

Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, on Tuesday, December 5, 2000, at 7:00 p.m.

**Present:**

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

**Also Present:**

|                  |               |
|------------------|---------------|
| Barbara Grattan, | Town Clerk    |
| Dawn Thomas,     | Town Attorney |

Supervisor Kozakiewicz: "I'd like to call tonight's meeting to order. Jerry Lamb, would you please lead us in the Pledge of Allegiance?"

(The Pledge of Allegiance was recited, led by Jerry Lamb)

Supervisor Kozakiewicz: "All right. Is there a motion to approve the minutes of the Town Board meeting of November 21<sup>st</sup>?"

Councilman Lull: "So moved."

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Supervisor Kozakiewicz: "Reports, please."

**REPORTS:**

Receiver of Taxes

Utility collections report for November. Total collections: \$239,972.90

Town Clerk

Monthly report for November, total collections: \$12,463.68

Recreation Department

Monthly report for October.  
Total collected: \$7,362.36

Police Department

Monthly report for October

Building Department

Monthly report for November,  
total collected \$48,132.00

Bid Reports:

Iron Pier re-bid opening  
opened on 11/21 at 11:00, 8  
bids were received for  
electrical, 2 bids received  
for plumbing and 8 bids re-  
ceived for general construc-  
tion

Food opened on 12/1 at 11:00  
1 bid was received

Meat & Poultry, 12/1 at 11:00  
2 bids were received

Milk - opened on 12/1 at 11:00  
2 bids were received

Barbara Grattan: "That concludes Reports."

Supervisor Kozakiewicz: "Thank you, Barbara. Just so that the  
people out there- we're trying to confuse you today. We put the  
Reports on the wrong side of the agenda, just to see if we can catch  
everybody. Applications, Barbara."

**APPLICATIONS:**

Parade Permit

Riverhead Chamber of Commerce  
for 12/6 at 4:30 p.m.

Special Permit

Serota-Target Construction of  
a 126,000 square foot Target  
retail store and a 45,075  
square foot King Kullen  
supermarket

Shows & Exhibition Permit

Riverhead Country Fair -  
October 7, 2001

Barbara Grattan: "That concludes Applications."

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

**CORRESPONDENCE:**

26 letters

In support of T.S. Haulers

North Fork Environmental  
Council

Re T.S. Haulers requesting the  
Town Board to deny the special  
permit

Mary & Bob Oleksiak

Regarding cell phone antenna

Barbara Grattan: "That's Correspondence. That's it."

Supervisor Kozakiewicz: "Thank you, Barbara. Any Committee Reports?"

Councilman Densieski: "Yes. Recreation Committee, the Recreation Committee had an emergency meeting to discuss the transfer of \$15,000 worth of funds to improve the Grangibel Park pump house which is now boarded up and the shingles are falling off the roof. What we're going to do is open it up to an open air gazebo, put a new floor in it, cedar shake ceiling, inside and outside lighting, landscaping, benches and it should be really nice. As you come into Riverhead, it's going to be a big improvement, I think.

Also, I'd like to mention that the Town is going to have their first annual, hopefully, Town barn fire and holiday celebration on the Riverfront. That's this Saturday, December 9<sup>th</sup>. There will be caroling and hot chocolate. A tree lighting, which we have a new tree. It was just installed today on the riverfront. It's about 30 foot tall and it came from the Grumman site.

And I just would like to thank the people responsible for volunteering to make it a reality. First of all, the Supervisor, Bob Kozakiewicz, thanks, Bob. John (inaudible) Whitman Nurseries; Jack (inaudible) of (inaudible) Tree Service. Tim Yousik and Richie Cox from the BID. Ken Testa and staff. Mark Kwasna and staff and the barn fire committee. They all did a lot of hard work to make that happen. So we'll have our own annual- we'll have our own Christmas tree on the riverfront. It's going to be nice.

Also, I would like to mention briefly that thanks mostly in part

to the Town Attorney, the Community Service Program is going to start on 12/13 of this month. So thank you, Dawn, for all the hard work that you and your staff did to make that happen. Thank you."

Supervisor Kozakiewicz: "Any other Committee Reports? Okay. I have a couple of announcements. First and foremost, the next Town Board meeting which is December 19<sup>th</sup> will be an afternoon meeting. We'll start at 2:00 in the afternoon.

The next thing I wanted to do because I'm sure it's going to result in a great deal of confusion. Your tax bills are being prepared. It should be going out very shortly. As a result of a mandate proposed by the County legislators, the Town Tax Receiver together with the tax bill is mailing out a green envelope. You will receive a green envelope in your tax statement. This green envelope is in order for people to voluntarily contribute to County campaigns, not Town campaigns. This is not something that the Town wanted to do nor had a desire to do. You still have to pay your tax bill in the blue envelope. But I just wanted to let everybody know that this green envelope is not to be confused with the tax payment envelope. This is an additional mailing that's been asked or required by the Town to do as part of the County legislature's resolution."

