

Minutes of a Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, on Tuesday, December 4, 2001, at 7:00 p.m.

Present:

Robert Kozakiewicz,	Supervisor
Edward Densieski,	Councilman
James Lull,	Councilman
Christopher Kent,	Councilman
Philip Cardinale,	Councilman, arrived 7:16 p.m.

Also Present:

Barbara Grattan,	Town Clerk
Dawn Thomas, Esq.,	Town Attorney
Diane Wilhelm,	Deputy Town Attorney

Supervisor Kozakiewicz: "Let the record reflect that the time of 7:06 has arrived and I'd like to call this Town Board meeting to order. Lindsay, would you please lead us in the Pledge of Allegiance?"

Supervisor Kozakiewicz called the meeting to order at 7:06 p.m. and the Pledge of Allegiance was recited, led by Lindsay Reeve.

Supervisor Kozakiewicz: "I guess what we'll do is we'll do the minutes and then we'll go down for the Employee of the Quarter. Is that fine, guys? Okay.

Is there a motion to approve the minutes of the Town Board meeting of November 20th?"

Councilman Kent: "So moved."

Supervisor Kozakiewicz: "I just wanted to make a couple of notes or maybe changes. At one point, there was a gap in the taping, the CD, and it does not reflect that the first speaker on the first hearing from last meeting was sworn in. That was Mr. Danowski. And I think the minutes should be amended to at least reflect the fact that at that point in time, the speaker was sworn in. And I- "

Councilman Kent: "Was he?"

Supervisor Kozakiewicz: "Yeah, he was and then he started

telling a little tale about Stewart from Australia, all that didn't- "

Councilman Kent: "Oh yeah, we missed that."

Supervisor Kozakiewicz: "-end up on the tape so I think the record should reflect- and with that amendment, second and moved? Any objection to that, gentlemen?"

Councilman Kent: "No, no."

Supervisor Kozakiewicz: "All right."

Barbara Grattan: "Kent introduced it. Who seconded it?"

Councilman Kent: "I moved it and Jim seconded it."

Supervisor Kozakiewicz: "Vote, please."

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

Supervisor Kozakiewicz: "Okay. At this time, we'll take a break in the action and go down for the Employee of the Quarter."

Councilman Kent: "This time he only gets a quarter."

Supervisor Kozakiewicz: "Labor/Management, are you going to come down in front? While they're stepping up, I'm also going to ask the recipient of the Employee of the Quarter to also step forward. I understand that Diane will read the proclamation.

Lindsay and I have known each other for a while. Lindsay was the older guy on the block, there probably was about seven of us on Reeves Avenue at the time, and one of the things that always impressed me about Lindsay was how well he could ride a pogo stick. So- he could go up and down Reeves Avenue and just never stop. And with that, Diane."

Diane: "I'm sure a lot of you know what this is all about. Labor/Management has the distinct honor of every quarter selecting an employee, an employee who has been nominated by the department head. And this quarter was Lindsay Reeve and he was nominated by department head, Michael Reichel.

Lindsay has been with the town for nineteen and a half years

which in itself I can't believe. I'll read the proclamation.

WHEREAS, it is both fitting and proper that the Town Board and residents of the Town of Riverhead join with the Riverhead Town Labor/Management Committee in recognizing an individual who provides excellent and professional service above and beyond the standard while executing his responsibilities as a senior sewage treatment plant operator for the Riverhead Sewer/Scavenger Waste Districts in the Town of Riverhead; and

WHEREAS, Lindsay Reeve has spent his 20 year career with the Town of Riverhead with the willingness to help those around him since starting with the Town in 1982 as a sewer plant operator trainee and was later promoted several times until being made a senior sewage treatment plant operator in 1987; and

WHEREAS, Lindsay has demonstrated initiative and creativity in carrying out the responsibilities of his position with a cheerful, caring and enthusiastic attitude and has been especially productive in his efforts to volunteer for various projects, particularly in conjunction with the seniors program to collect supplies, coordinate inventory, and arrange delivery for supplies and materials for the rescue and recover at Ground Zero after the World Trade Center was destroyed by terrorists on September 11th.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead wishes to congratulate Riverhead Town employee Lindsay Reeve for being chosen by the Riverhead Town Labor/Management Committee as Employee of the Quarter."

Lindsay Reeve: "Getting back to what Bob was saying before about growing up. I remember him as that other little kid with the big, silly smile waving from the fender of his father's tractor waving at me on my tractor and the smile is the same. It's just gotten proportionally bigger.

Actually I would like to say a couple of things. Number one, they told me there was going to be a buffet and-

Unidentified: "They lied."

Lindsay Reeve: "They did. And-

Unidentified: "I guess we'll have to go out to dinner."

Lindsay Reeve: "Yeah. And number two, I would have to say that being a Supervisor of anything is- you're- the supervisor is only as good as the people that are working for him and I happen to be blessed with a really good crew. And it's- it's them that are making me look good, not me. These guys carry on the quality operations and maintenance of the plant with absolute perfection and we have a very, very big scavenger waste treatment plant and we take an ungodly horrendous septic waste and turn it back into clear water if you can believe that. If you don't believe it, come on down and we'll show you. Most days it's not bad down there, so call ahead if you're concerned.

Plus, well, my crew is Matt- I'll do right by your Hatoff (phonetic); and Warren Cochese Alexander- I don't see him, but he's here somewhere; and Doug Rock n Roll Atridge (phonetic), that's my small crew. And then we've got a whole slew of guys that work in the Sewer District next door to the scavenger waste plant and they're always ready at any time to help out any time they can.

So, you know, it all makes things for me very, very easy in that regard. And I've got a pretty decent boss myself. He's pretty understanding. We've had our rough spots but we got past them a long time ago.

Really what I'd like to finish up with is the fact that I don't think we're exemplary as far as anybody in the town work force. So, the Riverhead town work force in general is a great work force. I've often wondered if the taxpayers in Riverhead have any idea about what they really have here.

In the nineteen and a half years I've been working for this town, I have been exposed to a lot of other neighboring townships' work forces and samplings of them anyway, and I'd have to say a lot of the townships' taxpayers are probably getting their taxpayers' money's worth and some of them are not, but his town in particular, Riverhead town, is not only getting their money's worth, they're getting a bargain and I think instead of applauding me, I think everybody ought to give them a round of applause because you've got one hell of a bunch of people taking care of this town. And that's about all I have to say."

Diane: "In addition to the proclamation, Lindsay will receive a day off with pay and \$100 savings bond. I'd just like to take a minute to introduce the rest of the Labor/Management Committee. We have Pat Mulcahey from the Police Department; Matt Hatoff, Sharon

Klaus, Barbara Grattan, Madelyn Sendlewski, Maureen Fagan, and Councilman Jim Lull."

Supervisor Kozakiewicz: "Thank you. Thank you, Lindsay."

Lindsay Reeve: "Thank you. Now if you'll excuse me, I'm going to go celebrate and probably call in sick tomorrow."

Supervisor Kozakiewicz: "All right. Okay. Diane, Reports, please."

REPORTS:

Town Clerk	Monthly report for November total collected \$11,168.49
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Receiver of Taxes	Monthly report for November total collected \$318,571.12
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Supervisor Kozakiewicz: "Applications."

APPLICATIONS:

Site Plan	Amended site plan of North Fork Bank ATM installation
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Supervisor Kozakiewicz: "Okay. I'm going to skip over Committee Reports for now and go to Correspondence. Correspondence, please?"

CORRESPONDENCE:

Kevin & Gina Chew	letter in opposition to the recycling facility
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John Ellwood	letter in opposition to the recycling facility
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Jon and Catherine Gustafson	letter in opposition to the recycling facility
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Supervisor Kozakiewicz: "Okay. Thank you very much. And any Committee Reports?"

Councilman Densieski: "I'd just like to mention that Saturday

is the Riverhead Town bonfire and holiday celebration. There will be a Christmas tree lighting and a menorah lighting. Last year it was a lot of fun. It starts at 4:30 so come on down. And Sunday is the Lion's Day parade and that's the official Santa Claus coming to town for the Lion's Day parade for about the last 40 years. So, hopefully, you can get down there and see those events."

Supervisor Kozakiewicz: "Any other Committee Reports? Being none, the time of 7:16 having arrived, I would like to call to order the public hearing and would you please read the affidavits of publishing and posting?"

Public Hearing opened: 7:16 p.m.

Diane Wilhelm: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York, on December 4, 2001, at 7:05 p.m. regarding the purpose of paying the cost and improvement of the facilities of the Street Lighting District No. 1 consisting of the purchase and installation of a traffic signal system at the intersection of Sound Avenue and Edwards Avenue."

Supervisor Kozakiewicz: "Thank you. As the notice is fairly self-explanatory. This is to extend the Street Lighting District to- or to have a bonding for providing for street lighting at the intersection of Edwards and Sound Avenue.

This is to establish a traffic signal at that location with a maximum expenditure of \$75,000. We have been talking about this particular intersection for sometime. We have looked at alternatives and this is to provide for the expenditure of the approval so that we can complete the project.

Anybody who wishes to address the Board either for or against this subject, please raise your hand. Yes, in the back."

Frank Nicolazzi: "Frank Nicolazzi, Baiting Hollow, the Knolls at Fox Hill. I would like to commend the Board on this issue. I think it's sorely needed and I am totally in favor of it. Good luck to you. Thank you."

Supervisor Kozakiewicz: "Thank you."

Diane Wilhelm: "Sir, what was your name?"

Councilman Kent: "Nicolazzi."

Supervisor Kozakiewicz: "Nicolazzi."

Frank Nicolazzi: "Frank N-I-C-O-L-A-Z-Z-I."

Supervisor Kozakiewicz: "Thank you."

Frank Nicolazzi: "Thank you."

Supervisor Kozakiewicz: "Okay. Anybody else who would like to address- Mr. Kasperovich."

William Kasperovich: "William Kasperovich. Commend you people? Hell, no. You took-"

Supervisor Kozakiewicz: "I had a feeling you were going to say that before you even got up."

William Kasperovich: "It took you so long and it took a fatality to get you off your duffs to do this, where for a couple of weeds growing up on a corner lot, you said eminent domain and what have you and move right along. But this you let it drag and all kinds of legalities and it took this to get this done, something that has been needed for many years. And I think the taxpayers should know this, that we are not looking after all the bad spots and all the places we have to care for before fatalities occur.

So you've got a yes and you've got a no. Thank you."

Supervisor Kozakiewicz: "Okay, thank you. Anybody else?"

Councilman Kent: "You do want us to do it, though, right?"

Supervisor Kozakiewicz: "Yes. That was the yes. Yes. Yes. I understood that. Anybody else who would like to address the Board? Not seeing anybody raising their hands, the time of 7:20 having arrived, I declare the public hearing closed."

Public Hearing closed: 7:20 p.m.

Supervisor Kozakiewicz: "At this point, we go to the open comment period. I do have a couple of cards. I do want to mention

and maybe Phil can give us an update, that last week- was it last Wednesday- or last Tuesday I believe it was actually, Ann Moroh was hospitalized. I'm not sure how much of the information has come out there. She was transported from her house to the hospital. She's in the hospital and I understand she's doing better at this point- is that correct, Phil?"

Councilman Cardinale: "Yes."

Supervisor Kozakiewicz: "And we do wish her the best. I want to extend her that wish."

Councilman Cardinale: "It is my understanding that she's going to be released in the next two days and that she's doing well and that she has some kind of a respiratory infection because she was on- some of the help they had to give her caused an infection but she should be out in the next two days. So, thank you for your concern."

Supervisor Kozakiewicz: "Thank you. Michele Pincus, Esq."

Michele Pincus: "Good evening, Mr. Supervisor and members of the Board. My name is Michele Pincus, I'm a partner with the firm of Laser, Abtaker, Feldman, Rosella and Yettid (phonetic), 225 Old Country Road, in Melville.

I'm here to speak regarding #1220 on the agenda adopts local law entitled Moratorium on Residential Development.

I represent several clients that are going to be impacted by this legislation and I understand that that resolution is on tonight for adoption. I stood before this Board on Tuesday, October 16th on behalf of these same clients and I set forth a number of objections and I thought that this Board gave credence to my objections because, in fact, when I was finished with my presentation, I was asked to submit my statement in writing to the Board for their consideration, which I did.

A review of the resolution that's on tonight for adoption, indicates to me that my objections were not seriously considered since the resolution is in the same form this evening as it was back in October.

My understanding is that objections of the magnitude that I have raised before this Board and the substance of these objections requires the Board to take a hard look and would require some

revisions in light of the objections that were made. I also note that that evening I was only one of many that indicated objection to this Board.

If the Board proceeds with a vote on this resolution as it stands, it is my feeling that the Board members have failed to fulfill their legal obligation in giving serious considerations to the problems with the legislation as it stands.

Thank you."

Supervisor Kozakiewicz: "Thank you. Sandra Mott."

