski: "Accepts the offer of the sale of development rights for the Hartman Family. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Ninety more acres. Yes."

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

resolution is adopted."

Resolution #1079

Councilwoman Blass: "This resolution accepts the offer of sale of development rights for Robert H. Gammon. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1080

Councilwoman Sanders: "Authorizes the Town Clerk to publish and post public notice for a local law to consider an amendment to Chapter 64 entitled Fire Prevention of the Riverhead Town Code. So moved."

Councilman Lull: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Just a comment, a little background on this resolution. It was brought to my attention by a member of the business community that there were multiple inspection fees being issued by county, state and local government and it was almost an unfair practice that you would go through an inspection fee of the same kind and the fees were collected by all three sources.

So what the town has decided to do in the interim is to eliminate our local fee and then make an appeal to the county and state to say that this is really a local issue and we should take care of our own inspections. We are qualified, we have a Fire Marshal collect our fee and they should leave us alone.

So that is the background for this resolution and, hopefully, we'll hear more about it at the public hearing. So moved. Yes. I'm sorry, yes."

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

Supervisor Kozakiewicz: "Yes. And the hearing date is November 6 at 2:25."

Barbara Grattan: "That resolution is adopted."

Resolution #1081

Councilwoman Blass: "This resolution authorizes the Town Clerk to publish and post a notice of public hearing to consider a proposed local law for an amendment of Chapter 101 Vehicles and Traffic of the Riverhead Town Code. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1082

Councilwoman Sanders: "Classifies the action and declares lead agency on special permit of Paul Martin/Riverhead Commerce Park and refers petition to the Planning Board. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1083

Councilman Densieski: "Approves temporary sign permit of Little Flower School for their first annual 5k Walk/Run. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Was there any discussion regarding the phone number?"

Supervisor Kozakiewicz: "We had discussion at work session- "

Councilwoman Sanders: "Right."

Supervisor Kozakiewicz: "-- and I don't believe the phone number from what we gathered really was particularly troublesome for the majority of the board in light of the fact that this banner is supposed to be up for October 15<sup>th</sup>, well anytime hereafter, through their running date of October 26<sup>th</sup>.

However, I think there's a bigger issue which is the question of whether it can be placed on the utility poles and I think what we should do is indicate that it can be approved but with the condition that it will be placed on their property as opposed to telephone poles which we don't allow because of problems that it causes.

Is there any other discussion? No?"

Councilwoman Sanders: "Well- "

Supervisor Kozakiewicz: "All right. So, it's moved and seconded? Is there where we are?"

Councilwoman Sanders: "It was seconded."

Supervisor Kozakiewicz: "Okay."

Councilwoman Sanders: "And I had a question and you asked for my vote. I know it's a minor issue for some. However, my intent is to make- to establish standards, to keep things consistent from one temporary permit- sign permit, to another, and across the board for everyone for the same. It's nothing against the particular event. I support the event. But yet I think everybody should adhere to the same rules, temporary or permanent. I vote no."

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

Councilwoman Blass: "Several months ago, we had a similar situation and the sign permit was amended to cross out- have the phone number removed. So there's precedent for this and I think we were doing the right thing then and I don't believe this sign should have a phone number either. Unfortunately, I'll have to vote no."

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

Councilman Densieski: "Unfortunately I think we live in a day and time where everybody has a cell phone in the car and you can pull over and see a phone number on there and get some information. It's probably not such a bad thing. And it's amazing how much time we all spend on a temporary sign for up to 15 days when there are other more pressing matters to be- excuse me?"

Councilwoman Sanders: "I didn't spend a lot of time."

Councilman Densieski: "I'm in the middle of, you know, my- "

Supervisor Kozakiewicz: "Vote, please."

Barbara Grattan: "Okay, Densieski."

Councilman Densieski: "Since I was interrupted I'll just vote yes."

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

Councilman Lull: "I'm going to vote yes and I'm going to vote yes as long as we do have the objection noted that we do not allow signs in this town on utility poles.

I also agree- "

Supervisor Kozakiewicz: (Inaudible)

Councilman Lull: "I know it. But with that understanding- with that to follow through on it. I also agree and I believe that information such as phone numbers and so forth are dangerous, especially on large signs, signs close to the road. I believe they divert attention and I believe that that is the reason why it's not allowed in permanent signs. However, the sign is- I'm sure the sign is done. I'm sure they're ready to put it up for the two weeks and I'm going to vote yes."

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

Supervisor Kozakiewicz: "This has generated a lot of discussion. Part of the problem, I think, is due to the fact that too often we get these things coming to us last second so then we engage in these debates last second and this is an event that's scheduled to run literally on the 26<sup>th</sup>. So, again, with the note having been very much highlighted, I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #1084

Councilwoman Blass: "This resolution authorizes the Town Clerk to publish and post the notice to bidders for the Town of Riverhead Landfill Reclamation Project. So moved."

Councilman Lull: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1085

Councilwoman Sanders: "Approves site plan of Riverhead Enterprises 75 East Main Street. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1086

Barbara Grattan: "Resolution 1086. Guess what? I don't have 1086."

Councilman Lull: "It's a general fund budget adjustment. So moved."

Barbara Grattan: "Oh, yeah, I do, sorry."

Supervisor Kozakiewicz: "Shuffle them up."

Barbara Grattan: "Councilman Lull."

Councilman Lull: "Yes, General Fund budget adjustment. So moved."

Councilman Densieski: "Second?"

Supervisor Kozakiewicz: "Is there a second?"

Councilwoman Blass: "I'm sorry. Yes. Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Okay, hold on. Discussion. I have a question. Is Jack still here?"

(Some inaudible discussion among the Board members)

Councilwoman Sanders: "Yes."

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

Resolution #1087

Councilwoman Sanders: "Water District budget adjustment. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Supervisor Kozakiewicz: "When I saw the amount here and how much we were doing, I did have kind of a light go off or an alarm go off and I said why is this happening? And I called Gary Pendzick and he reminded me that we had sort of a warm spring and a warm year which resulted in more water usage and, therefore, a need to increase his budget line or paying electrical bills that are associated with running the pumps a little longer than we usually do. So I understood that.

And he also pointed out that it resulted in increased water use fees, too. So it was a two-way street. So I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #1088

Councilman Lull: "1088 authorizes the Supervisor to execute a stipulation of settlement with CSC Acquisition - NY, Inc. which is the Cablevision franchise renewal agreement. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Two comments. I'd just like to make a correction in the third Whereas. The Town resolution #545 was adopted by the Town Board in May 22, 2002, not July. So- because I went to look in July and it wasn't there. Okay, that was number one.

And my other comment regarding this. A lot of hours, a lot of time was spent. Mr. Kasperovich, you'll be happy to hear that we actually did read line for line, word for word, counted the paragraphs, the letters. Sat with Cablevision well above and beyond the committee that has met and negotiated with Cablevision for the last, oh, somewhere between six and eight months most likely. And we did all the things that you had hoped someone had done.

I think we did the best we could. In the spirit of negotiation, you don't always get what you want and that's the basis of negotiation. You get a little and the other side gets a little and I think we did the best we can. I think that we negotiated in the best interests of the Town of Riverhead and the taxpayers. And could I have done maybe a better job? If I go to school for negotiations, next time, hopefully, I'll get better skilled as time goes on but I think we did the best we could.

So, with that, I'll vote yes."

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

Councilwoman Blass: "Yes. I did sit with Councilwoman Sanders on several occasions and tried to bring ourselves up to speed in light of the fact that there had been ongoing negotiations already. And I totally concur in that we didn't get 100% of what we wanted. We did get some additional things that weren't originally included. I commend everyone for approaching these negotiations in the spirit that they were done. They were very professional and with a willingness to

actually try to gain consensus.

And I have to say in the broadest sense we did do that. The greatest number of the interests of the Town of Riverhead, I think, is best served by voting yes on this renewal agreement."

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

Councilman Densieski: "With the years of stalemate and no real negotiations only mean spirited letters coming from Riverhead town, that clearly wasn't working and it was time for real negotiations. And we did it with our attorneys, our Board members, our volunteers.

It is a controversial document. No one is every going to be happy with it. Neither side will ever be happy with it. One of the problems with this document is that so many people stand up and speak against it that haven't even read it. They just don't want to make a deal with Cablevision under any circumstances. I don't think that was a good way to approach this. I think we did it in a fair way. I think we did it in the best interest of the Riverhead resident.

Only about 80- probably 80 to 85% of this is federally regulated. So we didn't have a lot of negotiating items to discuss but we did fight hard for the ones that we did get, such as the senior discount and the computers that we're getting for the new senior center and the financial arrangements that we fought for.

So, I think we did the best we could. I'm sure there's going to be plenty of letters to the editor of the paper this week saying how it was a bad deal, but I don't really think it is a bad deal. I think it's a good deal and I'm going to vote yes."

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

Councilman Lull: "I want to say this to the committee that did this negotiations. First of all, I think they kept faith with the negotiations process. It's not easy when it goes this long.

Secondly, they kept faith with themselves. Thirdly, they kept faith with their opponents. When you're dealing with Cablevision, that's even more difficult. And, finally, I think they kept faith with you, the people of Riverhead. And I seriously believe that.

We're no longer prisoners of one television system and some of you have already joined me with getting a satellite dish and gone

other places. But the fact is, if you're still with Cablevision, you can still depend on the following. We have a \$115,000 settlement agreement with them. We have a 10% discount for qualified senior citizens. And we have a continued no franchise fee.

Whether or not that is very clear to you or not we have the right to charge a franchise fee, and charge them up to 5% franchise fee and they have a right to pass it onto you, the ratepayer. That means in most communities where they do use the franchise fee, they are paying up to 5% more for the same service as you are. We've kept that lack of a franchise fee as part of this and I feel satisfied and confident that this committee has done a good job.

I vote yes."

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

Supervisor Kozakiewicz: "All of my colleagues have spoken pretty eloquently and accurately about the status of these negotiations, where we were, what- where we are today. And they've also noted that anytime you deal with an agreement, there are things that need to be looked at as a package as a whole.