Sandra Mott: "Sandra Mott, Riverhead. Two weeks ago I was here to inquire as to the status of the animal shelter. During that time frame, I was advised by a neighbor that within the past few days that she and her mother had had a conversation with Mr. Lull and his wife recently in one of the local shopping centers. I'd really appreciate the whole Board being here, so I'm going to wait."

Supervisor Kozakiewicz: "Phil is just stepping out to gain his resolutions."

Sandra Mott: "Okay."

Supervisor Kozakiewicz: "All right, so he'll be right back."

Sandra Mott: "Well, fine. I'll wait."

Supervisor Kozakiewicz: "Well, let's go to the- can I go to the next speaker, then?"

Sandra Mott: "Sure, go to the next speaker then."

Supervisor Kozakiewicz: "Mr. Kestling, would you like to come up?"

Rolph Kestling: "Rolph Kestling, Wading River. On this agreement with terminating Waste Management, it just brought to my mind when we used to- just before you made this agreement with Waste Management, the town spent a lot of money installing a weighing machine, to buying the weigh machine, installing the weighing machine, and I understand this was turned over to the use of Waste Management. And that was an expensive deal. Will that weighing platform be returned in the same condition as it was when it was turned over to

them?"

Supervisor Kozakiewicz: "My understanding is that the (inaudible) scale that was up there was somewhat old and not new. That's my recollection of when it was turned over to Waste Management."

Rolph Kestling: "Well, it was an expensive deal, if I remember that, it cost a fortune. And then after that, they had to pay quite a bit of money to have it installed."

Supervisor Kozakiewicz: "There had always been a weigh station up there and had been up at the landfill for years."

Rolph Kestling: "No, no, no, no, no, no. I know that dump quite a long time."

Supervisor Kozakiewicz: "So do I."

Rolph Kestling: "That was installed, I would say, just a few years before the town turned everything over to Waste Management."

Supervisor Kozakiewicz: "The scale is not being turned over to them."

Rolph Kestling: "Oh- well, it was turned over to them."

Supervisor Kozakiewicz: "It was for the purpose of the lease, right. But- "

Rolph Kestling: "Now the question is in what condition is this weigh platform? It is junk now?"

Supervisor Kozakiewicz: "My understanding is that it was old and it was not in the best of shape. It's being turned over in that condition, less wear and tear. It's not- that's my understanding."

Rolph Kestling: "Yeah. Well, maybe you should look into it a little more."

Supervisor Kozakiewicz: "Well, that's what I've been told."

Rolph Kestling: "Yeah, it's been told but, you know, everything what you're told- you've been told a lot of things and once you had to apologize to me because you were given the wrong information."

Supervisor Kozakiewicz: "I apologized though."

Rolph Kestling: "I know. And I think I accepted it."

Supervisor Kozakiewicz: "I think you did, too."

Rolph Kestling: "Okay."

Supervisor Kozakiewicz: "All right?"

Rolph Kestling: "So, I- and, you know, there was a lot of other equipment that was turned over to them, too. I hope that's all taken into consideration."

Supervisor Kozakiewicz: "The (inaudible) chipper is coming back. That was the tub grinder. And- "

Rolph Kestling: "Yeah, that's another big purchase, too."

Supervisor Kozakiewicz: "Right. That we're keeping. And then there's stockpiled material that they had valued at about \$200,000. We expected- our independent estimate has it at about \$100,000."

Rolph Kestling: "Why don't you do better than that? Tell them to take it away. That will cost them more. Really. I'm serious. Tell them, no, we won't accept it. Get it out of here. Okay. Thank you."

Supervisor Kozakiewicz: "Thank you. Bill Kasperovich."

William Kasperovich: "William Kasperovich from Wading River. What should I say? I live on 15th Street in an area known as Wildwood Acres. My area is zoned B, that's the second letter after A, because nobody seems to pay attention to this area as being zoned B. When the zoning program was first started, they didn't know what to do with this area because most of the plots that were sold out and they- they didn't know what to do with it. They said, well, we can't call it A, we'll call it B, and that's an upper level designation of zoning in residential and since that day we now, none of the agencies in this township or departments pay attention that it is zone B.

Now, before my time runs out and before the Sergeant at Arms has to escort me physically out of here, Resolution 1197 is titled authorizes the submission of TEA 21 application to New York State Department of Transportation.

My first question would be before I can speak on this, is are we anywhere near getting 20% of the funds to do this project or is this just reaching out for maybe it will, maybe it won't?"

Supervisor Kozakiewicz: "It's a net local of 20% so that would be shared by the townships. This is going to be an application, a submission for T21 monies to do improvements along Wading River-Manorville Road and the duck- to the duck ponds which is going to be a resolution tonight. And I understand that Brookhaven has also indicated that they will join in the application. So it's a net local match of 20%."

William Kasperovich: "Okay. The description of what's involved and I'll read it out so there's no question- "

(At this time there was a disk error)

William Kasperovich (Cont'd.): "-- and I think- is DOT doing the job, they would keep it secret so that the people don't know which piece of road- front yard they'll lose; which piece of- change in their driveway off the road will be involved. So DOT never tells anybody what they're going to do until it's set in concrete. This might be the case here but at the same time, I don't think it's been- the problem has been analyzed and a round figure of dollars put on it."

Supervisor Kozakiewicz: "Thank you."

William Kasperovich: "Because- "

Supervisor Kozakiewicz: "I do have to ask you to sum up."

William Kasperovich: "Because the needs on this section of road are not here so what are we applying for? For something to beautify the neighborhood or take care of things-- cyclists and walkways that people don't use or the vehicular traffic that has to struggle with it or live with the problem? I say beautification is number two; the first is the movement of the traffic."

Supervisor Kozakiewicz: "Thank you."

William Kasperovich: "The movement- "

Supervisor Kozakiewicz: "So what you're asking us to do is- "

William Kasperovich: "-- has to be limited because it encroaches on private properties on either side."

Supervisor Kozakiewicz: "All right. So you're asking us to table this and not proceed forward with this at this time because you disagree with our purposes that we're spelling out in the resolution? Or are you questioning why the resolution is the way it is?"

William Kasperovich: "Well, I have no way to know why you people are doing this when there is a desperate need for improvement of the road itself."

Supervisor Kozakiewicz: "The duck pond issue as we know has been something that- there has been a request made to investigate dredging it in order to restore it and to address the road runoff that's been experienced at that location. There were meetings that were had between the town of Riverhead and the town of Brookhaven to investigate how to deal with that and how to address it.

And one of the things that came out of the meeting with the town of Brookhaven was that they were prepared to undertake improvements to the duck pond, do the dredging if the town were to undertake alleviation and reduction of the road runoff coming down into the duck ponds.

We looked at possible sources of funding and the description of the project as set forth in the resolution, it meets criteria and goals that that particular funding T21 allows us to investigate and, therefore, there is a likelihood we could achieve what we're looking to do. Deal with the duck ponds and get them addressed and at the same time a reduction of road runoff.

So the idea is to take what was started as a request to investigate handling this problem and investigate the use of these T21 monies in order to accomplish that."

William Kasperovich: "All right. But what the total will add up to as 20% of what I don't think is- "

Supervisor Kozakiewicz: "At this point in time, it's just a grant application and we're hoping that, you know, the numbers- we're looking at about a million. You're right. Your numbers weren't far off as far as the total cost and then there would be the 80% from the federal and a sharing in a net 20 from a local match which would be between the town of Brookhaven and the town of Riverhead."

William Kasperovich: "Well, the way this resolution is written and DOT holds us to curbs and sidewalk- we're not going to get any improvement on this piece of road. The pond itself- "

Supervisor Kozakiewicz: "All right, I understand your point. But I do have to ask you to sum up."

William Kasperovich: "You can ask me 'til hell freezes over."

Supervisor Kozakiewicz: "All right. Then I'm going to ask the next speaker- "

William Kasperovich: "What you do wrong and what you are doing adequate- "

Supervisor Kozakiewicz: "Well, my explanation, it still doesn't satisfy you."

William Kasperovich: "So you can get a couple of bucks from an arrangement for some water running into the pond which was an absolute need when the fire department had to pump out to get the truck some water. Now all of a sudden we can't live with it and we see a couple of bucks to get but we are turning the other direction when the needs as desperate need of improvement of the road itself is not addressed."

Supervisor Kozakiewicz: "Sandra Mott."

Sandra Mott: "Sandra Mott, Riverhead. Let me reintroduce my concern. As you all know, for the past five years, I've been working diligently to get some movement on the relocation of the animal shelter.

I'm going to shorten my request now. I really only want a catery. And according to my neighbors who spoke at length with Mr. Lull and his wife over the past week in a little shopping mall, he advised them that someone with a million dollars- a million dollars offered to build a catery only, run it as a not-for-profit, no kill facility. That was the first time I heard about it, two nights ago. That's why I'm here tonight.

One, I want to know if it's true. And, number two, I want to know what effort is being made to pursue it.

During the conversation, there was a question of where it would be located. According to my neighbors, the piece of property on

Osborne which is the former- or the water district property that Mark Kwasna and Gary Pendzick were kind enough to support in the efforts for consideration, that property wouldn't be adequate according to Mr. Lull. That's news to me, too.

I want to know what is going on. I want to know what happened to the four or five groups that also came forward to- that Joey McClellan advised me of that offered to assist the town with the catery. I want to know what kind of property is required in zoning. I'm presuming agricultural or industrial because obviously it wouldn't be residential or commercial. Okay?

This makes it more upsetting because during the same time frame another neighbor who had a lovely cat put it down, killed it, because there was no facility in the town of Riverhead to care for it. She no longer could. There was no place to take it. The conjunction of these two things coming together in the same week made me sick to my stomach. I want to know the answers to these questions. You have everything else you wanted in this town: old people, young people, middle aged people. This person, that person.

According to Mr. Lull, it has nothing- the town code does not require us to provide any facility. That doesn't make it morally right. According to him, there's always going to be one hold out for the town to change its code. I don't know which one that's going to be or will be in the future and I'm not even asking tonight.

The long and the short of it is, if there's a million dollars kicking around that you haven't pursued, that's a disgrace. This is not for me. This is for the animals of the township. Some have ended up on my front lawn, some have ended up in the animal hospitals around here. Now you might not think of it as an issue of concern, but I do, especially in the timing.

If it hasn't been pursued, why hasn't it been? You should be jumping on this. I don't know, a million dollars doesn't seem to go very far these days, right? Plus the millions you've got in the till from the Grumman sale. Plus the fact that according to a current Suffolk Life article, you could even go after Home Depot. According to Shelly Shumacker (phonetic) a Home Depot spokesman, he highlighted the variety of community service projects Home Depot is involved with. Okay?

The long and the short of it is, you've got Home Depot, you've got a million dollars possibly here. There's this group called Best

Friends in Arizona that has people in their committees to help you pursue this process. A million dollars, that's a lot of money. Because all the excuses I got is we don't have the money, we don't have the this, we don't have the that. We don't have the money. Well somewhere you've got the money in the till in the bank now or you've got a million dollars floating around that nobody wants.

Now, I don't know if it's true. These people are very reliable, very well educated, and very much involved in the process. The citizenry should not be having to take them into their own homes, out of their own pockets to take care of the animals that are homeless. They're not strays. They're not feral. They are homeless.

Mr. Lull has 12 cats and five dogs according to the conversation he had with my neighbors. That's a hell of a burden, too. So, do- is there a million dollars floating around somebody wants to give to the town and facilitate this process for a catery only? Because everyone seems content that those poor dogs should live in that hell hole up at Youngs Avenue.

I'm not even going down that path. A catery is what they wanted. Money is what they want to give you. Is it true? Is it true? Is it true? You don't know."

Supervisor Kozakiewicz: "I have not heard."

Sandra Mott: "Now you're going to tell me you haven't heard that. You know, I'm- "

Councilman Lull: "Sandra, don't tell me what I'm going to tell you, please."

Sandra Mott: "I'm going to tell you, this is a lot of crap because as far as I'm concerned, every time I'm referred to you which has been for five years, nothing's happened."

Councilman Lull: "Okay. Fine."

Sandra Mott: "And nothing ever will happen, right?"

Councilman Lull: "So be it. So be it."

Sandra Mott: "You don't give a shit one way or the other, do you?"

Councilman Lull: "I will say that the- when I- when I first took the job of overlook- overseeing the animal control, the budget for the property was \$72,000 and that is- "

Sandra Mott: (Inaudible)

Councilman Lull: "Exactly. Now it's \$150,000 and it has been going up about \$20 or \$30,000 per year."

Sandra Mott: "You don't have- "

Councilman Densieski: "Hey, Sandra, if you want to speak, come up the mike. You've had your five minutes. Thank you."

Supervisor Kozakiewicz: "Hold it, hold it, hold it. Now, let's- "

Councilman Densieski: "You can't speak from the audience, sorry, Sandra."

Supervisor Kozakiewicz: "Hold it, folks. Enough. Mr. Antonazzi- I mean, Frank, I'm sorry."

Sandra Mott: (Inaudible)

Supervisor Kozakiewicz: "Please, no more from the audience."

Frank Nicolazzi: "Frank Nicolazzi, the Knolls in Fox Hills. I'm drawn to Resolution #1205."

Supervisor Kozakiewicz: "I'm sorry. What was that?"

Frank Nicolazzi: "I am drawn to Resolution #1205."

Supervisor Kozakiewicz: "Okay."

Frank Nicolazzi: "In that resolution, a 5% site plan bond has been posted by the builder."

Supervisor Kozakiewicz: "Correct."

Frank Nicolazzi: "Which is Alvin Benjamin or the Knolls of Fox Hill, Inc. Two things concern me. One, the address given or the location given of Bluffs Drive South falls into the Knolls of Fox Hill as is the community what we live in, that I live in. Okay? I'm

offering that if the units in question, 165 thorough 172, could possibly be the free standing building that was originally designed- "

Supervisor Kozakiewicz: "My understanding is this is a 5% site plan bond that was submitted for building of eight units known as building 3,200 was the identification of what it was on the building permit. So 3200."

Frank Nicolazzi: "3200- "

Supervisor Kozakiewicz: "Eight units."

Frank Nicolazzi: "Okay, eight units. Allow me to offer this as well, if I may, please. The community, the Knolls of Fox Hill, has presently engaged the Attorney General's Office in the State of New York, and allow me to offer that the particular site in question, we have firm understanding from the Attorney General's Office that nothing is to go forward or nothing was to go forward according to the attorney for Mr. Benjamin. And I offer that if this item is dated for today, I don't know when the actual document came in here. I'm offering that if it was in that 30 day period, then Alvin Benjamin and his attorneys as well as his organization are on touchy ground as far as the Attorney General is concerned, sir. All right.

So I want to make that clear and I would offer, if I could, that this not be voted on in light of my comments to this Board."

Supervisor Kozakiewicz: "Let me understand. Are you suggesting that there is some sort of a stay or an injunction- "

Frank Nicolazzi: "That is correct."

Supervisor Kozakiewicz: "That is being violated so there is a court proceeding here?"

Frank Nicolazzi: "That is correct. That is correct."

Supervisor Kozakiewicz: "This is- has never been disclosed to us. There's an actual court action?"

Frank Nicolazzi: "There is, there has been meetings with the Attorney General- "

Supervisor Kozakiewicz: "I asked the question, is there a court action which has resulted in a stay being granted- "

Frank Nicolazzi: "There have been sit downs with Benjamin's attorneys and our attorneys and they have backed off. They will- they indicated to us that they would not go forward on that particular 3200 grouping, the eight units. It's in the hands of the Attorney General."

Councilman Kent: "Do you know who the attorney was for Mr. Benjamin? Was it- "

Frank Nicolazzi: "Of course, his own. In house attorney."

Councilman Kent: "Jack Liebert (phonetic)."

Frank Nicolazzi: "Jack Liebert, that is correct, yes. Jack Liebert met with our attorney."

Councilman Kent: "Who is your attorney?"

Frank Nicolazzi: "(inaudible). Jack Liebert met with our attorney. Jack Liebert and his group along with the Attorney General came to our site and reviewed some of the inequities that we have with the Benjamin organization and, in fact, one of the things was where your kids used to play ball we referenced as Lake Benjamin which was just a joke but, in fact, that's the particular area that's in question. And we were told by Liebert that that would not go forward. That would not go forward until the issues are resolved. That's what we were told by his attorney.

Now, I can supply you with more information. I'm not prepared to supply you with it at this point in time. But I'm asking that if- if this has to do with that section that I'm thinking it does have to do with, then that's something that Liebert and our people, our attorney and Liebert and the Attorney General, have agreed would not go forward until there was a resolution. So I'd also like- "

Supervisor Kozakiewicz: "And that was a decision made within the last 30 days?"

Frank Nicolazzi: "That is correct, sir. That is correct."

Supervisor Kozakiewicz: "Okay."

Frank Nicolazzi: "In fact, I can give you- "

Supervisor Kozakiewicz: "I'm not sure how we can independently

verify this at this time other than say that you're telling us the truth."

Frank Nicolazzi: "Well, I'll take an oath. I'll supply you with the attorney- the attorney's name and number tomorrow morning at 9:00. How's that? Or I'll have the attorney call here."

Supervisor Kozakiewicz: "I hear what you're saying."

Frank Nicolazzi: "Okay."

Supervisor Kozakiewicz: "We'll have to talk amongst ourselves. It would have been better if this name had been supplied to us during the day today so we could have verified this before we were sitting here this evening."

Frank Nicolazzi: "Well, allow me. I inquired as to- I'm here on a Monday, every Monday, I have other business in the building. I was anxious to get hold of, because this is really the only thing I can go by. I was anxious to get hold of this and this was told to me it would be available this afternoon at 12:00, which was fine. Unfortunately I had other engagements and I wasn't able to be here. If I was able to be here, I would have pursued that at an earlier time before your meeting. Guaranteed."

Supervisor Kozakiewicz: "Okay, thank you."

Frank Nicolazzi: "Thank you. Thank you very much for your attention."

Supervisor Kozakiewicz: "Mr. Danowski."

Peter Danowski: "Pete Danowski. Speaking about the moratorium resolution that's on in the agenda, I would like to have a few comments. I wasn't sure this was going to be voted on tonight or whether it was going to be left to the new administration to consider in January. But I do see, in fact, there has been a typed resolution and I would like, therefore, to make a few comments concerning the language that's been presented in the public notice.

And as this Board knows and the public knows, there's been two separate hearings and we started out with a six month proposed moratorium where you'd cover in or grandfather those with preliminary map approvals. Now we've expanded that to a final map resolution with no grandfathering unless you have the final map resolution. And a one

year period with a further (inaudible) might be extended with a further local law.

The practical problem is this. Many of those who have filed applications have been in the process for several years and as this Board knows with a preliminary map approval, New York State law, the Town law, enables a developer to build out his road and drainage system in lieu of posting a bond. So for those with preliminary map approval, they have spent a great deal of money and they have the legal ability to develop the road system now.

Secondarily, you've chosen, and I'm not saying this is illegal, but you're chosen not to mail notices to the property owners whose land is impacted by this moratorium. You have also beyond that chose not to provide a metes and bounds description in the public notice to provide the specific area which is going to be affected by the moratorium.

You've also chosen not to attach a detailed map providing the notice to the general population so they could look even if by chance they looked in the legal advertisement, they could chose to perhaps find out if their property was involved. Then they would still have to determine what their zoning was on their property.

So as a practical matter, your notice has not provided the general taxpayers any notice where they could come in and make public comment upon your proposed moratorium.

I question also whether you've ever asked anyone to research whether a permissive referendum affects this particular legislation and whether the legislation should so state. Certainly you're saying in your notice you're superseding all the town code requirements and all the State law that provides for public hearing for proposed final map hearings. And you're saying this moratorium is doing away with that public notice and the opportunity for a final map hearing.

So I suggest to you, you should research whether it's subject to a permissive referendum. Having said that, you know that a protest motion can be made under 265 of the Town law with 20% of the landowners affected filing a protest. And you know that after that protest is filed, you need a three-quarters vote on those on the Board.

However, who would know whether their land is affected or not? Only someone who read a legal notice and knew the zoning of their

particular piece of property. Neither a metes and bounds description or a map is provided.

You also make mention and it's been the subject of some discussion, that a draft, and it's only a draft, master plan chapter, not the whole master plan, only a chapter which is only a draft, apparently contains a map of the receiving area where you might transfer development rights. Has that map been part of the legal notice? Do people know where they can transfer development rights to? Have you made a decision as to that map? I don't think that mapped area has been part of your legal notice process.

Now let's talk of who you're affecting. I have several clients who have preliminary map approval. Well, are they active farms? Take Long Island Tech Development, a fully wooded parcel, has been screened and reviewed by the Planning Board, has a sketch plan approval, has a public hearing been held, has a preliminary map approval after the public hearing with conservation easements, offers of dedication to the water district for an easement. It is not a farm parcel. It is not being farmed. No one has suggested all the trees should be knocked down. In fact, the reverse is true. We should be protecting as many of the trees as we can. So that is a plan that final map can be prepared for and submitted in a day or two.

But also the Planning Board is suggesting through staff that the next final map hearing could only be held in January. So if you pass this moratorium, in effect, you've taken a person who's been in the process for a long time, who doesn't have a piece of farmland, who's spent a great deal of money and effort to cooperate under the town rules and you're going to place a one year moratorium on them.

Let's take another project. Both Murray Schneps and myself represent interests of the Koroleski family. They're in contract to sell their property. The particular developer has been through a long process and has cooperated with the Planning Board and Planning staff comments. This was a proposal to submit 105 residential lots but after discussions with Planning staff and the Planning Board has been reduced to 75 residential lots. It is something which meets a 70/30% coverage as far as 70% open space on the final map. The final map has been, in fact, submitted to the town.

Are you going to say to the Koroleskis, sorry folks. Even though you're local families, even though you're local taxpayers, you won't get to a closing on your property for at least another year?

Now, originally when we talked about the first of the public notices on the sixth month and the preliminary map, this particular project would be covered in and grandfathered. Now, with 12 months and a final map, it won't be. There was some conversation and suggestion that if you met the 70/30 open space criteria, that you could still be exempt. That's not what this legislation now says. It says you can sell your development rights on the open space program and provide 70/30 and get an exemption, but not through a planning process without the sale of development rights.

Take a look at Mr. Hartmann and his land."

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

Peter Danowski: "I'm summing up by saying in the Hartmann situation, the developer has gone a long way to try to get both Suffolk County and I know the Town Board knows this as well, the town to purchase the development rights off half the acreage. I'm now in recent days becoming pessimistic as to whether the County will come forward with full market value on this property as they have in East Hampton and Southampton towns. Thank you."

Supervisor Kozakiewicz: "Thank you. Is there anybody else who would like to address the Board? Mr. Lindstrom."

Hal Lindstrom: "Hal Lindstrom, Riverhead. I have to disagree with Bill on the Wading River Road. I use that road quite a bit. I'm a bicyclist, I use that road. I just wanted to make that- put on the record. But I do have a question. Recently I heard that AES wants to buy land from Mr. Burman. Now if he buys land on the Grumman property, does he still need to apply for a special permit as far as a zone change? Can you answer that?"

Councilman Kent: "It's- no, it's subject to a State Siting Board approval, not the Town Board."

Supervisor Kozakiewicz: "It comes under the Article 10 process which is a process that deals with any utility that's going to exceed 80 megawatts that that process is- that the State Siting Board, and that takes in zoning, environmental, subdivision and many of the other processes. That's where it goes, to the Article 10 process.

And I've heard different things. I heard that he's looking at Brookhaven and does not have a deal with Burman. I've heard a lot of different things as far as what's going on with AES."

Hal Lindstrom: "Well, the latest- "

Supervisor Kozakiewicz: "The story is changing."

Hal Lindstrom: "-- the latest that I've heard, that he wants to make a deal with Burman. But he would still have to go through the same process as he did before?"

Supervisor Kozakiewicz: "He would still have to go through the Article 10. Correct."

Hal Lindstrom: "Okay."

Supervisor Kozakiewicz: "The siting process. Yes."

Hal Lindstrom: "Thank you."

Supervisor Kozakiewicz: "The only difference would be obviously he would be within the industrial zone and not the recreational use district which would be one different and one issue, but he still must, because of the size of the plant that's being proposed, must go through that Article 10 process."

Hal Lindstrom: "Right. Thank you."

Supervisor Kozakiewicz: "Yes? Come up, come on up."

Councilman Densieski: "He's also- Mr. Lindstrom, he's also going to need an easement if he goes on the Burman property so I don't think it's a done deal yet as far as that concern."

Hal Lindstrom: "Okay, thank you."

Supervisor Kozakiewicz: "Thank you."

Kathy Lindstrom: "Kathy Lindstrom, Calverton. Does that mean that Mr. Burman could put anything in there he wants without coming before you for a zone change?"

Supervisor Kozakiewicz: "He would need to get a subdivision approval. The zoning is in place. The zoning was adopted by the Board in 1999 and that area that's within the area sold to him was the planned industrial park district. So the uses that are allowed there would be obviously uses that he could establish or sell to someone else to establish."

Kathy Lindstrom: "But if it was something that was not in the zoning and you need a special permit, obviously, a utility plant."

Supervisor Kozakiewicz: "Utility- as I said- it would have to go to the Article 10. That whole process takes in the local zoning supersedes. There was a policy decision by the State to adopt this process, this Article 10 process, where this Siting Board as they are called which is, I think, a representative from the DEC and I can't recall who the other representatives were, they look at all this. There would be an environmental package submitted to them which would take in all the questions, stack height, size of the plant, impacts to the groundwater, etc. That gets taken up in that process."

As a matter of fact, as I understand it, our SEQRA process, I think it becomes a Type II because of the Article 10 process so we don't get involved in a SEQRA review."

Kathy Lindstrom: "I understand that. But if Mr. Burman- if he wasn't buying it from Mr. Burman but from you, from the town- "

Supervisor Kozakiewicz: "Right."