There are some things that are important issues that there's a little give and take on. There's others that you gain, that you maybe didn't anticipate gaining on. All in all I agree that this is an agreement that brings some important things to the table and results in some important things for the residents, including but not the least of which is the senior citizen discount. We're going to also eliminate any possible Water- River-gate tape gaps because we're going to have an insertion point put in so it will be live which will be a new thing.

We're also as pointed out going to have computers supplied to the senior citizens center. We're also going to settle the prior breaches that have been going on.

I want to thank and commend all the Board members who worked on this, the Town Attorney, Vic Prusinowski, for all of his help as a volunteer. We all spent countless hours as a Town Board to mull over the provisions, work on the provisions, and I think get the best agreement we could for the Town of Riverhead.

And I vote yes."

Barbara Grattan: "That resolution is adopted."

Resolution #1089

Councilwoman Blass: "This resolution approves an extension of military leave of absence. So moved."

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

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Lull: "A military leave of absence extended for Freddy Liggon, a good employee in the Water District. I hope he comes back but I certainly wish him the best. Yes."

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

Resolution #1090

Barbara Grattan: "Resolution 1090 is to pay bills."

Councilman Lull: "So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

Barbara Grattan: "That's Lull and Blass?"

Supervisor Kozakiewicz: "Yes."

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

Barbara Grattan: "Now we have resolution #1079- 1039, I'm sorry."

Supervisor Kozakiewicz: "Right. This is the one that was on the table. Just- this is a resolution that was tabled last meeting, October 1<sup>st</sup>, which is the site plan of Roanoke Shopping Plaza for the mansard roof panels. Discussion?"

Councilwoman Blass: "Discussion. Mr. Supervisor, we had had a conversation about the possibility of asking for easement to the east as well as to the west and I was hoping that we would see that in there."

Councilman Densieski: "I have a funny feeling that's going to be condemnation."

Supervisor Kozakiewicz: "Are they talking about both sides of the property."

(Some inaudible discussion among the Board members)

Councilwoman Blass: "Well, we have one already in there and (inaudible)."

(Some inaudible discussion among the Board members)

Supervisor Kozakiewicz: "We have already obtained from them a concession that they allow for the easement on the west side of the property, Sean."

Councilman Densieski: "And also we have the Building Department is taking care of that (inaudible) and quite a few things we did get."

Supervisor Kozakiewicz: "Well, I believe this was discussed. Rick, Rick you're here?"

Rick Hanley: "Yes."

Supervisor Kozakiewicz: "There's a discussion that's taken place on this one which is the- you had included language in the resolution which includes an easement- a cross easement, if you will, which would be required prior to the receipt of a building permit from the town Building Department of a covenant affecting this property which provides a right to the contiguous property owner to the west to pass and re-pass."

Rick Hanley: "Right. Right. And we already have that as a function of the Serota site plan application."

Supervisor Kozakiewicz: "Right. This would be on this property-side."

Rick Hanley: "Yes. So we have both sides."

Supervisor Kozakiewicz: "Okay. And I think what's happening is there's been a discussion that ensued to see if we can get a similar easement which would be tied to the Central Suffolk Hospital parking lot."

Rick Hanley: "Oh. Okay. That's not in the resolution."

Supervisor Kozakiewicz: "No, it's not, because it was not a topic of discussion until about 6:55 this evening."

Rick Hanley: "I see."

Supervisor Kozakiewicz: "I think it's- "

Rick Hanley: "Why don't we- why don't you leave it on the table and we can deal with it through the site plan review. Just to know what we're doing. If that's okay, I mean- is there a- is there time sensitivity here?"

Supervisor Kozakiewicz: "I believe- "

Rick Hanley: "Oh, yes. Yes. Yes."

Supervisor Kozakiewicz: "-- there were certain representations made and there are some problems. There's potential tenants that will be impacted by our delay here at the property who may experience problems with their- "

Rick Hanley: "What's the thought about the easement to the hospital parking area? Is there overflow parking issues?"

Councilman Lull: "Rick, the issue as far as I'm concerned has never been the parking lot. It's always been the one-way exit to Roanoke Avenue to become two-way. That was the easement."

Rick Hanley: "Oh. I can tell you that I've had discussions with Dunn Engineering last week. The property owner is coming in with an application for a special permit for increased coverage. That application is going to show exactly that. So rather than hold off- "

Supervisor Kozakiewicz: "So are you suggesting there's another chance to get that bite of the apple?"

Rick Hanley: "Yes."

Supervisor Kozakiewicz: "Okay."

Rick Hanley: "Probably an easier way through the special permit."

Supervisor Kozakiewicz: "Thank you."

Rick Hanley: "All right?"

Councilwoman Blass: "Didn't know that- "

Supervisor Kozakiewicz: "No further discussion? Is there a motion to take it off the table?"

Councilwoman Blass: "Yes, sir. Yes, to take it off the table."

Supervisor Kozakiewicz: "Okay."

Councilwoman Blass: "And move it at the same time. Can we do it in one motion?"

Supervisor Kozakiewicz: "Move it at the same time. Can we do that?"

Councilwoman Blass: "I'm game."

Supervisor Kozakiewicz: "And second. Good. Table and moved it."

Barbara Grattan: "Who took it off the table?"

Councilwoman Blass: "I did."

Supervisor Kozakiewicz: "Barbara Blass."

Councilwoman Sanders: "And I seconded it."

Supervisor Kozakiewicz: "And Councilwoman Sanders, take it off the table and move it at the same time. Vote, please."

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

Supervisor Kozakiewicz: "All right. Anything else? Any other resolutions?"

Barbara Grattan: "Now, you're going to have to wait just one second, please."

Supervisor Kozakiewicz: "We've got to take another brief recess? Are you fooling around with that CD again?"

Barbara Grattan: "Five minutes."

(At this time, the CD was changed)

Councilman Densieski: "We have a resolution off the floor, Mr. Supervisor. I move that we accept the \$115,000 from Cablevision which has to be done by resolution. So moved."

Supervisor Kozakiewicz: "And second? I think it's in there but, you know what? If it's not clear, we'll do another."

Councilman Lull: "Let's do it. Second."

Supervisor Kozakiewicz: "All right."

Barbara Grattan: "Hold on, kids. We're waiting for a tape."

Councilman Densieski: "We're still waiting? Bob, you turned red when I said resolution off the floor."

Supervisor Kozakiewicz: "I think I was about ready to have a heart attack. Did I turn red, too? That's because my heart was beating fast."

Councilman Densieski: "Thanks, Vic, wherever you are."

Barbara Grattan: "Give it time."

Councilman Densieski: "Vic said we need a separate resolution. Are you ready, Grattan?"

Barbara Grattan: "27, 26, 25."

Councilman Densieski: "Modern technology. You've got to get a 12 year old to set that thing."

Barbara Grattan: "Now we've just got to get the second one that they're waiting for a part for."

Councilwoman Sanders: "Barbara, I think he just insulted you."

Supervisor Kozakiewicz: "Waiting for the CD to run out and then put a new CD in. We're down to one."

Councilman Densieski: "Are you ready over there, Barbara?"

Supervisor Kozakiewicz: "No, she's got to load- "

Councilman Densieski: "Oh, boy."

Supervisor Kozakiewicz: "Patience, patience."

Councilman Densieski: "What number is this going to be, Barbara?"

Councilman Lull: "It's just off the other resolution."

Barbara Grattan: "Wait a minute. Okay."

Supervisor Kozakiewicz: "1091."

Councilman Densieski: "First time all day."

(Some inaudible discussion among the Board members)

Barbara Grattan: "Okay, ready."

Supervisor Kozakiewicz: "All right. So this is Resolution 1091."

Councilman Densieski: "1091."

Supervisor Kozakiewicz: "Go ahead."

Councilman Densieski: "Is- the resolution full settlement of the matters- a settlement in full, excuse me, a resolution for the full settlement of the matters asserted in Resolution 1271-01 and any and all claims arising under the terms of the franchise in the amount of \$115,000. So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "And I've been advised that we accept that \$115,000."

Supervisor Kozakiewicz: "And agreeing to a stipulation of settlement in return for the payment of the money."

Councilman Densieski: "All right."

Councilwoman Sanders: "Okay. Just want to make sure."

Supervisor Kozakiewicz: "Okay."

Councilwoman Sanders: "Yes."

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

Supervisor Kozakiewicz: "No more resolutions off the floor."

Barbara Grattan: "Now, Mr. Densieski, do you have that resolution?"

Councilman Densieski: "Jim's writing it up for you."

Barbara Grattan: "Jim is writing it for me?"

Councilman Densieski: "Everything will be taken care of."

Barbara Grattan: "Thank you so much."

Councilman Densieski: "Don't worry about a thing."

Supervisor Kozakiewicz: "All right."

Barbara Grattan: "Thank you."

Supervisor Kozakiewicz: "Any other resolutions?"

Barbara Grattan: "That's it."

Supervisor Kozakiewicz: "All right. Open discussion. Ken

Zilnicki. Five minutes, please. Are you Ray? Did you-- I saw a hand go up. Are you Ray? Okay, because I have cards that so many people handed it."

Ken Zilnicki: "Hi, Ken Zilnicki, Aquebogue. I'll be short because quite a few other people want to talk on this point. I'm sitting here and I'm listening to everyone talk about, you know, nice buildings in Riverhead, you know, certain people doing a lot of things for Riverhead.

I just want to speak personally on Tim Hubbard's behalf. I guess about two weeks ago, he was removed from JAB and the PAL organization. Well, not so much removed from that but as coordinator and running it. I think that's a- just not a good move for Riverhead because I've known Tim for 10 years and he's done a tremendous job with the PAL taking it from 200 kids and playing soccer to now over 1,000 kids, boys and girls, soccer, football, lacrosse, travel soccer, travel softball, and also cheering.

I know, you know certain organizations no matter, you know, whether they be the town or private, you know, politics does play a particular game. But I really wish that he would be reinstated in that position for- to keep that program going. I guess anyone could run a particular program but not as well as Tim has done in the last, you know, 10 to 12 years.

I've been associated, you know, with PAL coaching with Tim, running some programs with Tim, and he is top of the line. Very up to date, and really on top of the program. And I wish he would be reinstated. Thank you."

Supervisor Kozakiewicz: "Thank you. Ray Hughes."

Ray Hughes: "Thank you for this opportunity. My name is Ray Hughes. I'm the President of the Parents Association for Riverhead Giants football. I am a brand new board member. We are a brand new board. We've had some turmoil within the board, some people have resigned, and it's left us with people that I'm not going to say don't know the business. We know the business but we look to Tim for guidance, Tim Hubbard. And to be left without him, particularly in the middle of a season, we're right in the middle of the swing of things, has left us in a bind a bit.

And we're looking for guidance. He has a lot of connections. We're a well respected group of coaches and players. Riverhead

football is a very well respected program. And it's only because of him. He makes us what we are. He does a lot more things than people know and I cannot do my job successfully without the likes of Tim Hubbard being involved. Thank you."

Supervisor Kozakiewicz: "Thank you. Mason Haas."

Mason Haas: "Good evening everybody. Quick question for the Board members. How many of you had children go through the PAL soccer? So you know what it's like. I come before you as a parent, and as a volunteer to many organizations in the town of Riverhead. You know I'm a volunteer in the ambulance corps. I'm also a volunteer in the fire department. And I've also volunteered my services to the Riverhead PAL organization for many years."

Approximately six, seven years ago, Tim Hubbard came to me and asked about medical coverage at the time when I was an officer in the ambulance corps. And we provided the medical coverage down at the games as much as we could, you know, with what we had as far as people being available for it. The town-- at that time when I joined, there were many families that were from surrounding towns that came here because their towns didn't have the system we had here that Tim Hubbard had in place. It's a professional system. It's a well respected system.

Now these towns have developed their own and they've moved on and it's now more and more Riverhead growing and more and more kids becoming part of that organization.

I'm not really sure what happened at the police department. I wish Chief Hagermiller was here tonight so we could ask. There are rumors. We've all heard them. Something that's political, something that might be job, or some administration changes. Whatever it is, to have done that without coming to you first, Bob, because I'm not sure you really were made aware of this decision being made, you are the police commissioner in the town of Riverhead. It puts you in a bad spot. You know. I know that you've been looking into it. I don't know- "

Supervisor Kozakiewicz: "The PAL reassignment has taken place and, in fact, Timmy was supposed to be there Sunday but I understand he called in sick, he couldn't be there. So, based upon my discussions with the chief, he is supposed to have been reassigned to provide for- excuse me, okay. All right."

Mason Haas: "Yeah, they're all away in the rain."

Supervisor Kozakiewicz: "Okay."

Mason Haas: "So- "

Supervisor Kozakiewicz: "Would he-- just for the speaker, not for the audience. Would he usually attend home- away games?"

Mason Haas: "Well, if he has a game, he's coaching, so he does."

Supervisor Kozakiewicz: "Okay."

Mason Haas: "He does. But in the mornings, even when we have home games and away games, everybody does volunteering and Timmy is down there getting things set up with the food booth and such because we make money off of that. Saturdays, soccer, you see Timmy all day long. He's down there. So he is back, running the PAL?"

Supervisor Kozakiewicz: "He should be back. That's my understanding with the chief, last Friday, that he was going to be reinstated to allow for a transition with the PAL."

Mason Haas: "All right."

Supervisor Kozakiewicz: "Understanding that there can be changes down the road and personnel changes do take place."

Mason Haas: "All right. Now, the other question is which a lot of people have concern for including, you know, some of the reports you saw was about JAB. Because of his connection with the PAL. I mean, Timmy, when he's called in for something at the school, the chances are very, very likely that Timmy can connect with these children because of the fact that he might already know them from being there or that he knows friends of theirs and can then bring them into the system, get them with a coach, get them involved, keep them out of trouble. He's very important to this community in his impact with the parents.

You got off pretty light tonight because it rained this weekend, because soccer would have been when everybody was there and everybody would have been bringing everybody down. So, you know, you would have had a line out the door. You saw the petition, I'm sure, that came through. I'm glad to hear that the change was done, that he is a PAL.

We're glad to see that he's back."

Supervisor Kozakiewicz: "As I said, that's to allow for a transition or to continue- I mean, I think that changing in midstream was not the correct thing to do. Reassignments occur. I mean, I think that I just want to make that point. That sometimes people are moved around. Whether that's right or wrong, we've got to see.

Now, I've been in many, many discussions with the chief as a result of this action and one of the things that I've been repeatedly affirmed and repeatedly told is that there is no desire to impact negatively any of these programs."

Mason Haas: "One thing I'd like the Board to keep in mind and maybe pass onto the chief also is that what Timmy does, I'm sure he doesn't get paid for all of his time he puts down there. We, as parents, many parents working two jobs, don't have the time to do what he does. It's very valuable having him there. He- again, he is known throughout the county. He runs the league, he organizes with the Rec Department, he organizes with the food committees, and everybody else involved here.

Again, if he can get back into the JAB, it would also be greatly appreciated if you have some input there as the police commissioner. Because of the fact that he is involved with so many children and they all know him from the system, you know, from going through the PAL and everything and I think it would be beneficial for him to stay him at the JAB level. Thank you."

Supervisor Kozakiewicz: "Thank you. Christopher Carberry."

Christopher Carberry: "Hi, my name is Chris Carberry and I live at Aquebogue. When a referee makes a bad call, it can be overturned after the videotape is reviewed. What happens when a chief of police or a town leader makes a bad call? I am talking about moving my coach, Mr. Hubbard, out of PAL. He gives his heart and soul to us in the organization. I am afraid that we are going to lose a great coach in the PAL organization.

If we were to review the tapes we (inaudible) chief of police, (inaudible). You would see Mr. Hubbard and his children on the field and in the schools. You would see him at the school board and PAL meetings. You would see him coaching me on the football field or (inaudible). You would see him talking to me about what is right and wrong. I think this is a (inaudible). My dad says this is politics.

Whatever you call it, it is wrong. Referees understand that a mistake can be made but the most important thing is to get the call right. Please make it right and reverse your call. Thank you."

Supervisor Kozakiewicz: "Thank you. Tim Griffing."

Tim Griffing: "This is a situation where I think if it's not broken, we shouldn't try to fix it. Tim Hubbard has done a fantastic job with the program. I have an 11 year old son in football and soccer, and a nine year old daughter in cheerleading and soccer.

I don't think anybody understands the impact that this is going to have on the program. Nobody wants to come to terms with this and make a decision and take a stand on it. You're saying that you're going to replace- Tim is in position until a transition can be made. Now is that at the PAL level?"

Supervisor Kozakiewicz: "That's correct."

Tim Griffing: "Okay. Who is going to take over the PAL?"

Supervisor Kozakiewicz: "As I said, it's not taking place yet. He's going to be there."

Tim Griffing: "Okay."

Supervisor Kozakiewicz: "And I don't want it to happen unless there's somebody who can assume the job. I understand there were some discussions with Lt. Boden who obviously brings with him the same sort of things that we talk about with Tim, lifelong experience with the town of Riverhead, recreational background. He, in fact, graduated with a degree in recreation. That was his forte, if you will, before he joined the police force. So I think that if he's in a position where he can assume those responsibilities, he would be a suitable candidate and I can't believe that anybody would have an issue with him. But, these are things that still need to be worked out and I've asked the chief as far as the PAL is concerned, to allow Tim to complete this season at the very least until a suitable alternative can be arranged."

Tim Griffing: "Okay. So he will be replaced?"

Supervisor Kozakiewicz: "That's not what I said. I said- "

Tim Griffing: "It is what you said in a round about way."

Supervisor Kozakiewicz: "I said if he has a suitable replacement, yes."

Tim Griffing: "Yes. A suitable replacement. Okay."

Supervisor Kozakiewicz: "Right."

Tim Griffing: "Why is he being replaced? I have 530 signatures in two days that say this guy is doing a fantastic job. Why fix it if it's not broken?"

Supervisor Kozakiewicz: "It's a question you're going to have to ask the chief."

Tim Griffing: "Yeah. Well, you know, you guys call the shots and you're the police commissioner. Who's higher than you?"

Supervisor Kozakiewicz: "I have reinstated him to PAL, Tim."

Tim Griffing: "I understand that, temporarily. Okay? You know, Tim's got a relationship that he's built over 10 years with the students and faculty of all of our schools. You're going to sever that tie. If we have a Columbine, if we have a sniper that takes out a child at a school, aren't they going to be more comfortable talking to someone that they know rather than a complete stranger where we're starting from scratch with somebody new? And it's going to take two, four, six, eight, ten years to build a relationship. He knows children at the grade school level through high school. He's got children that have gone through the school and he's intimate with a lot of them through the programs that he has, you know, created. Okay? You know we've taken from 200 or 1,000. I don't have to cover how many children, how many families. Each child has two parents and each of them have two grandparents. That's 6,000 people, okay, that we're monkeying with here."

This guy has done a fantastic job and I just don't see the logic in replacing this particular detective. You're taking someone out midstream. Last- two weeks ago Wednesday he was told to report Monday as a detective. The person that was put in his place had no training, there was no transition time to educate her. Okay? This should have been done in a more sensible manner and if this is the way the police chief is going to run things, it can't be permitted to go on that way. It just can't.

Chief Hagermiller, okay, I have not seen him walk in the Polish

Fair like Chief Grattan did for two days every year. Okay? I haven't seen him at Homecoming. I've seen no community presence of him. He is the chief of police and we need to hold him accountable. He comes in here at 9:30 in the morning or 8:30, whenever he gets here, and leaves at 3. He lives in Wading River. He has no ties to the immediate town and the community of Riverhead. Okay?

As far as I'm concerned, one of the good old boys would never have pulled something like this. Okay?

Now, there was just no logic or thought. There was no thought process for replacing him. People in corporate America are promoted and given raises when they do a good job, not replaced. Okay? This has impeded his ability to be a member of the school board if he goes back onto shift work. He's one of the most level headed people. He had more votes than anybody that was ever elected to the school board in the last 16 years. If he goes back to shift work, he has to give up that position. That's not a good thing for the community.

With all the problems that we have today including terrorism, we need to be expanding these programs, not disrupting them, not shredding them, not sticking a knife in the fabric of the children's programs.