Kathy Lindstrom: "-- then he would have to come before you for a change of zone, right?"

Supervisor Kozakiewicz: "That was a question whether he would need a zone change approval. Again, that was a question that never quite frankly got clarified in the process. We heard different things from their attorneys and our attorneys advised us to the contrary, that that Article 10 process supersedes everything and subsumes everything."

Kathy Lindstrom: "All right."

Supervisor Kozakiewicz: "Again, it goes back to the policy of the state to allow for the siting of these type of facilities and a decision would be made there as to the appropriateness and addressing all the other issues."

Kathy Lindstrom: "Have you heard the latest government warning?"

Supervisor Kozakiewicz: "No."

Kathy Lindstrom: "On gas pipeline with terrorist attack?"

Supervisor Kozakiewicz: "That one I've seen, yes. Okay?"

Kathy Lindstrom: "Yes. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else? Mr. Griffin. Oh, okay, Mr. Hartmann, I didn't see your hand up. Do you want to speak next? No, you can go ahead."

John Griffin: "John Griffin, Baiting Hollow. Just a question that maybe you can answer me on. On the correspondence that's posed in your literature, is that all the correspondence that the town has received since the last meeting?"

Councilman Kent: "Yeah, we don't get much mail it appears, does it?"

John Griffin: "Well, no, it doesn't, being that my letter was hand delivered to the town in nine copies and it was turned in and stamped by the- "

Supervisor Kozakiewicz: "To the Town Clerk?"

John Griffin: "To the Town Clerk."

Supervisor Kozakiewicz: "Okay. It should have been reflected on this- "

John Griffin: "It's not on here."

Supervisor Kozakiewicz: "Okay."

John Griffin: "Did you guys get it?"

Supervisor Kozakiewicz: "Yeah."

Councilman Kent: "Opposing the recycling?"

John Griffin: "Everybody got it?"

Supervisor Kozakiewicz: "Opposing."

Councilman Kent: "Yes, we got it."

John Griffin: "Everybody read it? I haven't seen any heads move. Okay. So then I don't have to read it again, right, guys?"

Supervisor Kozakiewicz: "No."

Councilman Kent: "Well, it's not on tonight, so."

John Griffin: "No. But I have to have this in the record- "

Supervisor Kozakiewicz: "Correct."

John Griffin: "--which is not reflected here because it can't be done over the air. Okay."

Supervisor Kozakiewicz: "It's on the- it's reflected in the minutes that you delivered it, so."

John Griffin: "Okay. The other question that I- "

Supervisor Kozakiewicz: "Sure."

Councilman Lull: "The reason this doesn't include- "

Unidentified: "Can't hear you."

Councilman Lull: "The reason it's not in Correspondence, I believe it's part of the public hearing. It's part of the written record of the public hearing. It's not treated as Correspondence."

Supervisor Kozakiewicz: "Yeah, but the other ones were. So that does- "

John Griffin: "It came in as Correspondence."

Supervisor Kozakiewicz: "It came in as Correspondence and the other ones- "

Councilman Lull: "They came in afterwards."

Councilman Kent: "They came in the mail."

Councilman Lull: "They came in the mail."

Supervisor Kozakiewicz: "I know, but I think Mr. Griffin's came in after the public hearing as well."

John Griffin: "After the public hearing."

Supervisor Kozakiewicz: "All right. As a result of many of the comments that were raised the last Town Board meeting."

John Griffin: "I just want to make sure that all the letters that were submitted didn't get misplaced. Okay?"

Supervisor Kozakiewicz: "Okay."

John Griffin: "The other question that I have is on Route 25 at Edwards Avenue, who is responsible for Route 25 at that intersection?"

Councilman Kent: "New York State."

John Griffin: "Okay. There is three- there are four roads- there's two roads that intersect there, four different directions of traffic. Three of them have a no right on red sign. The one that is the most important, that you can't see, doesn't have it. Three days ago I almost got killed making that turn. It's a very dangerous intersection. How do we go about doing something to solve that one little- "

Supervisor Kozakiewicz: "No right on red. Just- "

John Griffin: "If you're heading westbound on 25 at the intersection of Edwards Avenue, with the restaurant being so close to the road, when you're stopped at that traffic signal, you cannot see traffic coming north on Edwards. So you will make a right hand turn and a truck almost barreled me."

Supervisor Kozakiewicz: "Okay. That would go to DOT."

John Griffin: "You will take that? I don't have to go nowhere, right?"

Councilman Kent: "No."

John Griffin: "Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else? Joan Griffin?"

Joan Griffin: "Good evening, Joan Griffin, Baiting Hollow. I was working on the- "

Councilman Kent: "You're not going to ask us what the status of

the Burman deal is, are you?"

Joan Griffin: "No."

Councilman Kent: "I was having a flashback."

Joan Griffin: "If you want to tell me what's happening with the \$17 million dollars, I'll listen to that. But this is concerning Crown Recycling."

Councilman Kent: "We all ask that same question, by the way. We don't know either."

Joan Griffin: "Well, as long as everybody is on the same page."

Councilman Kent: "We're trying to find out."

Joan Griffin: "That's the main thing. A petition went around about Crown Recycling and it says: We, the undersigned residents of Calverton and Riverhead, New York, do by signing this petition, we request the Town Board of Riverhead to deny the application of Reliance Leasing Inc. for a change of zone petition on real property located on Youngs Avenue in Riverhead, Suffolk County Tax Map parcel 600-80-2-4.1.

We also request the Town to deny the special application of Reliance Leasing Inc. which would allow the construction of a recycling center at Youngs Avenue at the same location.

I have over 200 signatures that I'd like to turn in for this showing that we do oppose it and this is from different areas around the area.

Also in my husband's letter, he mentioned there's 398 families that live there. There are four horse farms, two nurseries adjacent to the animal shelter that's there, so we are a pristine area, not like the attorney for Crown said that it's not a pristine area. Thank you."

Supervisor Kozakiewicz: "Thank you. Are you going to hand those petition up right now? That petition? Mr. Hartmann. I know I skipped over you. Yeah, that becomes part of the record."

Robert Hartmann: "Robert Hartmann, Sound Avenue in Riverhead. You notice I'm wearing short sleeves tonight. Last time I was here,

you needed a bathing suit."

Supervisor Kozakiewicz: "I think both times this thing was on you needed a bathing suit."

Robert Hartmann: "I think most of you know that I'm highly opposed to a moratorium and that's the object I'm speaking about. I just don't believe it will be in very many people's interest in the first place and it will be detrimental to more people than it will ever help.

I've stated before that we have a Planning Board here and a Town Board and they can exercise a lot of control over a lot of things. Let's do it. We're working on a master plan, let's do it. Don't strangle everything and everybody. And that's what I think you're going to do especially with a year long moratorium.

Now the Hartmann family has been working for quite a while. We happen to own considerable acreage and we waited for a long time to find the right proposition. We've been working two and a half years now on a proposition that we're very happy with and the town would be extremely happy with. Everybody comes out in a win-win situation with the deal we're working on.

As that went along, the builder has been bending over backwards, absolutely bending over backwards to change and modify and come up with a 70/30 deal. But we keep getting promised and promised and promised from every-- oh, yeah, it's a great deal, great deal, great deal. Now everybody I've talked to about the moratorium and I've talked to considerable people, but a number of people that know what they're talking about say there's a lot of trouble with the wording in it. And I happen to agree with them.

You may think that wording is going to be conducive for our family deal, but it isn't. Now, if you are going to pass any kind of moratorium at all or even think about it, we ought to get the wording straight. And everybody-- well, I say everybody, a number of people in the town have told me that the wording-- they've got big problems with the wording but no one is making a move to make any changes in it. And I don't think that's right.

After spending two and a half years and a lot of money and time developing this thing, I don't want to see it go down the drain. Because it's too good a deal to let go down the drain, not only for us, for everybody. The alternative to it if it goes down the drain,

yeah, it will be 70/30 if you pass the thing later on. But that means it will be- 70/30 in every little parcel around and everything is going to be all jumbled up. It ain't going to be no good for the town; it ain't going to be no good for us; it ain't going to be no good for agriculture. That's what we're looking at.

All I'm saying is I don't believe in moratoriums, especially as long as a year, but if you are going to think about it and have any chance of passing it, I think you better get the wording right. Thank you."

Supervisor Kozakiewicz: "Thank you. Is there anybody else who would like to address the Board? George?"

George Schmelzer: "It works. For years now every new Supervisor says they're going to do something to revive downtown. Of course, the town is afraid to go after the state to get rid of this Scenic River law. Basically people need food every day of the year so they go to a supermarket at least once a week. So when they need other stuff, they go to the supermarket first, go nearby to the other stores. There's no supermarket downtown. If we had a big store there, I think that's the only thing you- that would help change downtown.

I suggested to the town one time, maybe I can sell this Town Hall back to the A&P, put a store here. See, when the town rented the space diagonally across from the Suffolk County National Bank; they didn't have many bureaucrats, no room for them. As soon as they bought this, gee, we could fill this up with bureaucrats. They did- that's all they did. So we've got more bureaucrats here than ever. So when the Town Board doesn't know something, they ask the bureaucrats. They know better than the Town Board. Well, it sounds that way, anyway.

So, doing something, well, you can't even get the state to open up the drain on East Main Street, that three foot drain. Have you tried?"

Supervisor Kozkaiewicz: "Are you talking about the one that goes underneath the-"

George Schmelzer: "Yeah. The water starts north of 58. There ain't much left to plug up. It's it plugged up, you'd have like Niagra Falls going across the road there after a few weeks. Where it is now, we get a dampness in the cellar here. If you clean that out,

the water table would drop two feet, you wouldn't have any problem here. I've talked about that for four years. No use. Nobody seems to care.

Now, today I got a copy of this Enterprise Park, so called. According to the paper, you gave the broker a million dollars. I don't know what he did. My wife has a broker's license. You should have told her. She'd have done the same job sitting home doing nothing like he has for a hundred thousand, not a million, see. I never saw the guy here even."

Supervisor Kozakiewicz: "Oh, he's been here."

George Schmelzer: "Did you announce him? Did he speak before here at a meeting?"

Supervisor Kozakiewicz: "I'm not sure if he's been announced but he's been here at Town Board meetings and when we've had hearings on qualified and eligible sponsors not to mention other times."

George Schmelzer: "You mean your work sessions or real meeting here?"

Supervisor Kozakiewicz: "I've seen him here at real meetings, at the Town Board meetings."

George Schmelzer: "In the back of the room?"

Supervisor Kozakiewicz: "Yes."

George Schmelzer: "He didn't say anything though."

Supervisor Kozakiewicz: "He's been here."

George Schmelzer: "You mean Grubb or Ellis? He sort of grubbed a lot of money out of you. Why did you give him a million dollars for doing nothing? Gee."

Supervisor Kozakiewicz: "He earned a commission fee. He brought an individual to the property. There was an agreement made with the town whereby the commission was spelled out."

George Schmelzer: "Who made that agreement?"

Supervisor Kozakiewicz: "I- "

George Schmelzer: "You did?"

Supervisor Kozakiewicz: "It was before me. I don't remember if it was Jimmy."

Councilman Kent: "Yeah, it was Jim."

Supervisor Kozakiewicz: "Under Jim Stark's administration or under Mr. Villella's but the agreement was made previously."

Councilman Kent: "It was under Jim Stark's administration, 1997, I believe."

George Schmelzer: "Well, it sounds like a grease deal. All right. I read this thing again. Economic advantage, economic development zone benefits. No taxes for seven years."

Councilman Kent: "On improvements."

George Schmelzer: "It didn't say that. It says no taxes."

Councilman Kent: "Actually, that's changed now. Because that state law has been amended to- it has been amended that allows the locality to collect the property taxes and then for the companies to get exemptions against state taxes through wage deductions or other type of employment taxes."

George Schmelzer: "You mean you- who works for him gets less wages because of this special- "

Councilman Kent: "No. They don't have to pay the state taxes on the wages."

George Schmelzer: "So we have to make up the difference?"

Councilman Kent: "The state does rather than the locality. Rather than the property taxes."

George Schmelzer: "Well, if the citizen is- other citizens have to pay for it, they make it up."

Councilman Kent: "But it's being spread out state-wide rather than- "

George Schmelzer: "Just like the lighting company, you know,

they brag LIPA which means Long Island Pennsylvania, they don't pay any taxes so we have to make up for the taxes they don't pay. But they don't tell you that now, see. No taxes for seven years. When Vinnie told me absolutely be a level playing field, no different from any other. Goes on. Electric rates, 40% (inaudible). Who's going to make up the difference? The rest of the business, huh. What does this mean here? Wage tax credits. Investment tax credits. You've got these special tax credits, other people have to make up the difference. You know that."

Councilman Kent: "You're coming to the wrong place with this program. This program was a George- "

George Schmelzer: "It's the town- "

Councilman Kent: "No. This is a George Pataki program, not a Town of Riverhead program."