Why were you in the dark on this whole decision? I don't understand that. I don't understand how such an important decision that is, you know, causing a problem for so many people, was created by one man. I don't understand it. Okay? We need healthy children that are out getting exercise. Okay? Not sitting on the couch eating junk food and watching television. Tim Hubbard is an asset to our community and also I'd like to go on to say that a lot of relationships amongst the community through the parents getting to know each other at these events is key. There's a lot of people that I know now that are good people that I would never have met if it wasn't for these programs being expanded. If it didn't go from 200 kids to 1,000, I may not have children in it. Okay?

We had the right person running this program and we need to take a closer look. You're vacillating back and forth. You're not telling us what we want to hear. We need somebody to take a stand on this with some backbone. Because these 6,000 parents and grandparents will be thinking about this next November."

Supervisor Kozakiewicz: "Thanks for those encouraging words, Tim. I mean I, you know what? I think this is like you coming into-

I coming into your business and telling you how to run it. I mean, I'm trying to deal with the issue. I think we need to do a transition. If there's going to be a change, you're reacting like there's nobody else in that police department, 76- 77, 78 police officers strong, who can do the job. Is that what you are suggesting? There's nobody else?"

Tim Griffing: "I would like to see you create a list of the people that would like to do the job."

Supervisor Kozakiewicz: "As I said, I have asked him not to pull him from the PAL assignment unless and until somebody who can do the job is there in his place."

Tim Griffing: "Okay. He's been told that he can switch to a 4 to 12 from an 8 to 4 on games days. Now, as far as PAL goes, what happens with the coaching? He coaches at night. PAL is so that a police officer interacts with children. Okay? We don't have any other police officers that are coaching any of the teams that I know of. The whole idea of PAL is the interaction of a police officer.

And, it's just been ripped apart. And, that's all I have to say. Thank you."

Supervisor Kozakiewicz: "Thank you. Gentleman- I- you didn't have a card handed up, right, sir? You want to come up and speak? Because I know you have a young child, I'm sure, some of the others won't mind you coming up."

Kevin Driscoll: "Thank you. My name is Kevin Driscoll from Riverhead. This evening I don't know if you noticed, I had brought three boys with me. All three of those are my sons. One young guy fell asleep and the other one is nodding off so I had my wife come get them.

I didn't bring them here tonight as an emotional appeal to you. I brought them as an example of what the PAL program has done for my three sons. My oldest fellow here is in the lacrosse program, my middle son is in the football program, and my little guy is in the soccer program.

And I'm here this evening to present my thoughts on the reassignment of Det. Tim Hubbard from his role in the PAL which I now understand he's back and the JAB to routine squad work. And with regards to reassignment of police officer Scott Wicklund from the DARE

program to routine patrol. Prior to continuing- I just want to make it clear. I'm not making any accusatory statements and I'm certainly not making any negative statements against any people who may have been moving into those positions."

Supervisor Kozakiewicz: "Okay."

Kevin Driscoll: "But rather this is an endorsement of Det. Hubbard and Police Officer Scott Wicklund. I've had the pleasure of knowing Det. Hubbard for the past six years. I was honored with the privilege of coaching in the PAL football program since 1999 and I was invited to coach the lacrosse program and the soccer program this fall. I've had the pleasure of knowing Police Officer Scott Wicklund since 1996 when he coached my oldest son in T-ball and actually discovered that he and I were both in the police academy and served in the borough of Queens together in the New York City Police Department some years ago.

The Juvenile Aid Bureau Program is a spin off of (inaudible) New York City protecting the rights and safety of children from being locked up with hardened criminals. The beauty of this program was its evolution into a constant positive and consistent police presence in our schools. The kids in Tim Hubbard have a face they readily recognize as their coach, as a father of their schoolmates and teammates and as a mentor to those bordering on the line. Removing Det. Hubbard from this position breaks up the consistency of a program and ruins the cooperative spirit and atmosphere that takes place in our schools today.

The DARE program also has done wonders in bringing the parents of children in our schools together to fight the drug problem in our community. You should see the excitement in my kids' eyes when they see the fellow they call DOS- Dare Officer Scott- doing routine errands. Again, this is a relationship the kids feel very comfortable with and it should not be broken.

The PAL program has its history in the attempts of police departments to directly interact with the community children so that the kids could see police officers as regular guys. So they could see the police officers as active, contributing members of their community.

As coaches, the two fellows that I am here to support have been directly involved in the lives of my children as I sure in the lives of yours as well as the thousands of others in our town. Both men

have an active interest in our kids as parents of school age children themselves and as parents of kids in our schools, and as guys that we see on our playing fields every weekend. It is not clear to me what similar relationships, if any, the replacements or the supervisors might have.

I find it discouraging to discover the possibility that the members of the Town Board were not made aware of these changes and as parents of children in the program and as parents of children in our district, I think you would want to take a more active role and perhaps listening to what the people have to say.

I understand Mr. Lull's position and perhaps the Board's position that traditionally department heads have been allowed to shift personnel around as they see fit. Perhaps this may apply to some behind the scenes employees but when you have two gentlemen who are so out in front, so involved in our community, so involved in our lives on an every day basis, perhaps this rule may need a better look.

Chief Hagermiller contends that a review of the work that they are doing in JAB requires us to change the format. Perhaps I agree. I don't know the facts but changing the format should have nothing to do with changing the personnel. Perhaps a change in guidelines or procedures would be better fit.

Chief Hagermiller also says he's not taking anything away from the job Tim Hubbard has done with the PAL. In fact, he's done a very good job. Then I don't find any acceptable reason for making a change. There are hints that there are facts that we don't know about. And, frankly, if the Chief is judging the entire careers of these men on one or two isolated paperwork mistakes then there is a need for management training at the upper levels, rather than at the lower levels.

The presence of a small representative group of people here from our community tonight is a clear signal to the Town Board of a situation where we're reaching out to you to help us with. Certainly you can see emotions are now starting to build. We have voted you to represent the ideas- ideals and desires we have to better our community and while we've been patient with the many projects that have been held up with political bickering, we find that when you mess with our kids, we're not going to be so understanding.

We feel our children are being used as pawns in an inter-agency fallout and that is being quite irresponsible.

I want to thank you very much for your time. I want to let you know that I really do support everything the Town Board does in our community and I hope that you will consider what I'm here saying tonight in support of Tim Hubbard and Scott Wicklund and keeping them in their roles in the PAL and JAB and DARE. Thank you very much."

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

Councilman Densieski: "Thank you."

Councilwoman Sanders: "Thank you."

Supervisor Kozakiewicz: "I have the other usual speakers. Is there anybody else who wants to- Janice Seus. And then I'll go to the other individuals who filled out cards. Is there anybody else? Okay. Well, I have other speakers on cards. I just want the people who are dealing with the PAL issue, so-- "

Janice Seus: "All right. My name is Janice Seus. I'm from Wading River. I was Tim Hubbard's secretary for six years. I am not here to put anyone down. I am here totally in support of Tim Hubbard and I want you as the Board to know things that might not come out.

Number one, Tim Hubbard has put numerous hours in that he has never gotten paid for. I don't know anybody else that are going to put those hours in without costing the town more money. Okay? I can't tell you the amount of time that he has put in with not getting paid. They cut his overtime. He was fine with that. He was willing to still do the program with no overtime, straight time, do it on his own. That's number one.

Number two. No one even wants to do PAL. Tim Hubbard is the only one that I know of in that police department that even wants that job. So if you have any idea of thinking about replacing him, I don't know who you're going to find that wants to do it."

Supervisor Kozakiewicz: "Right."

Janice Seus: "They may do it because they're told to do it- "

Supervisor Kozakiewicz: "Right."

Janice Seus: "-- they may do it for other reasons, but they're not going to be there with the same spirit and the same heart that Tim Hubbard had. And that is irreplaceable. I know no one is

irreplaceable. Everyone is replaceable, but that kind of spirit you're not going to find in anybody else in that police department. That's number two.

Number three. You have Lisa Hubbard who has done the cheerleading as his wife, no pay. No gratitude- you know, there's been no gratitude shown to that woman. We have 60 girls in the program. Every year we turn girls away. Who is going to do that? Who is going to take that over free of charge the way Lisa has? Yeah, she has help, but she has coordinated it, she has taken over the whole program herself, as Tim's wife. You're not going to find that kind of dedication and devotion from anybody else.

And just as a friend of Tim Hubbard, I think that the Board and Chief Hagermiller would be making a big mistake by replacing him for PAL. Thank you."

Supervisor Kozakiewicz: "Thank you, Janice. I have other speakers, Mason, say, yeah. Go ahead."

(From the audience) "There is a big turmoil."

Supervisor Kozakiewicz: "We sense that."

(From the audience) "Can you and the Commissioner set up a meeting with Hagermiller to sit down with the public comments (inaudible)."

Supervisor Kozakiewicz: "I think what I'd rather do is set up another meeting with him, individually, and then if that needs to be done, then yes. Okay?"

(From the audience) (Inaudible)

Supervisor Kozakiewicz: "Um, I'm going to go to the next speaker. We're not going to engage in a debate from the floor. I think we've heard the speakers, we understand what's being said. Anybody else wants to speak on this issue who hasn't had a chance to speak? If not, I'm going to go to the cards. Mr. Kasperovich. Okay. Okay, Bill."

William Kasperovich: "William Kasperovich from Wading River. This is a hard subject to follow. A (inaudible) thing, a matter of basically of personnel problem. This is personnel administration. This is a definite reflection on the chain of command and concurrence

between the people in authority. This is I think more of a symptom than a problem. We're at the bone of administration and when that rattles the entire township rattles.

The little things and, of course, I say little because when you look at the overall picture of life in Riverhead, you have to take into account the big and the little at the same time. And when you lose faith in any one or all of the elected officials you can't just sit home and forget it. The capability of rectifying the situation is just as important as administering the situation.

With this said, let me not go back to the resolutions, but this is the resolution that brought things to my mind of a serious nature of a small item. We talked- about 1083 or approved a temporary sign permit. Actually what we brought up was a distraction to the driver and some years back the best part of the evening was consumed by a distraction to the driver.

This might be looked at as a social problem that when we think of the concerns throughout the state and throughout the nation of people driving not in full command of their faculties to drive by the use of phones, by the use of conditions on the road, anything that deters the driver from his ability to do safe driving, becomes a point of serious concern. And we should not wait for a history of accidents in order to put our thoughts behind us and say we can't permit this. We've got to look ahead. And doing a safe program never gets recognition because there's nothing to show. Everything went along fine.

So it's difficult to handle a sign for an outfit for the Little Flower and it's a little difficult not to have gotten in at the early stages to change the sign or not permit it. This also goes back to in this town it seems people have- a large number of people have the attitude, well, we'll go and do it and get it done and then see what they'll do about it and we'll correct it."

Supervisor Kozakiewicz: "Bill, I am going to ask you to sum up. I have a few more cards, so if I could."

William Kasperovich: "You seem to have a talent to interrupt my final statement."

Supervisor Kozakiewicz: "I'm trying to allow five minutes to keep the meeting moving. If you're going to conclude, go ahead, Bill. I'm sorry."

William Kasperovich: "Seeing the attitude of the Town Board towards a distraction on- to the driver as I see tonight, means that there's some definite basic wrong thinking with regard to safety of driving in Riverhead. Period."

Supervisor Kozakiewicz: "Thank you. Mike Spindler. Mike, you lied. You said you only could stay to 10."

Mike Spindler: "Yeah, I'm in trouble. Just a mention on the PAL thing. It's probably the most important issue, our kids, in this whole town and in the school. As a police officer with Suffolk County, I didn't work with kids too much. I worked street crime doing other things. But it's probably the most important position in that building. Just- I'm not trying to tell you how to do your job or the Chief or anybody else, but just, you know, from an experienced cop, just, you know, be aware of that when you make your decisions."

Okay, real quick. Drag racing, public airport, sandmining. I wish I didn't have to be here tonight speaking about what I'm going to speak about or ask about."

Supervisor Kozakiewicz: "Security is up at the Grumman property. It started last week."

Mike Spindler: "Well, I'm not really going to be talking about security although that is definitely an issue without a doubt. I got a lot of phone calls the last two days about a possible incinerator coming to Calverton. Now, Sid Bail at the last meeting, asked if there was anything to do with smokestacks out there. I found it odd that you sat back in your chair- I don't mean to be disrespectful."

Supervisor Kozakiewicz: "Well, I- I was disputing the question. I just want to- you know, he asked are you entertaining offers. I sent a letter out indicating I wasn't interested."

Mike Spindler: "Okay."

Supervisor Kozakiewicz: "All right. Just- and I can provide you with the letter."

Mike Spindler: "No problem."

Supervisor Kozakiewicz: "Okay."

Mike Spindler: "I'm not here to harass or anything like that or

- I'm not. I'm just here to let you know, you know, you made a comment before with the usual speakers. You know, I really wish I didn't have to do this."

Supervisor Kozakiewicz: "Mike, I'm sorry."

Mike Spindler: "I wish we didn't need civic associations. We've had people on the Town Board that weren't interested in other things. But we are very concerned about this incinerator rumor, whatever it might be. I was very curious as to why two town officials went down to see an incinerator and wondered does that happen with every proposal? This is not even a proposal, if I'm correct. But you sent two people down there to look at an incinerator. Taxpayers' money."

Supervisor Kozakiewicz: "Mike, you've got five minutes. I'll talk to you- "

Mike Spindler: "Okay. My question is, you know, us in Calverton. I've got people living in that hamlet, Wading River, these people and I don't want to be dramatic here. I've mentioned it to other people on the Town Board. It's beginning to be a nightmare living in Calverton- Wading River and Calverton. It's a nightmare. We are unsure of what's going to be going on there. We've got this change of zone thing going on for more industrial property. It's scare- and I'm not being, you know, people are afraid of airports, they're afraid of race tracks and drag racing. And I'm not being dramatic. I don't know how else to say it. They're afraid of it.

We've got people on my own board that are not sleeping at night. They're calling me, you know, asking me all these questions now about this incinerator.

The other question is, do you plan to go down there and see this again, this incinerator?"

Supervisor Kozakiewicz: "I have been asked to come down, yes. To Montgomery County."

Mike Spindler: "If you are not interested in it, why would you go down? I mean- this is- I don't mean it to be a personal question. I mean we were very interested in Palm Beach Polo. I've been to Palm Beach Polo. Okay? Our community was very interested in that. Now, I'm not saying it's good, bad, whatever. I'm not getting into that now. But we were very interested in it. Did you go to Wellington,

Florida, a \$200 plane ticket to West Palm Beach?"

Supervisor Kozakiewicz: "No."

Mike Spindler: "Okay. No, that's something that we're interested in. Now, again, the usual speakers. That's why we've got to be here, to tell you we're interested in Palm Beach Polo. At least take a look at it. I know his proposal was a little strange but- "

Supervisor Kozakiewicz: "Quite strange."

Mike Spindler: "Yes. I'm aware of that. But the Wall Street Journal reports, warns its readers, incinerators are financial disasters. That's in the Wall Street Journal. Okay? This is not Riverhead News Review or any other local paper, you know, Newsday. This is the Wall Street Journal. Okay?"

So, at any rate, I've got to get going. I appreciate your calling me up."

Supervisor Kozakiewicz: "No problem."

Mike Spindler: "We're very concerned about it. And I'm sure you know that. Thank you."

Supervisor Kozakiewicz: "Sid Bail."

Sid Bail: "I've got to be careful what I say now. I might get 120 rooms in the country inn. This is a follow up on the incineration issue. I'm making light of it, but it's a serious issue. I came across- well, come of your remarks at the beginning that you're not entertaining this proposal but if you are or you might be, I came across the article. It's a Nyperg article on solid waste, incineration polluting in effect (inaudible). And it's got a lot of interesting information, some of which Mike covered.

It's- part of it is a critique of a report called Life After Fresh Kills, Fresh Kills landfill, I guess, in Staten Island. And just one- bear with me, one sentence, two sentences. Surprisingly the Life After Fresh Kill report actually recommends building incinerators, not in New York City for aesthetic logistic reasons, but rather in some other place accessible by rail or barge (inaudible). That means either out of state in conflict with the report's own goals of reducing such dependence or elsewhere in New York which is inappropriate and unrealistic.

And that's the gut feeling that we bring to this. And I think there's a lot of data that would support it. This is more than just a knee jerk, you know, reaction. And I thoughtfully prepared copies of this."

Supervisor Kozakiewicz: "Thank you. Rolph Kestling."

Rolph Kestling: "Why is it mine was the first card on the table and I'm practically one of the last ones to speak?"

Supervisor Kozakiewicz: "That's the way they were handed up to me, Rolph."

Rolph Kestling: "All right. First, I want to find out when was Wading River expelled from Riverhead? We had a gentleman just say he's not part of the community."

Councilman Densieski: "Yeah, I heard that."

Rolph Kestling: "Second. Who's running the police department?"

Supervisor Kozakiewicz: "The Police Chief."

Rolph Kestling: "Right. Remember that. Now, I love these people that come up here- "

Supervisor Kozakiewicz: "What's that supposed to mean? We'll talk outside."

Rolph Kestling: "I love these people that come up here to say their piece, they finish saying their piece and then they run out and you don't see them again until they have another special interest. And I resent some of those intimidations that one speaker used here. All right.

What I'm going to say is- "

Supervisor Kozakiewicz: "He was a little strong, wasn't he?"

Rolph Kestling: "Huh?"

Supervisor Kozakiewicz: "He was a little strong."

Rolph Kestling: "He was a- very strong. I mean, forget about it. Forget about it."

Supervisor Kozakiewicz: "I don't want to take up your time, Rolph."

Rolph Kestling: "Whatever. This is whatever happened comments. Whatever happened to Calverton Industries? The building is still there, the extensive landscaping hasn't been done. You said you were going to- "

Supervisor Kozakiewicz: "I know that I said I would take it up. I did ask the Town Attorney to follow up on it. As you noticed, she's not here today. We're in the midst of a legal action which has taken her time as well as some other things. So, I know that it was something that was on her agenda to be addressed and I anticipate having some answers for you very shortly."

Rolph Kestling: "Okay. This place next to Stove and Stone, the Trade Show. All I still see is a big sand pit there. All right. Go to the next one."

Supervisor Kozakiewicz: "Issues with building code. The same issues we're finagling with."

Rolph Kestling: "Okay. Now, I just- "

Supervisor Kozakiewicz: "I mean, I would like to see something go up there as much as you would, to know that there's really a building being proposed. And it's come down to, and the last time I asked, discrepancy with floors, the elevations, and other things, and a dispute as to interpretation of the code."

Rolph Kestling: "Okay. All right. The other- you cut grass with a lawnmower?"

Supervisor Kozakiewicz: "No. I grew up on a farm. We never cut any grass. We never cut any grass. I somehow managed to avoid that job."

Rolph Kestling: "All right. You've got members on your Board I'm sure who cut grass. What happens when you're cutting the grass with your lawnmower and you hit a rock?"

Supervisor Kozakiewicz: "It depends on how large a rock it is."

Rolph Kestling: "A big rock."

Supervisor Kozakiewicz: "If it's a big rock, it'll stop the blade and it can shear that thing so it won't run any more."

Rolph Kestling: "Okay. I'll tell you a little story."

Supervisor Kozakiewicz: "A little story or a little stone. Okay."

Rolph Kestling: "Okay. And North Wading River Road is, you know, this happened about four or five years ago. Somebody which probably was the adjoining landowner, threw out on the road two cement blocks with a footing on it. And I've been watching over the past few years when the town mows the lawn, they hit it, every time they hit it. That two blocks is down to one block. So last week I decided to call up the road department. I told them about it. I told them exactly where the rock is. Today I took a walk down there, that cement block is still there, and I called again. Nobody talks to nobody. Let the- she said I'll send the foreman down. Send him down. Make him get out of his truck and take a look. I admit the block is covered with some branches and stuff now but hey, I mean if you tell--"

Supervisor Kozakiewicz: "North side or south side of the road?"

Rolph Kestling: "It's on the north side between pole 92 and 93."

Supervisor Kozakiewicz: "92 and 93."

Rolph Kestling: "And every time that lawnmower hits- "

Councilwoman Blass: "We'll put a temporary banner on it."