Supervisor Kozakiewicz: "Empire Zone."

Councilman Kent: "Yeah. So if you want to question the program, speak to the Governor."

George Schmelzer: "Well, did you have to do this?"

Councilman Kent: "We are trying to encourage industrial development there. Yes, I think we should have."

George Schmelzer: "Did you have to do that or did you want to do that to get a special advantage over private people?"

Councilman Kent: "We're also trying to bring it downtown so that private people can also enjoy it."

George Schmelzer: "Oh, yeah?"

Councilman Kent: "Yup."

George Schmelzer: "Well, prospect of foreign trade zone benefits. Local financing options, what's that mean?"

Councilman Kent: "Catchwords."

George Schmelzer: "You are the Town Board. You passed it and you don't know what you did?"

Councilman Kent: "No. They can get some type of interest-reduced interest on loans."

George Schmelzer: "That nobody else can get, huh?"

Councilman Kent: "You could probably get it, too, now. You can probably borrow money- "

George Schmelzer: "Well, why did they put it in there for? If everybody can get it, why bother putting it there?"

Councilman Kent: "I think you can borrow money now at about 3 and 1/2% if you are really looking."

George Schmelzer: "Business development. That was a good deal then, this guy, Grubb and Ellis made. Burman bought for \$17 million; 10 minutes later he sold part of it for \$25 million. You had a damn good broker, didn't you?"

Councilman Kent: "What part did he sell for \$25 million?"

George Schmelzer: "Well, the paper said- is the paper a liar?"

Councilman Kent: "Which paper?"

George Schmelzer: "Local paper. You didn't know about it or you didn't read it?"

Supervisor Kozakiewicz: "Didn't read it."

Councilman Kent: "I read it but didn't believe it because I didn't think it was true."

George Schmelzer: "Well, you should know if it's true or not."

Councilman Kent: "I know it's not true."

George Schmelzer: "We've got three lawyers on the Town Board now. Now you know less than ever. What's going on?"

Councilman Kent: "I know it not to be true."

Supervisor Kozakiewicz: "Oh, boy. George, are you going to sum up?"

George Schmelzer: "I don't know what to tell you anymore. Gee, I'm so disgusted."

Supervisor Kozakiewicz: "Well, I guess you should go to the school board and suggest changes to them. No, I'm teasing. We like you coming here."

George Schmelzer: "I don't feel that good really."

Supervisor Kozakiewicz: "All right. Sorry to hear that."

George Schmelzer: "Yeah. And I just happened to find this. I was looking for it today. It's (inaudible), you ought to be ashamed of yourselves. The town ought to be ashamed."

Councilman Kent: "Thank you."

George Schmelzer: "Yeah, and well, it's a good name for it, the Riverhead-less because how many minutes I've got left?"

Supervisor Kozakiewicz: "I think you're past the five."

George Schmelzer: "Okay. I'll- "

Supervisor Kozakiewicz: "And- when I read your transcripts, every time I read the same thing, Riverhead-less, you know, it's- "

George Schmelzer: "Well, it's true, isn't it?"

Supervisor Kozakiewicz: "In your mind, thank you."

George Schmelzer: "Anybody else's mind, raise your hand, please."

Supervisor Kozakiewicz: "In your mind. Thank you. Anybody else who would like to speak?"

George Schmelzer: "Raise your hand."

Supervisor Kozakiewicz: "Thank you. All right."

Councilman Kent: "I think- no, they're raising their hand for the Riverhead-less."

George Schmelzer: "Yeah, he said thanks, too. He said thanks."

Bob said thanks. That means he agrees with me but he doesn't- he slipped that time."

Supervisor Kozakiewicz: "Anybody else who would like to speak. You want to come up?"

George Schmelzer: "Okay. Thank you."

Councilman Kent: "You've got a tough act to follow there."

Tom Lassandro: "Do I?"

Councilman Kent: "Yeah, do you have any one liners or anything."

Tom Lassandro: "Well, let me take my hat off first."

Councilman Kent: "Okay. That's a good place to start."

Tom Lassandro: "My name is Tom Lassandro of Baiting Hollow in the Manors to discuss about Crown Sanitation. Myself, I think it's a disgrace that they would even consider doing something like that where there's beautiful homes in the area, beautiful trees right across the street and, you know, before a vote yes is considered on that, on Youngs Avenue from Osborne all the way to Southfield, whenever it rains, we always gets floods and nothing is ever done about it, you know? So and now they're considering Crown Sanitation so that we could hear cement being crushed. I don't think the timing is right and I don't think the location is a very good location for it."

When the Long Island Expressway was built didn't they go through the pine barrens?"

Supervisor Kozakiewicz: "It wasn't the pine barrens then."

Tom Lassandro: "Okay. It wasn't then but on both sides of the expressway now you have the pine barrens."

Supervisor Kozakiewicz: "That's- now."

Tom Lassandro: "Now. So- "

Councilman Kent: "Well, it was then, too, but- "

Supervisor Kozakiewicz: "Well, it was not so designated."

Councilman Kent: "It just didn't have its name."

Tom Lassandro: "What I'm suggesting to the Board is the acreage that's doing nothing there, there's no homes or anything, give them the acres over there instead of in an area where there's beautiful homes and more homes are being built right on Youngs Avenue. And then no you want to change the zoning? It's agriculture, leave it for potatoes, you know, not for industrial or whatever. Leave it the way it is. You know, my opinion as a resident of the community and a neighbor of mine who doesn't speak very well English, he had his daughter write this letter up and he asked me to give it to the Board."

Supervisor Kozakiewicz: "Thank you."

Tom Lassandro: "So."

Supervisor Kozakiewicz: "All right. We'll make that part of the record. The neighbor's name that wrote the letter was- "

Tom Lassandro: "Zupa."

Supervisor Kozakiewicz: "Okay."

Councilman Densieski: "Should give it to the Clerk."

Supervisor Kozakiewicz: "Mr. Lindstrom you spoke, do you want to speak again for just a few seconds? Because I don't want to get into too many repeat customers. All right. Okay."

Hal Lindstrom: "I believe I had a few minutes left anyway. I don't believe I spoke for the full five minutes."

Supervisor Kozakiewicz: "I'm not sure."

Hal Lindstrom: "Okay. Well, I just wanted to say does the town have any plans for the revitalization of downtown Riverhead? It seems every time I go down there, there seems to be another store closed. Now, I think if Swezey's pulls out, we're going to have a ghost town. It's pretty bad down there. I think we could take some lessons from Greenport. Greenport was in trouble a while back and if you go out to Greenport right now, it is a booming community down there. I think we have to start store by store, street by street, to plan the future and not just let this thing go the way it's going."

We need some stores down there. The people want to shop. We could have a Starbucks, we could have a Noble's book store, I don't think we have one in the Tanger's Mall. We could have a lot of nice shops there. Maybe a little bakery. Places that people want to shop. People do not want to go downtown there where it really is seedy looking. It really is. It's getting- you know, I came from Bayshore and that town is almost in the same condition as this town because the town didn't take any action to really try to improve it.

When they built the Tanger's Mall, it really hurt downtown and the whole thing with Tanger Mall was that, you know, oh, it's going to improve- it was really going to help downtown. And it didn't. It took all the business away from downtown and the downtown is just dwindling to nothing. Does the town have any plans for revitalization down there or is just going- "

Councilman Densieski: "Every company that you mentioned, I've personally written letters to, Starbucks, Barnes & Nobles, all the bookstores and 63 other businesses to try to lure them downtown. The fact of the matter is it's not as easy as saying, hey, come to Riverhead. The Supervisor and I are now putting together a committee to try to identify problems and come up with solutions for downtown and earlier the Supervisor alluded to- "

Supervisor Kozakiewicz: "Not to mention there's also the downtown element which has already been released as part of the master plan process."

Councilman Densieski: "Also, like the Supervisor said, we are trying to get the economic development zone which will have a positive effect--"

Supervisor Kozakiewicz: "Actually, Chris mentioned that today."

Councilman Densieski: "I'm sorry, Chris--"

Hal Lindstrom: "Maybe they have to do some renovations to some of the buildings so they're more appealing to the people, but I really think something needs to be done. It's an historic town and even when I didn't live here, I thought it really could be a nice place. That's all I have to say. Thank you."

Supervisor Kozakiewicz: "Thank you. All right. Jake Rottkamp."

Jake Rottkamp: "Jake Rottkamp, Baiting Hollow. I am opposed- excuse me- to shutting down the building end of this town for more than one reason. It's going to destroy the economy of the town. Where are people going to go when they close all the stuff down? A moratorium isn't going to prove anything. And first it was six months, now it's a year. Is it going to be a year or is it going to be another six months or another year after that?"

And I'm involved with some of the planning that Robby was talking about and it's a win-win situation with him and you're going to close it down? And I know where I'm renting land over here in Baiting Hollow, they won't rent it to me because they're waiting for the town to give them a permit. For three years I couldn't farm that land because the owners said to me when that comes through from Riverhead, we don't want you on there. So it's been laying there, growing up in weeds.

I mean, what's going on? I don't know what's going on but this is what's happening and it's not doing Riverhead any good. And that's another reason why I'm opposed to a moratorium. Thank you."

Supervisor Kozakiewicz: "Thank you. Is there anybody else who would like- yes, hand in the back."

Lawrence Rehm: "I'm Lawrence Rehm, Youngs Avenue. I'll keep this short. The last time I spoke about Crown Sanitation, you gentlemen said put it in writing. I officially have my letter, if you will accept it tonight."

Supervisor Kozakiewicz: "Absolutely."

Lawrence Rehm: "Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board? Then we're going to take a brief break. Yes. Marilyn."

Marilyn Binder: "Marilyn Binder, Calverton. My husband's letter for the recycling was not entered either and that was also submitted a week ago."

Supervisor Kozakiewicz: "Okay."

Marilyn Binder: "I just would like to put this in on the record. This is from John's report, the SEQRA report. A major

concern that the project impact statement states there is a potentially large impact on risk of explosion or a chronic low level discharge of oil or chemical and contamination to the public water supply. On 9/22 the SEQRA report states the County Health Department is concerned that the chemical (inaudible) in water necessary for mixing and use is precisely why they are concerned with discharge and impact potential on groundwater.

A 55 gallon drum of the (inaudible) requires 3,000 or 4,000 gallons of water for mixing reported. A verbal description of the intended use of the (inaudible) outdoors on bare ground was met with a rather negative reaction from the County Health Department as stated in the SEQRA report. I think that should be on record. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else? If not- yes, John. George, we're going to take a break. Yes, John."

John Ellwood: "John Ellwood, Youngs Avenue, Baiting Hollow. You have my letter. I just want to back up what the people are saying about this Crown. I'm against it. And, second, I'd like to talk a little bit that's popping up again about downtown Riverhead. And we've been through many campaigns, a lot of red faces and finger pointing about what to go on about downtown Riverhead.

And, I think the town and the past administrations and this administration have done what they could. I think a lot of it is that a lot of these stores are owned by either people up west. So if you want to open up a business downtown, you're going to pay the same amount of rent or close to it as you would on 58. And the problem is downtown is your infrastructure. I mean, back in the '50's, in the late '40's, I guess, first there was a lot of people our forefathers and planners, you know, they spent a lot of money to bypass Riverhead town. I mean you had Route 58 and then I remember my father coming home, he was so grateful that they put the bridge by the library, you know.

A few years later, they put 105. Okay. And then you had the 94 from the County Center to the expressway. All this is done to avoid the bottleneck that we have which hasn't been addressed for- since the town, where you have that Peconic Avenue, Main Street and Roanoke Avenue debacle down there. And anybody coming into town has to go through that. Any kind of influx of population there, they avoid it. And that's what happened. You know, people went elsewhere.

You know, we- I don't know what can be down there. I don't know

if we've addressed the infrastructure. And now it's even heightened now with people trying to come onto Peconic Avenue from the Peconic- you know, your parking lot there. With the traffic circle, it's just a ready made traffic jam and you ask anybody who want to shop, where would you go, downtown? Would you go where the traffic flows?

Somebody mentioned Greenport. Well, Greenport, you've got a straight run, the traffic flows, you know. I mean there's traffic, we have traffic on 58 but at least you can maneuver. This here, you have people trying to make lefts and rights and it's just a mess. But I do think the towns have with the parking lots they put in, we've tried our best but I don't know what we can do with the vacant businesses. You know, that's controlled by realtors or whatever, square footage, you know, I don't know what to do about that.

But if we're going to do anything in Riverhead town, the village itself, I think we should put some effort into the infrastructure now. Thank you."

Supervisor Kozakiewicz: "Thank you. Quickly, and then I want to take a break because- okay."

John Griffin: "Just a real quick question. I'm usually very good at reading people. Well, Marilyn asked me if she could take a look at the letter. That's why she came up and asked that question. The two paragraphs that she read, two people on the Board looked like they'd never heard it before. Have you people read this letter? That's all I want to know. Phil? Ed? Bob? You guys have read it? On the record, you guys have read it?"