Rolph Kestling: "-- the man's got to be at the shop sharpening it pretty soon. But it happens for the past four or five years. Okay. Where am I now? Whatever happened, oh, yeah. The graffiti on that building on Manor Road."

Councilman Densieski: "That's coming down, that building."

Rolph Kestling: "It's coming down?"

Councilman Densieski: "They've applied for a permit to demolish the building."

Rolph Kestling: "All right. Now the thing I don't understand."

understand. The Place of Learning on West Main Street, you know, by the Riverhead Savings Bank, what's going on there? Mr. Lull, you said last time I asked you that, you said by August it will be full-everything will be moving along. You'll be in business. What happened?"

Councilman Lull: "They have projects going on there. They have field trips there."

Rolph Kestling: "Oh, it's big secrets then, huh?"

Councilman Densieski: "There's no sign."

Rolph Kestling: "There's no sign. You don't know what's going on."

Councilman Densieski: "I know they do take class trips there though."

Councilman Lull: "Yeah."

Rolph Kestling: "A little publicity maybe, a little sign, this is the Place of Learning. Let us know what's going on. Hey, you gave them a \$50,000 grant remember? I think we ought to see something for that. Thank you."

Supervisor Kozakiewicz: "Thank you. Ms. Holland, I know you wanted to- Ms. Holland, you wanted to address the Board."

Patricia Holland: "Patricia Holland, Riverhead. I have a question on three different topics. One of them, on the Cablevision topic where people who are senior citizens are going to get a discount- "

Supervisor Kozakiewicz: "That's correct."

Patricia Holland: "Does that mean they are a certain age or they are on Social Security? The reason I ask, I was wondering if people who are on Social Security Disability will also get some sort of discount."

Supervisor Kozakiewicz: "Certain age. It's a senior discount."

Patricia Holland: "Age."

Councilman Densieski: "It's age and financial."

Supervisor Kozakiewicz: "Right. Age and financial. It's- you have to have- fall within that age classification."

Patricia Holland: "Okay. Second topic. Little Flower, last meeting we tabled everything."

Supervisor Kozakiewicz: "It's still going to stay tabled."

Patricia Holland: "And are- have we had any kind of conversations with the parties of the first part that they will come and talk to us as a group as they did down in Wading River?"

Supervisor Kozakiewicz: "I have suggested that they do that and they seem receptive to the idea, either next work session or individually with the Board members. But I think it would be best if it be at a work session. So, that's what- I have asked them to do that to put together the same group that spoke at Wading River, and come to the Board so that the Board can get a sense of comfort with respect to what it is they're trying to do there."

Patricia Holland: "Not the citizenry?"

Supervisor Kozakiewicz: "Oh, it would be at work session. It would be work session, yes."

Patricia Holland: "Okay. The third topic- "

Supervisor Kozakiewicz: "So work sessions are open to the public."

Patricia Holland: "The third topic I can't even vouch for. All I know is I mentioned to someone I was coming to this meeting and I was asked to ask you something about across from Mill Road, that general area on the north side of Sound Avenue, that supposedly a condominium, an upper income condominium is going in and the person asked me what about the moratorium on building that they're knocking down all these trees and things. I have absolutely- "

Supervisor Kozakiewicz: "Middle Road. Not Mill, Middle."

Councilman Densieski: "Mill?"

Patricia Holland: "The lady said Mill, but she could have been

wrong?"

Supervisor Kozakiewicz: "No, it's Middle."

Patricia Holland: "Middle."

Supervisor Kozakiewicz: "Yes."

Patricia Holland: "And this is also against- "

Supervisor Kozakiewicz: "That's Mid Road Properties and they were outside the moratorium. And that's a senior project that was a change of zone and a special permit I believe and site plan."

Patricia Holland: "Okay. When I see this lady I can tell her it happened before the moratorium."

Supervisor Kozakiewicz: "It's Middle Road, yes."

Patricia Holland: "Okay. Thank you."

Supervisor Kozakiewicz: "Okay, thank you. Anybody else who would like to address the Board? Joan Griffin."

Joan Griffin: "Good evening, Joan Griffin. Just to get a little more information. Mr. Kestling brought up about the Manor Road barn that's going to be demolished."

Councilman Densieski: "Yes."

Joan Griffin: "Back on August 6<sup>th</sup>, you said the same thing."

Councilman Densieski: "Yes, I did say- "

Joan Griffin: "How long does the process take?"

Supervisor Kozakiewicz: "It takes a while."

Councilman Densieski: "I did say the same thing. They applied for a demolition permit, but- "

Joan Griffin: "Six months, nine months, a year? You know, any time frame on this?"

Councilman Densieski: "I don't know, Joan. We can't before it

until they voluntarily come in- "

Supervisor Kozakiewicz: "If the structure is unsafe, we can push the issue. I'm not sure if this fits within the category of Chapter 54. They have applied as indicated by the Councilman for a demolition permit. Sometimes there's things that have to be done. There's disconnects and I understand it's probably not been connected to power for a while but there's things that have to be done before you can just simply tear down a structure or remove a structure."

Joan Griffin: "Okay. Because since the winter is starting to set in with the windstorms and everything again. Last year I brought it to the attention of the Town and the Town cleared it up very quickly within a day or two, that the roof was blowing off there and it's starting to blow off again so it is becoming a dangerous structure again."

Supervisor Kozakiewicz: "All right."

Joan Griffin: "Thank you."

Supervisor Kozakiewicz: "Thank you. Rita Hodun."

Rita Hodun: "You keep saying you're working on the master plan. Is the two acre zoning going to be affected in this master plan?"

Supervisor Kozakiewicz: "It calls for two acre zoning, Rita."

Rita Hodun: "Well, if we had one acre zoning, one house one acre, twenty years ago when my father gifted land, he had to take his house and barn and one acre of land. What happened in the past 20 years to one acre, one house? Now, the lawyers, the builders, the homeowners, the real estate, the bankers and the previous Town Board did not hold that true. So if one acre, one house didn't work in the past 20 years, how are two acres, one house going to work in the next 20 years? What papers, what guarantee are you giving the farmers that this is going to work?"

I mean these people come and they lobby and they get everything they want. There's four houses to an acre, two houses to an acre. What guarantee are we going to have? Are they- you're going to have all these lobbyists and lawyers and builders sign papers that it's going to definitely be one house on two acres? If it's not- "

Supervisor Kozakiewicz: "The plan talks about- "

Rita Hodun: "If not, why are you picking one group of people? That's discrimination and that's against the law."

Supervisor Kozakiewicz: "I don't- I feel very hot because I'm always the one who's getting posed this question and I haven't been an outspoken opponent for this so I'm like, wait a minute, am I bipolar or nuts here and what's going on? I guess your comments are for the rest of the Board. However, the plan- you asked me what the plan calls for and the plan calls for that. The plan calls for transfer of development rights. The plan calls for increased development where the transfer of development rights land. That's what the plan calls for, Rita. Your argument is with the plan, not with, you know, me."

Rita Hodun: "My question- "

Councilwoman Blass: "Mr. Supervisor- "

Rita Hodun: "-- is what guarantee are we going to have the next 20 years guarantee, two acre zoning, one house and nobody can lobby for anything else. That's my question. If it isn't a guarantee, then don't put it on it. You've got to guarantee that that's what's going to happen. It didn't happen with one acre, one house the past 20 years. How are we going to get a guarantee that this is going to work for the next 20 years? We're not- how is that going to save Riverhead?"

And the farmers didn't do this. It was the lawyers, the builders, the homeowners, the real estate people, the bankers, and the previous Town Boards. The farmers didn't do this. And how are you going to give them a guarantee that this is going to work? What kind of papers, what documents are you going to have these people sign that it's going to work?"

Supervisor Kozakiewicz: "I don't even know how to answer the question because what you're asking doesn't really relate to the overall question of the master plan- "

Rita Hodun: "Oh, yeah, it does."

Supervisor Kozakiewicz: "-- process. There's always a- this plan if it's adopted by the Board, does call for the transfer of development rights. It does allow for increased density on properties where transfer of development rights can land, receiving zones, and that's something that's part of this plan. I'm not sure if you've had a chance to read through it, Rita. I would suggest maybe you do that

and address the comments.

Guarantees? There's no guarantees. I wish there were. There are no guarantees."

Rita Hodun: "So there's- it's worthless. It's nothing."

Supervisor Kozakiewicz: "I would not say that. The master plan is a process- "

Rita Hodun: "You're discriminating against one group of people, the farmers."

Councilwoman Blass: "Can I say- "

Rita Hodun: "Everybody and anybody in this town can put up a for sale sign but why are you just targeting the farmers? If everybody don't have two acre zoning, nobody should have two acre-"

Supervisor Kozakiewicz: "The master plan- "

Councilwoman Blass: "It calls- "

Supervisor Kozakiewicz: "-- does not single out farmers."

Councilwoman Blass: "That's correct."

Supervisor Kozakiewicz: "It does not. There are other proposals and changes that are called for including changes to Route 58, other tourist- I mean, other hamlet areas, other zoning changes. So- "

Rita Hodun: "And they all got to go with the two acre zoning?"

Councilwoman Blass: "Residence A- "

Supervisor Kozakiewicz: "They have changes in what they can have as far as permitted floor area ratio, what they can yield on a particular piece of property, what they might be able to do as far as landscaping, what they do- the comprehensive plan calls for increased landscaping on sites so that a property owner will not be able to build it out to the same extent that they would today. So there are others who would be impacted adversely by this change in legislation.

The comprehensive land use plan is a plan that's needed for a

town as its situation and as changes take place over time. The last master plan as we all know for the town was in 1973 and to simply suggest that, you know, we shouldn't even try to do a master plan because there's certain people that are going to be adversely impacted, again, I think you're taking your angst out sometimes on the wrong person and this Board is not the right thing to suggest.

We do have to realize that changes have taken place since '73, that we need to do a new comprehensive land use plan and that we need to try, again, there's- the word I want to say is try, because we're trying to envision what's going to happen down in the future. We're trying to envision what's going to happen for the next 20 years. And the way we do that is by adoption of a comprehensive land use plan and by setting out, if you will, a road map of what we would like to see take place in this town based upon where we've been, where we are today, and where we hope to be. Do you have any guarantees? The answer is no. No."