Supervisor Kozakiewicz: "Yes."

Councilman Cardinale: "I remember seeing this letter. I'd like to see it again."

Councilman Densieski: "Why don't you read it so everybody- "

John Griffin: "Would you like me to read it?"

Supervisor Kozakiewicz: "Do you want to read it? That way there will be no dispute that you've put it in the record. All right. Go ahead. Read it. All right."

John Griffin: "I don't like reading in public; that's why I write."

Supervisor Kozakiewicz: "It will be on the record. It will be on the record."

John Griffin: "Supervisor Kozakiewicz, Councilmen Cardinale, Densieski, Councilman Kent, Lull, Councilwomen Elect Blass, Sanders, Town Clerk Grattan and the Town Attorney. There were nine letters turned in.

I'm writing this letter in hopes that you will after reading it, you will feel the same way that I do and deny the application of Crown Recycling application for a change of zoning of the 13.99 acres applied for and also deny the special permit also applied for.

It was quite informative to read the full environmental assessment form and narrative statement for construction and demolition processing and recycling facility for Crown Recycling, Youngs Avenue, Riverhead. For the ease of typing I'm going to call this the narrative statement.

In it, they show the surrounding area with photographs as far away as the Suffolk County- the Suffolk cement sand mine, just a little over a mile to the west- to the southwest of the proposed facility. I figured since they used this distance as a bookmark, I would use the same distance and do a circle of approximately one mile. Okay? I drove around, I came up with a slightly different picture of the surrounding area than they showed in the report.

In the circle of one mile, I found 398 homes, four horse farms, two tree nurseries, one buffalo farm, and let's not forget the animal shelter directly next door to the Crown facility. In the narrative statement they mentioned the Waste Management facility which only takes in 100 cubic yards per week from the town residents. The balance of the site is used for commercial uses.

As stated on page 10 of the same report, the New York State DEC Part 360-16 regulations state that Crown Recycling estimates that the rate of disposal at 100 tons per month, 100 tons per month.

The DEC Part 360-16 regulations also state that for wood, the piles can be 20 feet high, 5,000 square feet at the base and 25 feet between the piles. Just an aside, the berm there is five feet high about, five to eight feet high.

For uncontaminated concrete, rock, soil and masonry, there is no limit to the height, the base area or pile separation. There could be

a concrete pile as high as their machinery will pile it.

The SEQRA report dated September 26, 2000 states discussion with the DEC indicates that registered facilities of this type are expected to have piles of unprocessed and processed material on site most of the time. The equipment they specify is capable of processing 130 tons per hour of concrete, 100 cubic yards of wood waste per hour. This is quite in excess of the 100 tons per month they estimate. This is quite a gap to fill. Is this for future business growth? I can only think so.

In the narrative statement they mention the noise level of the town code at 65 decibels from 7:00 a.m. to 8:00 p.m. The equipment specs for the concrete crushed states 58 decibels at 400 feet. The tub grinder at 59 decibels. If both units are running, is the sound going to be in excess of the 65 decibels?

Add to this the 80 horsepower diesel engine that's going to be running to run the wood mulch coloring machine. This, in my opinion, is going to be a very noisy operation.

The 10 to 15 foot berm is supposed to stop five decibels of this but as the SEQRA staff report states, the 10 to 15 foot berm depicted as proposed is already in existence. And we know it's not 10 to 15 feet. Remember though, the piles could be 20 feet high. That's for wood. The SEQRA report also states that the berm does not qualify as is as now configured, because there is a gap in the berm on Youngs Avenue. The town of Riverhead code requires that the barrier be continuous without even small gaps in it.

On page 12 of the narrative statement Part 2, project impacts, states that there will be truly a potentially large impact on (inaudible) noise level outside of the structures.

The increase in vehicular traffic I feel is understated. In the applicant's project information form, part 1- you guys got forms unbelievable, he anticipates five vehicular traps- trucks- trips per hour. Part 2, project impacts and their magnitude, completed by the lead agency, shows that the impact on transportation proposed action will have a major traffic problems small to moderate, not five an hour.

Since the SEQRA report states that the Town Board should assume the lead role- the role of lead agency, I assume that the project impact statement was produced at the directive of the Town Board.

There are at least 35 families that will be directly affected by this vehicular impact. Families with children who play in the community, all Riverhead residents.

The statement narrative that they won't take any contaminated product. By DEC regulations unauthorized solid waste must be removed within 24 hours. This to me means that they can store unauthorized solid waste for up to 24 hours. Can you see the concern?

The dust created by the grinding and crushing operation will possibly have health related problems. We heard about that the last time. The dust control is periodically- is stated as quote periodically wetting down the facility with water. I'll ask anyone on the Board, how many periodics are there in a day, a week, a month, a year, 20 years? I don't know.

I'm not familiar with the Asian longhorn beetle but if Crown Recycling personnel are trained to look for them and the facility must report to the New York State DEC is this insect is located in the waste wood, this to me raises a major concern. What affect will this beetles have on the adjoining parcels of land, one being a tree nursery. I don't know. Crown personnel must look through approximately five tons per day for this beetle. How big is this beetle? Five tons, a lot of work.

The lead agency report, which I'm assuming is the Town Board, Part 2, projects impact the magnitude on the SEQRA report confirms on page 8 that this proposed site could be a threat to the groundwater which is the sole source of the public water supply. The lead agency's Part 2 report goes on to say that the proposed project would probably use in excess of 20,000 gallons of water per day, not the 500 they estimate.

SEQRA report states that by all accounts their 500 gallons a day is used for dust control only. Covering 16 acres with 500 gallons a day. That's less than I use for watering my lawn.

There is a major concern of mine that the impact on public health, the project statement states that there is potentially a large impact for risk of explosion or chronic low level discharge of oil or chemical and contamination to the public water supply. On 9/22, the SEQRA reports states that the County Health Department is concerned that the chemical solubility in water- which you just heard- necessary for mixing and uses, precisely why they are concerned with the discharge and impact potential on groundwater. A 55 gallon drum of

colorant requires three four thousand gallons of water for mixing as reported by- to the SEQRA report. A verbal description of the intended use of the colorant outdoors on bare ground was met with a rather negative reaction from the County Health Department.

I feel the SEQRA report says it all. And this is a quote. And I know you all heard it because you read it. This is an island of industry in a sea of agricultural and residential use. If the view of this does not make sense to expand the area of industrial zoning, especially with the updating of the pending master plan, the industrial use is clearly inconsistent with existing zoning. The SEQRA report goes on to state that the master plan calls for the site to be a low density residential use. The site also appears to contain 11 to 12 acres of Class 2 prime ag soils. You guys know more about that than I do, I'm a boiler guy.

This would conflict with the DEIS-- which I'm not sure what that is, on the preservation of farmland soils. A change of zoning in this case would be viewed as an un- as a precedent upon which others would rely. With all of these negatives in mind, please view the pages that I gave you. There was 10 pages of photographs that I gave you of the community that is developing around this site.

This is not the lifestyle located within the one mile circle of Crown Recycling. Not quite the picture they present, is it? In making up your mind on these very two important proposals, please consider the 400 families who call this home and deny the request of Crown.

I hope you read it, because now you heard it."

Supervisor Kozakiewicz: "Thank you."

John Griffin: "Go take a break."

Councilman Densieski: "Thank you."

Supervisor Kozakiewicz: "Thank you. Okay. And we will do that. The time being 8- is that 8:47? Okay."

Recess: 8:47 p.m.

Meeting reconvened: 9:20 p.m.

Supervisor Kozakiewicz: "Is the tape on? Okay, let the record

reflect the time of 9:20 has arrived. I'd like to reconvene this Town Board meeting and take up resolutions."

Resolution #1191

Councilman Densieski: "Rejects the bid for the municipal garage for the mechanic maintenance facility and improvements and the general construction and ratifies post and publish of notice to bidders to re-bid general construction contract. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1192

Councilman Kent: "This awards the bid for a municipal garage mechanic's maintenance facility addition and improvements with regard to the HVAC, plumbing and electrical contractors. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Kent: "So you don't have to say the vote."

Supervisor Kozakiewicz: "Yeah, just call out their names."

Councilman Densieski: "You're doing fine."

Diane Wilhelm: "Okay. Thank you."

Resolution #1193

Councilman Cardinale: "1193 approves Hartill Contracting, Inc. as a drainlayer for the Riverhead Sewer District. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1194

Councilman Lull: "Approves the temporary sign permit for Soundview Meadows. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Supervisor Kozakiewicz: "Resolution adopted."

Resolution #1195

Councilman Cardinale: "1195 approves temporary sign permit for United Comprehensive Care, LTD., banner. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1196

Councilman Densieski: "Approves a temporary sign permit for 1397 West Main Street for the sale of Christmas trees. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1197

Councilman Cardinale: "This authorizes the submission of the TEA-21 application to the New York State Department of Transportation. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1198

Councilman Lull: "Authorizes the Town Clerk to publish and post notice of a public hearing to consider a proposed local law for an amendment of Chapter 101 (Vehicles and Traffic) of the Riverhead Town Code. And that will be held 7:10 p.m. on January 15th. So moved."

Councilman Kent: "Ah, yes, just to amend the notice to be 2002."

Councilman Lull: "Oh, does it say 1?"

Councilman Kent: "Yes. And I second it."

Supervisor Kozakiewicz: "Moved and seconded. Which one are we on?"

Councilman Kent: "1198."

Supervisor Kozakiewicz: "Okay."

Councilman Kent: "Here, I'll give it to you. Just make sure that notice gets noticed correctly so we won't have to do it again."

The Vote: "Densieski."

Councilman Densieski: "One second, please."

Diane Wilhelm: "Okay."

Councilman Densieski: "Yes."

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

Resolution #1199

Councilman Kent: "Appoints Lisa Lindsay as a recreation aide to the Riverhead Recreation Department. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1200

Councilman Cardinale: "Resolution 1200 appoints a recreation aide to the Riverhead Recreation Department. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1201

Councilman Densieski: "Appoints Timothy Donoghue as a recreation aide to the Riverhead Recreation Department. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1202

Councilman Lull: "Appoints Doreen Jackson as a recreation aide. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1203

Councilman Densieski: "1203 awards bid extension No. 59 Deep Hole Road subdivision of the Riverhead Water District. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1204

Councilman Lull: "I'll make this resolution first and then I'll make a move to table it. Awards bid for Darren Development Crescent Riverhead Water District. So moved."

Councilman Kent: "We're moving to table?"

Councilman Lull: "Yes."

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

Supervisor Kozakiewicz: "Motion and second to table. Vote on the tabling of the motion."

Diane Wilhelm: "Resolution tabled?"

Supervisor Kozakiewicz: "Yes. We have to take a vote on that."

The Vote: "Densieski, yes, to table; Cardinale, yes, to table; Kent, yes; Lull, yes; Kozakiewicz, yes. Resolution tabled."

Resolution #1205

Councilman Kent: "And in deference to the comments that were made on 12/05, I'm also going to move to table this resolution so that we can determine the validity of the comments that were made by the speaker. So I will move to table the performance bond of Knolls of

Fox Hill, Inc. So moved."

Councilman Densieski: "Second to table."

Supervisor Kozakiewicz: "Second by Densieski. Motion and second to table."

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

Resolution #1206

Councilman Densieski: "1206 approves a temporary sign permit for Crescent on the Sound. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1207

Councilman Lull: "Approves a temporary sign permit for Hugh Boss. So moved."

Councilman Cardinale: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1208

Councilman Densieski: "1208 authorizes the Town Clerk to publish and post a public notice of a public hearing to consider a local law amending Chapter 63-A entitled "Graffiti" of the Riverhead Town code. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1209

Councilman Lull: "Accepts irrevocable letter of credit from PRG Corporation. So moved."

Supervisor Kozakiewicz: "Is there a second? Moved and seconded."

Councilman Cardinale: "Seconded."

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

Resolution #1210

Councilman Densieski: "1210 accepts a cash bond of Antonino Militello. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1211

Councilman Lull: "Appoints temporary clerks to the Tax Receiver's office, Sharon Bilunas and Linda- Lisa Hansen, sorry. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "I guess there's something to be said for seniority because I see that one lady is making \$.10 an hour more than the other, so, I'll vote yes."

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

Kozakiewicz, yes. Resolution adopted."

Resolution #1212

Councilman Cardinale: "Resolution 1212 authorizes the Supervisor to execute an agreement terminating the agreement dated December 31, 1997, with Waste Management of New York LLC, Long Island division. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Yeah, I just wanted to make a quick comment. I want to thank the Supervisor for his role in this because more than likely this agreement end would probably have ended up in court and the Supervisor negotiated a deal with Waste Management that both sides are happy with and I'll vote yes."

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

Councilman Cardinale: "I'm going to vote yes as well."

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

Supervisor Kozakiewicz: "I'm actually going to pass a lot of the credit over to Chris and Jim who happened to be here when the- I knew about it and I couldn't attend the initial or one of the follow-up discussion with Waste and much of that was done in my absence and--"

Councilman Densieski: "Sorry, Chris and Jim."

Supervisor Kozakiewicz: "-- I thank you guys for doing this. Yes."

Councilman Kent: "That's okay."

Diane Wilhelm: "Resolution is adopted."

Resolution #1213

Councilman Densieski: "Accepts Suffolk County National Bank irrevocable letters of credit for two of Schembri Home, Inc. (road and

drainage improvements and park and recreation fees - Sound Meadows). So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

Councilman Kent: "It was a good thing that wasn't Nino Militello's irrevocable letter of credit."

Councilman Densieski: "Yeah, you're right about that."

Councilman Kent: "Seconded."

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

Resolution #1214

Councilman Lull: "And I'm going to request or move that we table the request for leave of absence for 1214."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Kent: "Second."

Supervisor Kozakiewicz: "Moved and seconded to table."

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

Resolution #1215

Councilman Cardinale: "1215 promotion to water treatment plant operator trainee in the Water Department, Arnold Wulffraat. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Kent: "No, this was adopted."

Supervisor Kozakiewicz: "No, no, this one was adopted."

Diane Wilhelm: "Oh, I'm sorry. Adopted."

Supervisor Kozakiewicz: "Yup, okay."

Resolution #1216

Councilman Densieski: "Authorizes the Town Clerk to publish and post a public notice of a public hearing to consider a local law amending Article XXXXI entitled "Wireless Communications and Antennas" of Chapter 108 entitled "Zoning" of the Riverhead Town Code. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1217

Councilman Cardinale: "1217 is an authorization to the Town Clerk to publish and post public notice of a public hearing to consider a local law amending Section 52-10 entitled "Building Permit Fees" of Chapter 52 entitled "Building Construction" of the Riverhead Town Code. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "I don't seem to have that in front of me, Bob."

Supervisor Kozakiewicz: "To increase fees for starting work without permits."

Councilman Densieski: "Oh, okay. I don't have it right in front of me, but I'll vote yes."

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

Councilman Kent: "This is for a public hearing so we'll have a good chance to look at it. So I vote yes."

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

Resolution #1218

Councilman Lull: "Authorizes the Town Clerk to publish and post a public notice of a public hearing to consider a local law amending Section 58.1 entitled "Yard Sales" of Article XIII entitled "Supplementary Use Regulations" of Chapter 108 entitled "Zoning" of the Riverhead Town Code. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Kent: "All those people out there who love to have their yard sales and to go to them, this public hearing is scheduled for December 18th at 2:20 in the afternoon. It's an afternoon meeting next time so if you want to come down and see what we're going to do regarding yard sales, it's a good time to be here. And I vote yes."

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

Resolution #1219

Councilman Cardinale: "1219 sets registration fees for the Riverhead Recreation Department. So moved."

Councilman Lull: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1220

Councilman Kent: "1220 is the moratorium."

Councilman Densieski: "Adopts local law entitled Moratorium on Residential Development". So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Discussion. This is something that we just discussed in the Supervisor's office and we did some changes to the law that's drafted here before us. You want to read those, Chris?"

Councilman Kent: "Yes. We did make some changes to the law but-I'm looking for my copy with the handwriting all over it. I don't have it, I'll just read it. Maybe it's this one. What did I do with the one that had the writing all over it?"

Supervisor Kozakiewicz: "Chucked it."

Councilman Kent: "I chucked it out."

Councilman Lull: "You gave it to her."

Councilman Kent: "Oh, I gave it to Dawn. I gave it to Dawn. Okay, oh, here they are. Okay, basically, the things that we're doing, we're changing it first from a 12 month- the proposal is changing from a 12 month moratorium to a six month moratorium. We're doing that in three different sections. So instead of 12 months, it would be for three. Of course, the Town Board could at a later date--"

Councilman Densieski: "For six."

Councilman Kent: "Oh, for six, excuse me. And after about three months, if they decide to extend it, they are going to have to have public hearings again to discuss the extension of the moratorium. So this will initially be for six months."

Also, we made changes to Section 109-006. This is the section that excludes certain property. It's going to exclude residential minor subdivisions and residential subdivision applications on property of less than 10 acres. It's also going to limit it that if you receive a minor subdivision, that you won't be able to make an application for another minor subdivision during the moratorium.

It's also going to make an exemption on properties where the applications have at least 70% of a tract being preserved through acquisition and/or donation to the State, County or Town open space programs, or through the use of recorded covenants and restrictions or mapped and filed perpetual scenic, conservation or agricultural easements. Meaning if you are proposing to develop a property and to do the development on 30% of the property, leaving 70% open and allowing it to be- you can still continue to use it for agricultural purposes as long as you file a map showing that that's what you're going to do in perpetuity.

So those are the basic changes and I think it meets some of the concerns of the public and it's only for six months. So that's- those are the changes."

Supervisor Kozakiewicz: "Any discussion? Nothing further? Okay, vote, please?"

The Vote: "Densieski."

Councilman Densieski: "Yeah, this is a difficult subject that we could all talk about for hours and hours and there are merits to both sides of it. I don't like exactly the way it's drafted. It's quite a bit different than the way I drafted the original one, but I think we have to do something until we have the master plan and I think if it has to be revisited later, it could be, but hopefully it will make the Town Board with the new members coming on, work harder to make sure that we have the master plan and it does get adopted. And if it does, there will be no need to extend it. So with that said, I'm going to vote yes."

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

Councilman Cardinale: "This is a very difficult vote for me. It's probably one of the last significant votes I'll make as a Council member."

Let me preface what I'm going to do by saying that we are in December of 2001 considering a moratorium to give us a quote breathing space. It's right in there. Breathing space. It's a dark testament to a fundamental lack of leadership on this Board. I think it's a shame- I've said that during the recent campaign, that we have to be considering this four years after I ran in '97 on the premise that the master plan was to be the most and greatest priority of this town. Our not having once since 1973 being what I believe to be one of the

greatest failings of this town, it not being updated. We've certainly seen changes significantly since 1973.

I've said it's a shame, it is, and I think it's an unnecessary shame. I think it's also a sad reflection on the disinclination of all people who have served in the last four years to work harder and smarter to get the master plan passed. I could attribute motives to that because the master plan that is passed will have significant substantial impacts on certain interests which are part of this town, specifically development interests. And it does not to my mind appear to be any coincidence that it has not been a prioritization or a priority of us and the current administration over the last two years.

My experience is we prioritize that which is most of value to us. It is clear to me that for the last over three years and certainly for the last two years of Bob's administration, we have failed to sufficiently value the master plan process because we're not there yet and we should have been there. And had we been there, we would not be talking about a moratorium. We would be talking about a master plan and the implementing legislation.

We're faced then or at least I am with the vote that I'd just as soon not make but have to because I'm still sitting on this Board. Which is the lesser of the two evils I see here? The one is a moratorium which Mr. Hartmann and other clients of mine and other people in town have indicated is absolutely an abridgment or suspension of substantial property rights. It's what a moratorium is. It's an admission that the Town Board didn't do its job. An admission that we need more time because we refused to work harder, smarter and at night. That's one option. The abridging and suspending property rights of our citizens.

Another option is to permit unimpeded the prospect of a continuing listless malaise of in decision and inaction in regard to the master plan which will as sure as I know anything result in the relentless ebbing away of all that we care about in the town of Riverhead as far as its character, its nature as a small community.

Faced with those two decisions, a moratorium suspending people's rights and the prospect of a continuing malaise without any impact, without any cogency in getting this plan for the community on board and passed and implemented, I am compelled to choose the moratorium. And I am- a moratorium which is limited in time to six months, limited in impact to those parcels of greater than 10 acres, and designed, I hope, and destined, I hope, to compel our incoming Town Board to do

what we should have done which is within the six months, pass a plan- a master plan and enact the ordinance implementing it which will be thoughtful, creative, and which will chart Riverhead's future.

So with apologies to those it affects, I vote yes."

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

Councilman Kent: "This is a difficult decision. I used to call moratoriums moron-toriumms because I thought it was for people who couldn't make a decision. So it's unfortunate that tonight, I do have to make a decision to vote for the moratorium.

I think it's important. It's been said during this year's campaign that the greatest- the only thing that we know how to develop in Riverhead is residential development. I think there is a need to curb the quick development of residential communities in our town. And that's for many reasons. You have to slow down the loss of open space and the scenic vistas which we all enjoy. That's why we live here. We have to control the amount of taxes that must be collected to provide the necessary for our town residents, such as schools, roads, and fire services that these residential developments demand. They demand at a much higher rate than what we collect in taxes from that type of development. In fact, it's the highest type demand upon our tax structure.

And it will also allow for the further consideration and enactment of a new master plan that will allow development in our town in a more thoughtful and thorough manner. So for those reasons, I think we do need a brief respite from the onslaught of development in our town and I think the six months- though I don't believe it's enough time, will allow some time for us to move forward with the master plan. And it will also allow the new Board coming in to decide whether that has to be- whether they have to enact an extension of that and I told the new Board members that they are going to have to start thinking about that within a month or two after they come into office.

So for those reasons, I think we do need the time to make some decisions and I vote yes for the moratorium."

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

Councilman Lull: "I guess I always seem to be giving history lessons or maybe just speculating. I've been here six years, this is

the third time we've talked moratorium. It has never come to this point before, never seriously come to this point before, but the discussions have been there.

In our discussions, we have talked about five different levels of moratorium and just to run through quickly. We had some discussion of a moratorium for a complete town-wide moratorium on everything. We also had discussions on a moratorium which included limited commercial and total residential development. We also had and we have in front of us tonight because it's what we're voting on, a total residential moratorium with no commercial- no commercial land involved.

And then the last time we had a public hearing last summer, we were talking about a limited residential moratorium which limited the residential land which- the land for the moratorium to the recognized agricultural land that we have stated in our town policy. And, of course, the fifth level is no moratorium at all.

And as I listened to people talking up here, I have a feeling that what we're talking about is looking at that scale and I think we've looked at it upside down. I've thought so all along. We have thought to see- in order to achieve what we want to achieve prior to the master plan, how much can we moratoriumize and in each case, every time you add a level for the moratorium, you are actually removing. You would be removing something.

If you have no moratorium, everybody is protected. Everybody's rights are protected by the existing zoning. Now the fact that three- the last three administrations have said that they want to talk about moratorium indicates that we are not satisfied with that and we are underway with a master plan.

One thing that indicated to me up here that I hear is that I guess we don't seem to understand exactly how far along we are on the moratorium- on the master plan and that we are moving very well. I also don't think we have a realistic view as to how fast a master plan proposal is going to be done. One neighboring town, for example, was involved in it for six years.

However, you have this cloak of protection at least for the individual. And I noticed up here everybody had talked about what property was involved in each of these- in the moratorium. How we changed this property to this property. And I'm really not interested in properties. I'm interested in individuals. And I'm interested only in individuals that can be protected.

And each time you add a level of moratorium, you remove a level, a cloak, of protection from the individuals whose land it is 'til you get to a total town-wide moratorium and you have a full monte that takes away all the protection that the current master plan does give.

It is-- very simply what you need to prioritize those things which are of most importance to us. Phil's absolutely correct. What's most important to me is not land, it's people and a moratorium has never been helpful to the individuals who own the land. I vote no."

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

Supervisor Kozakiewicz: "I could be very, very quick because my answer is in the negative. I would never vote for this moratorium as it's proposed. I think it's unfair and it goes to a final conditional approval. As pointed out at the preliminary plat stage, an individual has invested a great deal of time and effort and I believe that what's been proposed is fundamentally unfair.

That would be true if we were experiencing this tremendous onslaught as has been played out by the press and has been played out in this political campaign and has continued today in the rhetoric I've heard earlier. I don't see it. I think that certainly with September 11th, the events-- those events of September 11th have caused a spiral and a downturn. And we're in a recession. I heard it this morning when I was listening to Channel 3 news that if we don't believe it, we should just take a look at the delinquency rates in mortgages.

I've looked at the subdivision growth that happened two years prior hereto and what has happened in the last 10 years as compared to the prior 10 years and, again, I think it's a case where politics and partisanship took over and here we are to opting and passing a master plan-- a moratorium which I don't see as being necessary.

Someone said to me, well, don't worry about it. Don't really get yourself all tied up because you know what? The impacts of the moratorium, they're not going to mean that much. The process by which most of these subdivisions go through will take six months, eight months. The moratorium will coincide with the master plan. We should have this master plan in place in six months. So don't worry about it, Bob, what impact this has. I said to them, well, Jim, why adopt it? Why do we want to adopt an additional law, add an additional level, if it's really not going to have the impact as you suggest?

I look at it from that way. I really believe that it's unnecessary and I vote no."

Diane Wilhelm: "Resolution adopted."

Resolution #1221

Councilman Densieski: "Appoints principal account clerk. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1222

Councilman Kent: "This is an authorization to discard certain fixed assets. So moved."

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1223

Councilman Lull: "Appoints a part time housing inspector in the Building Department. So moved."

Councilman Kent: "Seconded. Discussion."

Supervisor Kozakiewicz: "Yup."