Rita Hodun: "I know, I've talked to people that have got land. I says, oh, how are you making out putting in two acre zoning? Oh, that's not for me, that's just for the farmers. Well, come on. It's got to be for everybody or nobody.

I've got one other question. This zoning. People don't want a zone change for Crown but they want a zone change for two acre zoning. Can you explain what is the difference, if there's a zone change, is it a different type of zone change? Do they mean different things? The same people. I don't want a zone change for Crown. Oh, but I want a zone change for two acre farming. What's going on here? What does this mean? Can you explain the difference?"

Supervisor Kozakiewicz: "Yeah-- "

Councilwoman Blass: "One's an upzoning, one's a downzoning."

Supervisor Kozakiewicz: "I guess as my colleague to the right is saying, one's an upzoning, one's a downzoning. One's less intensive; one's more intensive. We're comparing apples and oranges, quite frankly, Rita. The comparison in what you're comparing two applications are- it's like saying- "

Rita Hodun: "I'm not- this is what the people- "

Supervisor Kozakiewicz: "-- it's like saying- if I may. You asked the question."

Rita Hodun: "-- they don't want a zone change."

Supervisor Kozakiewicz: "It's like saying, you know, what's the difference between Little League and professional baseball? What's the difference between (inaudible) one in professional football? I mean, there's differences. Okay?"

Councilwoman Blass: "Can I just speak to the issue of the two acre zoning being targeted for just the agricultural- agriculturally zoned land? The plan calls for Residence A and there will be a recommendation for Residence C also to go to two acre. So it's not just in the agricultural overlay zone."

Supervisor Kozakiewicz: "Mrs. Lindstrom."

Kathy Lindstrom: "I promise you I won't be long. I'm one of those concerned citizens in Calverton. We've been hearing about the power plant again coming to the Grumman site. I just wanted some answers. What company or companies are we talking about there?"

Supervisor Kozakiewicz: "The company that came to the town was a company called Coastal Distribution LLC. They expressed an interest and they asked the Board to take some looks at some other sites to show us that they do work in other communities such as Montgomery County. Anybody who is familiar with Montgomery County knows that that's a county that's somewhat revolutionary in their thinking. One of the few counties that has success in implementation of a TDR program. They have saved tremendous amounts of farmland and they are probably the planning county that most people cite when they look to things that have been done right."

Kathy Lindstrom: "For a power plant?"

Supervisor Kozakiewicz: "They have an incinerator. That's correct."

Kathy Lindstrom: "Is this the same thing as an incinerator that we're talking about? I mean- I was thinking- "

Supervisor Kozakiewicz: "I'm not sure if we're talking about the same thing, Mrs. Lindstrom. There was a power plant, AES, which- "

Kathy Lindstrom: "Right. Is there another proposal for another- I'm talking about like a gas plant, coal plant."

Supervisor Kozakiewicz: "Not that I'm aware of."

Kathy Lindstrom: "Oh, really?"

Supervisor Kozakiewicz: "I mean AES was out there. We've never closed that door entirely but that's there."

Kathy Lindstrom: "The incinerator is the same thing as a power plant?"

Supervisor Kozakiewicz: "No. The incinerator is a different proposal."

Kathy Lindstrom: "Right."

Supervisor Kozakiewicz: "And as I say, that is- "

Kathy Lindstrom: "That's Coastal, right?"

Supervisor Kozakiewicz: "-- not something- that's Coastal."

Kathy Lindstrom: "Okay. I wasn't talking about that. So there's no proposal for a power plant at all for Grumman?"

Supervisor Kozakiewicz: "I mean AES is still out there but we haven't, you know, as I said, closed the door on them."

Kathy Lindstrom: "All right."

Supervisor Kozakiewicz: "Okay?"

Kathy Lindstrom: "Okay."

Supervisor Kozakiewicz: "All right. Thank you."

Kathy Lindstrom: "Thank you."

Supervisor Kozakiewicz: "Hal Lindstrom."

Hal Lindstrom: "Hal Lindstrom. I just wanted to ask the Board how- why was the public speaking part of the Town Board meeting changed? Why was it changed from the beginning of the night 'til the end of the night?"

Supervisor Kozakiewicz: "I think we already addressed that with

prior comments. Joan Griffin asked us this once before and we had indicated that there was a desire by the Board, and it was a Board vote, to change the protocol, change the way it had been done, and go back to the way it was previously carried on under the Villella administration, under which if I remember there were never any complaints. No? There were complaints? There were complaints?"

Hal Lindstrom: "What was the reason though? Was it the Crown issue?"

Supervisor Kozakiewicz: "No."

Hal Lindstrom: "Was that- "

Supervisor Kozakiewicz: "No. No. It was a hope to move the meetings along a little bit quicker. I think that's what we were hoping to do."

Hal Lindstrom: "Okay. Because- "

Supervisor Kozakiewicz: "It's not working because we're getting questions instead of open discussion. You're right."

Hal Lindstrom: "I've had a lot of people voice their concerns especially a lot of people that come here at night, that they would like to speak on different issues and concerns that they have about the community and they're not able to. A lot of them- a lot of people work, a lot of people have children. They come here at night, and you see right now how many people are in the audience?"

Supervisor Kozakiewicz: "Three, five, seven."

Hal Lindstrom: "Not many."

Supervisor Kozakiewicz: "Eight. Ten, twelve, fourteen."

Hal Lindstrom: "Considering how many people came here- "

Supervisor Kozakiewicz: "Sixteen, seventeen. Seventeen."

Hal Lindstrom: "How many people came here at the beginning of the night? I mean I could not even- "

Supervisor Kozakiewicz: "Let the record note that it's after 10:40 and we're still going strong. So people have a right to speak."

Hal Lindstrom: "Well I'm saying when I first came into this room, I was standing against the wall in the back."

Supervisor Kozakiewicz: "Public hearings."

Hal Lindstrom: "There were very few seats actually to sit down. And people have told me that they feel it's very unfair to them, very inconsiderate if the public has to stay here until 11:00 at night to voice their concerns. I mean, and they said to me, you know, the Board is a paid- these are paid Board members. I mean you are all getting paid, right?"

Councilman Densieski: "Meagerly."

Supervisor Kozakiewicz: "Yeah, last time I checked."

Hal Lindstrom: "Okay, right. We are not getting paid to be here. So I think it's only fair to the public to have the public speak at a reasonable hour. I mean, you know, people like I said who do work, have kids- "

Supervisor Kozakiewicz: "And when we do afternoon meetings which results in a reasonable hour we get chastised for that as well."

Hal Lindstrom: "Well, when you have afternoon meetings, what time- "

Supervisor Kozakiewicz: "Two."

Hal Lindstrom: "Two o'clock."

Supervisor Kozakiewicz: "Right."

Hal Lindstrom: "Most people don't get off at 2:00."

Councilman Densieski: "Most of your seniors are off and they don't want to be here until 11. I think it's a good idea, every other meeting next year, one in the evening, one in the afternoon. Then the entire community can get to come to at least one meeting. I think that's a good idea."

Hal Lindstrom: "Well, not at 2:00. I mean 2:00, everybody works until five. I mean that's the norm, eight to five. It's not eight to two."

Councilman Lull: "That's what Southold does, two o'clock."

Hal Lindstrom: "But I mean the people that I've talked to have told me that, you know, at least before they were able to voice their concerns at a reasonable hour. I really don't think it's fair to the public and you can see right now there's, you know, when I come up here at 10:30, 11:00 at night, there's maybe four, five people in the front row and they're falling asleep."

Councilman Densieski: "Right."

Hal Lindstrom: "I just feel it should be changed."

Supervisor Kozakiewicz: "Hal, you're entitled to your opinion."

Hal Lindstrom: "And I think a lot of- I hope that a lot of other people will come up here and voice their concerns the way I feel."

Councilman Densieski: "Hal, could I just say one thing? The town business portion of the meeting is the resolutions- "

Hal Lindstrom: "Right."

Councilman Densieski: "And I think it's a lot better that the Town Board entertain those earlier before the hours and hours of public speaking and public hearings. I just think the Board is as a whole, is sharper and more focused on the business and then can relax more towards the public speaking portion of the meeting. That's my personal opinion."

Hal Lindstrom: "Yeah. But I don't feel it's right for the public to have to sit and listen to the town's business and then have- "

Councilman Lull: "But this is a business meeting."

Hal Lindstrom: "Right. But why should we have to listen to that portion of it, you know, when a lot of us just want to come here and make a comment or concerns about the community?"

Supervisor Kozakiewicz: "And your comment and concern about the community is. All I've heard is that you're complaining about the way it's been structured. I haven't heard a concern or a comment about the community."

Hal Lindstrom: "Well, I've made comments in the past. I'm just saying the way it's set up right now, it- a lot of people have come to me and said, you know, that they feel it's unfair. A lot of people have to leave- "

Supervisor Kozakiewicz: "I don't want to be critical but, Hal, can I ask you a question?"

Hal Lindstrom: "Yes."

Supervisor Kozakiewicz: "Did you ever ask the same rationale or reasoning when the prior administration conducted its meetings in this fashion? When Mr. Villella did them this way?"

Hal Lindstrom: "I- I- when- "

Supervisor Kozakiewicz: "I don't recall- I remember sitting here many times late at night and nobody was coming up and complaining then."

Hal Lindstrom: "When Villella was here- right, I was just getting familiar with the- "

Supervisor Kozakiewicz: "So the answer is no?"

Hal Lindstrom: "No. I didn't make comments at that particular time because I wasn't familiar with the format."

Supervisor Kozakiewicz: "I just had to ask the question, that's all. All right. All right."

Councilwoman Blass: "I think one of the problems with- "

Supervisor Kozakiewicz: "We- I'll tell you what we will do. We'll bring it back to the Board and we'll discuss it, but I know the last way it was, we weren't receiving total satisfaction from people then. You know, I don't know if there's any way to make- well, let me make another comment. There is no way to make everybody happy. I mean that's the reality. And there's going to be- people are going to be upset that they have to wait around to the wee hours because they're here with respect to a resolution that they want to see adopted or acted upon and they can't leave until the Board takes action upon the resolution.