Councilman Kent: "I'd like to amend this resolution to add a second resolve clause."

Supervisor Kozakiewicz: "So between the first and second?"

Councilman Kent: "Between- a new second."

Supervisor Kozakiewicz: "A new second, okay."

Councilman Kent: "To state that be it further resolved that the full time position of housing inspector in the Building Department be and hereby is abolished."

Councilman Lull: "Wait a second. What's- "

Councilman Kent: "Full time position."

Councilman Lull: "No. What's Barnes? No, I mean, sorry- what's Downs?"

Councilman Kent: "Downs is code enforcement. This is abolishing the current position that's being held by the person that we're making a part time housing inspector."

Councilman Lull: "Got you. Got you."

Supervisor Kozakiewicz: "Is he full time? I'm not sure of his full time title."

Councilman Densieski: "Code enforcement. Isn't it?"

Supervisor Kozakiewicz: "Was it housing inspector, Jack?"

Jack Hansen: "He's currently full time housing inspector."

Supervisor Kozakiewicz: "Okay. So if we abolish that position- "

Jack Hansen: "That becomes a vacant position after tonight."

Supervisor Kozakiewicz: "Okay. Okay. So we can do that. Okay. All right."

Councilman Kent: "See, Phil? See?"

Councilman Cardinale: "It's shocking."

Councilman Kent: "Another scotch?"

Supervisor Kozakiewicz: "Any other amendment? Any other discussion? Vote, please?"

The Vote: "Cardinale."

Councilman Cardinale: "Astoundingly, it seems to me that we're actually- "

Supervisor Kozakiewicz: "I said it wouldn't happen."

Councilman Cardinale: -- taking a full time position and making a part time position out of it?"

Councilman Kent: "Actually he's filling a vacancy that exists for a part time housing inspector when George (inaudible) resigned."

Councilman Cardinale: "Why does he want to leave?"

Councilman Kent: "There's reasons that I don't really want to go into in public."

Councilman Cardinale: "But it's a- but he's going from full time to part time and we're- "

Councilman Kent: "He's filling a vacant part time position and then we're going to abolish the position that he holds now."

Supervisor Kozakiewicz: "Full time."

Councilman Cardinale: "So we will be at least half a person lighter."

Councilman Kent: "Well, actually, we'll be a full position lighter."

Councilman Cardinale: "Well, oh, really?"

Councilman Lull: "Somebody retired."

Councilman Kent: "Because a part timer left."

Supervisor Kozakiewicz: "I thought I'd asked if there was any further discussion. I thought we were in the vote."

Councilman Cardinale: "A whole person lighter. Well, that's great. I hope it lasts and I have my doubts. I'll be watching in January. I vote yes."

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

Councilman Densieski: "I'm going to have to abstain because I didn't talk to the department head and I don't think the department head even knows about this so I don't have enough information to make a good vote. So I'm going to abstain."

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

Councilman Kent: "I'm going to vote yes."

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

Resolution #1224

Councilman Densieski: "Amends resolution 1180. So moved."

Councilman Lull: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1225

Councilman Densieski: "Amends Resolution 1181. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1226

Councilman Cardinale: "1226 approves the request for leave of absence for Antonio Bass from November 5th to February 5th. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Cardinale, yes; Densieski."

Councilman Densieski: "Discussion. Okay."

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

Resolution #1227

Councilman Densieski: "Appoints two part time homemakers in the nutrition department. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakeiwicz: "Moved and seconded."

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

Resolution #1228

Councilman Lull: "Appoints part time senior citizen aide in the nutrition department. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1229

Councilman Densieski: "1229 is a Water District budget adjustment. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1230

Councilman Cardinale: "1230 is an Ag Fest Committee Fund budget adjustment. So moved."

Councilman Kent: "Seconded. Do we have anything- "

Supervisor Kozakiewicz: "Moved and seconded."

Councilman Kent: "-- we don't have a memo attached to this one. I don't know."

Councilman Densieski: "I saw it for the first time myself today. I have no idea what it is. I thought we did this last time. All bills. Okay."

Councilman Kent: "I seconded it."

Supervisor Kozakiewicz: "Any discussion? It was moved and seconded. Vote."

The Vote: "Cardinale, yes; Densieski."

Councilman Densieski: "I didn't get a thing so I'll have to vote yes."

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

Resolution #1231

Councilman Kent: "This is a Joint Scavenger Waste District budget adjustment. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1232

Councilman Lull: "Budget adjustment for Sewer District. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1233

Councilman Cardinale: "1233 is a municipal garage budget adjustment. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1234

Councilman Kent: "This is a capital project budget adjustment for the Stotzky Park skateboard complex. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "Oh, what a surprise, the skatepark over budget."

Councilman Kent: "It's actually within budget."

Supervisor Kozakiewicz: "Not over budget yet."

Councilman Cardinale: "It will be there."

Councilman Densieski: "It's close."

Councilman Cardinale: "It will be there soon. It's in the contingency."

Supervisor Kozakiewicz: "It's in the contingency."

Councilman Cardinale: "Yeah, okay. A precursor, I'm sure. I vote yes."

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

Resolution #1235

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

Supervisor Kozakiewicz: "Is there a second?"

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1236

Councilman Kent: "This is a budget adjustment for the repair and maintenance reserve fund. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Cardinale, yes; Densieski."

Councilman Kent: "This- is this in the Water District?"

Councilman Densieski: "Yes."

Councilman Kent: "Oh, it should say. Is this Water District repair and maintenance repair fund? Isn't it?"

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

Resolution #1237

Councilman Lull: "Public parking district budget adjustment. So moved."

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1238

Councilman Cardinale: "1238 is Recreation Program Fund budget adjustment. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1239

Councilman Densieski: "Community Development Agency - Calverton budget adjustment. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Kent: "This is to pay Willke-Farr. Yes."

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

Councilman Kent: "That's a closing fee, by the way, partial."

Resolution #1240

Councilman Lull: "Sewer plant upgrade capital project budget adjustment. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1241

Councilman Kent: "This is the Riverhead Town Human Services Center capital project budget adjustment. This can't be the whole budget. Oh, it's an adjustment. Yes. Okay. So moved."

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1242

Councilman Cardinale: "Street Lighting District budget adjustment. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1243

Councilman Lull: "Budget adjustment in the Refuse and Garbage District. So moved."

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Cardinale, yes; Densieski."

Councilman Densieski: "Yeah. I would just like to point out that our investment earnings are \$800.00. Yes."

Supervisor Kozakiewicz: "No. That's a portion of it."

Councilman Densieski: "All right. A portion of it."

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

Resolution #1244

Councilman Kent: "1244 is a General Fund budget adjustment for a variety of things from- mostly from appropriated fund balance. So moved."

Supervisor Kozakiewicz: "Seconded by anybody?"

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "I'm going to vote yes on this because I'm assured by Jack who for over four years has never told me anything that wasn't conclusively clear and absolutely accurate that these budget adjustments which come from our appropriated fund balance which is in effect our savings are actually just short term transfer but that really nobody is ultimately going to be over budget or at least it will be all equal so that we won't be over budget for the year. I'll find out on New Year's Eve. I vote yes."

The Vote (Cont'd.): "Densieski, ditto; Kent."

Councilman Kent: "He's been telling you that for four years. You finally believe him?"

Supervisor Kozakiewicz: "Ditto?"

Councilman Cardinale: "Yeah, you know, I just have to check after January 1st."

Councilman Kent: "I vote yes."

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

Resolution #1245

Councilman Densieski: "2001 police communications equipment capital project budget adoption. So moved."

Councilman Lull: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1246

Councilman Cardinale: "Authorizes the stipulation of settlement ratifying two agreements dated December 4th with reference to hospitalizations contributions of two employees. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1247

Councilman Kent: "1247 accepts the offer of dedication and declaration of covenants and restrictions and conservation easement O "Mill Pond Commons, Section 1-4". So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded. There's one change that's been suggested because the language of the conservation easement which would be after Daystar Community Development Corporation, would you please read the change into the record."

Dawn Thomas: "The change would add the words after Corporation, subject to the deletion of the paragraph relating to the right to use the property for activity involving agriculture or horticulture."

Supervisor Kozakiewicz: "Meaning there would be no such use."

Dawn Thomas: "Right."

Supervisor Kozakiewicz: "Okay. Any discussion? Vote, please."

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

Resolution #1248

Councilman Densieski: "Awards bids for the Senior Citizen Human Resource Center. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Yes. I'm very happy to vote yes on this."

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

Councilman Cardinale: "I'll vote yes as well but I'm not real happy about it."

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

Councilman Kent: "I'm actually going to abstain because I tried to get some further information that I couldn't get by tonight so I'm going to abstain."

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

Resolution #1249

Councilman Cardinale: "This declares lead agency and refers the special permit petition of Splish Splash at Adventureland, Inc. to the Planning Board. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1250

Councilman Densieski: "Approves the amended site plan of East Riverhead Equities also known as Millbrook Office Campus. So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Cardinale: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1251

Councilman Lull: "Approves the amended site plan of the American Legion. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1252

Diane Wilhelm: "Resolution 1252 authorization to pay bills."

Councilman Cardinale: "So moved."

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Lull: "Did Mr. Cardinale propose that?"

Councilman Cardinale: "Yes, pay bills."

Councilman Lull: "I'll vote yes."

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

Supervisor Kozakiewicz: "Now we have a Resolution that was tabled and also a resolution that deals with the Highway Department employee, 1253. Which one do we want to take up first, gentlemen?"

Councilman Kent: "1253."

Supervisor Kozakiewicz: "All right."

Councilman Kent: "Because I don't know what the tabled one is."

Supervisor Kozakiewicz: "All right. Well, why don't we get that distributed while we're taking up that one. Okay. Okay."

Councilman Lull: "All right. 1253 approves the change of title at the Highway Department. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

Councilman Kent: "1253 has been moved and seconded."

Supervisor Kozakiewicz: "Right. It's a change in employment status of employee. We'll get you a copy."

The Vote: "Cardinale, yes."

Councilman Kent: "It's actually- yeah, it's actually a demotion."

Supervisor Kozakiewicz: "1253."

Councilman Kent: "It's a demotion."

Supervisor Kozakiewicz: "This one."

Councilman Densieski: "Okay, that's- "

Supervisor Kozakiewicz: "All right?"

Councilman Kent: "It happens."

Councilman Densieski: "Yes."

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

Supervisor Kozakiewicz: "And we need to take 1130 off the table. This was the- "

Councilman Kent: "This was H2M. I'll move it off the table to get this going. This adopts the hourly rate schedule for H2M. I'd like to move that resolution 1130."

Councilman Densieski: "Second it."

Supervisor Kozakiewicz: "Moved and seconded."

Councilman Cardinale: "Discussion. I assume that we've had great success in reducing their hourly rate."

Supervisor Kozakiewicz: "This is what they actually pay their employees, this fee schedule. So by not having approved this earlier we've been paying them less for their hourly than what they're actually paying their employees, so."

Councilman Cardinale: "Could we keep this tabled?"

Councilman Kent: "Which was a good deal."

Councilman Cardinale: "Let's keep it tabled."

Councilman Kent: "So how long was Scheiner (phonetic) out here the other day?"

Supervisor Kozakiewicz: "He was here on other matters as well."

Councilman Cardinale: "This is what they charge us when their employees are working for us? Is that the idea?"

Supervisor Kozakiewicz: "That's what I understand. They do a periodic review generally in the summer time and this is what they pay not only us but- charge us for their employees but what they actually pay them as their hourly and we went through a whole description of how they go through a billing process with us and this is something that they periodically do."

Councilman Cardinale: "How do they make money if they charge--"

Supervisor Kozakiewicz: "By doing lump sum contingencies on projects over \$100,000 where they provide us engineering services and by having certain other conditions when you are doing projects less than \$100,000."

Councilman Cardinale: "So on those projects where they just

simply passing on the rate that they actually have to pay. I guess this includes their benefits, I would hope for their sake. Then actually that's a good deal for the town is what I think- "

Supervisor Kozakiewicz: "Well, what happens is there's an hourly, then there's a- I'm trying to think of what the term of art was they used, another fact- there's a multiplier, that's right, and the multiplier they use for us was less than what they used for other municipal and other jobs. Also, when they come to us with map and plans and the presentations, that's a lump sum amount as well. All right. Vote, now, this is just to take it off the table or this is to actually move it?"

Councilman Kent: "No. This is- I move it off the table."

Supervisor Kozakiewicz: "Take it off the table and move it. Is that what we're doing?"

Councilman Cardinale: "Yeah. Off the table and a vote."

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

Supervisor Kozakiewicz: "Yes, to adopt their hourly rate schedule."

Councilman Densieski: "Motion to adjourn."

Diane Wilhelm: "Resolution adopted."

Supervisor Kozakiewicz: "Thank you."

Councilman Kent: "Seconded."

Councilman Cardinale: "You did very well."

Meeting adjourned: 10:10 p.m.

Diane Wilhelm
Deputy Town Clerk