So just like you're upset and believe that we're doing business

wrong, there's going to be another group that's going to say, listen, I've waited around to have an amended site plan approved to change a door on my business and I had to wait here until 12:00 and listen to everybody when all I'm waiting for is my resolution on a site plan amendment. We're going to hear the same type of issues. And these are people who are in the community, these are people who are paying taxes in the community and they have a- they're going to have a gripe, too. I don't know that there's an easy solution here."

Hal Lindstrom: "You know, I can see- "

Supervisor Kozakiewicz: "You know- "

Hal Lindstrom: "-- keeping the five minute, you know, keeping it for five minutes, you know."

Supervisor Kozakiewicz: "Yeah, I know. You're right, Rolph. He's gone past."

Hal Lindstrom: "But I'm just saying- "

Supervisor Kozakiewicz: "I understand."

Hal Lindstrom: "Have it at the beginning of the meeting. Have it, you know, a limit of five minutes, and I think a lot of people- it would make a lot of people happy."

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

Councilman Lull: "Hal, I did a study of this about two years ago, last year, two years ago. But it was about a dozen different communities upstate and what they do and how they handle this part of the meeting. And I found that there was no two that did it the same way. I mean some of them didn't allow public speaking at all. It's not required except for public hearings. Others gave a half an hour, from seven to 7:30. After that, no more, it's a business meeting. There were all kinds of different ways of doing it. But trying to leave it open as much as possible, leave it open, it can't get in the way of running a million dollar business or a multi-million dollar business because this is what we do. And that has to come first. This is the CEO and we're the board of this business. We have to run the business."

Hal Lindstrom: "Yeah. But aren't you concerned with the public?"

Councilman Lull: "Absolutely."

Hal Lindstrom: "The way- to what they have to say and- "

Supervisor Kozakiewicz: "And I think- "

Hal Lindstrom: "-- how they feel about- "

Supervisor Kozakiewicz: "Right, right. And I think the point I just pointed out is there's others who will be as concerned and outraged and upset and, you know, having issue with changing it back the other way. That's my point. There's, you know- "

Hal Lindstrom: "Well, have you ever done a consensus on it? I mean, just- I mean just- get some kind of- "

Supervisor Kozakiewicz: "We're not going to put it on the ballot for November."

Hal Lindstrom: "No, no, no. I'm just saying get some kind of consensus of what the public wants. I mean, you know, so you can be fair about it. You know, I just feel it's unfair right now and even when someone does get up here to speak you have the audience. If they want to participate or make a comment on the comment that you made or reinforce what you said, there's nobody here to do that. There's nobody here to hear what you have to say and that's, you know, I feel that's part of the public comment."

Supervisor Kozakiewicz: "As pointed out by Councilman Densieski, there is somebody here to hear what you said and it's the Cablevision tape which gets played. Individuals who can't be here, individuals who are unable to stay can watch it as long as I don't splice and dice the tape. But they do have an opportunity to hear what's being said, to digest items, and I'm sure there are some people who probably fast forward the VCR to the parts they want to see, but, you can't do that- "

Hal Lindstrom: "But what about the people who don't watch it? I'm just saying, what if the people don't watch it? They just come down here at night- "

Supervisor Kozakiewicz: "Hal, we've heard your argument. We understand your concerns and the only thing I can suggest if the Board wants to try and reconsider this. But as I said we've tried it both ways and neither way seems to result in the meetings concluding before

11 or so, so either way there's going to be people that are going to be here and I commend those who make it right to the end all the time, whichever format we're doing. So- "

Hal Lindstrom: "Well, I just hope you'll please reconsider it. I've heard a lot of people that, you know, told me this. So- "

Supervisor Kozakiewicz: "Okay. Thank you."

Hal Lindstrom: "I appreciate it. Thank you."

Supervisor Kozakiewicz: "Hand in the back."

Lawrence Rehm: "Yes, Lawrence Rehm. 94 Youngs Avenue, Baiting Hollow. First of all, your rationing of the zoning, upzoning and downzoning that you addressed to the young lady in the back, I totally agree with that. I mean especially when you're downzoning in a residential area. Okay."

From my understanding, the consultant report of- for the FEIS for Crown Sanitation has been in. Is there a consensus on that?"

Supervisor Kozakiewicz: "We haven't taken it up as a board. We will probably take it up next meeting. What the consultant's report indicated is that the items that he had previously raised issue with on the DEIS were, I think the word was adequately addressed in the FEIS."

Lawrence Rehm: "Okay. Are copies available to the public?"

Supervisor Kozakiewicz: "I don't see why not. If I can get my hands on it today and if you want to stick around, I'll give you a copy."

Lawrence Rehm: "Okay. You currently had bids open for the trash recycling."

Supervisor Kozakiewicz: "Correct. No, for the garbage collection districts. The bids have been open, we have not awarded the bids."

Lawrence Rehm: "Right. My understanding, Crown did not submit."

Supervisor Kozakiewicz: "That's correct."

Lawrence Rehm: "Did they give any reasoning?"

Supervisor Kozakiewicz: "We changed the terms of the bid with respect to leaf pickup. What we're hoping to do is promote individuals bagging more leaves so we increased the number of bags that can be put out roadside by residential- by residences and because of that change, they indicated they weren't able to secure a bond in time to bid on the project- to bid on the garbage collection districts."

Lawrence Rehm: "Did they give you any proposal as to what they're going to do now as far as if they're not picking up?"

Supervisor Kozakiewicz: "I'm not sure if I understand the question. They still take waste from commercial carters and others."

Lawrence Rehm: "Right. But they're not in residential as of the end of the year."

Supervisor Kozakiewicz: "They can have, you know, private individuals- for say renovation work or whatever where they need rollofs, they can do that. So they're still in business. I'm not sure if I understand the question."

Lawrence Rehm: "Yeah. They're still in business but they're not basically for the whole town or- what- they're picking up my garbage."

Supervisor Kozakiewicz: "Right."

Lawrence Rehm: "If I want to pay them now privately they're still in business."

Supervisor Kozakiewicz: "Yes."

Lawrence Rehm: "But as of December 31<sup>st</sup>- "

Supervisor Kozakiewicz: "January 1<sup>st</sup>."

Lawrence Rehm: "-- January 1<sup>st</sup>, we will have a new carter?"

Supervisor Kozakiewicz: "The board is mulling that decision as we speak. We have got to make a call whether we're going to go with the bids the way they are, whether we would consider rebid. I think what we're talking about as a board is going with the bids."

Lawrence Rehm: "Okay. Do we know who will be the new carter?"

Supervisor Kozakiewicz: "The company that bid on all the districts is Waste Management, the company that's currently doing the other three districts."

Lawrence Rehm: "Waste Management. Okay. So then Crown will still be there?"

Supervisor Kozakiewicz: "Yes. Unless you know something. You keep asking that question. Do you know something I don't?"

Councilwoman Blass: "Is the nature of your question that since the information contained in the DEIS was relative to quantities that were currently coming into the site as part of their function as, you know, having the three districts, part of that quantity that they talked about for handling the garbage on the site had to come from that activity, and since they are no longer doing that, there are statements in the DEIS now that are now longer relevant in terms of where their garbage is coming from and how it's being handled."

Councilman Densieski: "Well, that may be true and that may not be true. I understand that Waste contacted Crown about transferring to there. So that may or may not be true."

Councilwoman Blass: "No. What is- what is stated in the DEIS in terms of the quantities that Crown is currently handling within the town of Riverhead. I fully recognize what you're saying, the connection that since Waste Management would be taking over that function, you are talking basically about the same quantities. However, Waste Management would not- "

Supervisor Kozakiewicz: "I think- that's what- Mr. Rehm, what are you- because we've engaged in a debate between us here. I mean, what is it you're asking us?"

Lawrence Rehm: "No, what I'm basically asking you, I was just surprised that Crown did not turn in a bid."

Supervisor Kozakiewicz: "I'm sorry. What was that?"

Lawrence Rehm: "That Crown did not turn in a bid."

Supervisor Kozakiewicz: "No. They did not."

Lawrence Rehm: "Okay. I found that very surprising. I mean--"

Councilman Densieski: "It's a business matter. He runs his business his way. Call him up and ask him."

Lawrence Rehm: "Okay. How close are we to the resolution on the Crown matter?"

Councilman Densieski: "I think the Supervisor said it's going to be on work session coming up pretty soon. Didn't you say?"

Supervisor Kozakiewicz: "We still have to go through the SEQRA process as we've talked about. There's got to be an acceptance of the FEIS and the findings and only then could there be a vote."

Lawrence Rehm: "Within a month?"

Supervisor Kozakiewicz: "I'm sorry. If I seem-- I-- we've-- I don't know, Mr. Rehm. Maybe a month, maybe two. I don't know. I don't know. We have to-- we have to obviously get involved in a discussion amongst ourselves as a Board, whether we want to accept the FEIS, whether we feel it's sufficient, whether it addressed everything that we feel it should address. I can't tell you whether that action will take place next meeting or not. I can't tell you if there's going to be as a result of those discussions further discussions which will cause it to take place in the second meeting in November. I can't tell you that. I can only tell you what I can tell you for certain. We have to accept the FEIS, we have to adopt the findings, and then and only then can we take the action. All right."

Lawrence Rehm: "And I can have a copy of that tonight?"

(At this time, the CD ended and according to the Town Clerk's notes, the following people spoke)

Rex Farr: Regarding burning project at Grumman's in Calverton, incineration project. Also questioned the recent bid opening. Wanted to inquire if Crown Sanitation bid on waste disposal in Riverhead.

Tim Yousik: Regarding Railroad Avenue, the BID building, people urinating around the building. Also would like to eliminate parking meter attendants and substitute one police officer to be assigned strictly to Main Street.

States that men are getting off the train dressed in business

suite and going to the courts and are getting off into a mess, filth and dirt on Railroad Avenue

Dumpsters - criticizes Councilman Lull with the lack of looking into the dumpster situation in town.

Councilman Lull is working on the code and it should be in force at the end of the year. States that restaurant garbage should be emptied two times a week.

Meeting adjourned: 11:07 p.m.

*Barbara Statten*  
*Town Clerk*