Councilman Lull: "Please don't send your cash, your check for the Town taxes to the county."

Councilman Densieski: "Or you can bring it to the Town barn fire if you like."

Councilman Lull: "They can mail it back and say you don't like it."

Councilman Densieski: "Right."

Supervisor Kozakiewicz: "Also, in light of a follow up concerning the Grumman property and trying to make as many people familiar with the incubator application. We are setting up an open house to be held next Tuesday, December 12<sup>th</sup>, the time is still unclear so if you wish to follow up you can call my extension, 251, or 250 or Councilman Densieski's extension, 223, as far as the exact times when this will occur. This is going to be next Tuesday, December 12<sup>th</sup>. It will be to tour the high tech incubator at Stony Brook.

And the very last thing before we get into the public hearings,

we are going to have a tabled Resolution-- I don't think it should be one that's of major controversy, coming off the floor. It's 920 and it was a Resolution which was returning bond to Peconic Bay Golf, which is Long Island National Golf Course, in light of the fact that they've completed all their work, site plan improvements.

Saying that, at this point in time, what- Barbara, if we can open the first public hearing."

Public Hearing opened: 7:11 p.m.

Supervisor Kozakiewicz: "The time being nine- I mean 7:11- 7:11- 7:12."

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on December 5, 2000, at 7:05 p.m. regarding the petition of Wading River subdivision to construct a lateral water main comprised of 16,500 linear feet of 12, 8 and 6 inch water main and appurtenances, at the sole cost of the developer and at no cost to the District."

Supervisor Kozakiewicz: "Okay. While Mr. Kelleher is stepping up, just quickly the subdivision that's in question, the map is posted outside in the hallway, it's located north of Route 25 and east of Wading River Manorville Road in Wading River. It's being developed by WR Development and will tie into locations which are Meadowcrest III, I believe, and (inaudible) Drive. Is that right?"

Dennis Kelleher: "Great job."

Supervisor Kozakiewicz: "Okay."

Dennis Kelleher: (Inaudible)

Supervisor Kozakiewicz: "Well, I'm not sure about that."

Dennis Kelleher: "Good evening. My name is Dennis Kelleher from the engineering firm of H2M. We are the engineers for the Riverhead Water District.

The developer of the proposed Wading River development project has petitioned the Town Board to extend the water distribution system of the Riverhead Water District to service the proposed subdivision. The proposed subdivision, 150 lot subdivision, as the Supervisor

mentioned, is located at the northeast corner of the intersection of Wading River Manorville Road and Route 25 in Wading River.

The property is located- is already located within the Riverhead Water District boundary. In order to bring water to the site, approximately 16,500 feet of 6 inch, 8 inch, 12 inch water main will need to be run throughout the subdivision. On the map that's up here, I have highlighted in yellow the proposed water main that needs to be installed, the 16,500 feet of pipe. I've also highlighted in blue the existing water main that surrounds the development.

We estimate the water use of the proposed subdivision to be approximately 45,000 gallons per day on an average day and 135,000 gallons per day on a peak summer day. Now the estimate cost of installing these water mains in the subdivision is \$616,000. This includes construction costs, engineering and inspection, and contingency. The entire cost is to be paid by the developer and no cost to the district.

In addition to paying the \$616,000 for the construction costs and incidentals, the developer will need to pay key money to the Riverhead Water District in the amount of \$2,500 per single family home, which would be a total of \$375,000 for (inaudible)."

Supervisor Kozakiewicz: "Thank you, Mr. Kelleher. Anybody else who would like to address the Board with regard to the public hearing involving WR Development? Well, the proposed water extension or water- improvements to WR Development to be more exact. Thanks, Jim. Anybody? If not, we will declare the public hearing closed at the time of 7:15."

Public Hearing closed: 7:15 p.m.

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Public Hearing opened: 7:15 p.m.

Supervisor Kozakiewicz: "And, Barbara, if we can open up the second public hearing at 7:15?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on December 5, 2000, at 7:10 p.m. regarding the petition of Shade Tree Acres subdivision to construct a lateral water main comprised of 700 linear feet of 8 inch water main

and appurtenances, at the sole cost of the developer and at no cost to the District."

Supervisor Kozakiewicz: "Again, just quickly, this is a nine lot subdivision. It's located east of Hulse Landing Road in Wading River and off of Old North Wading River Road, and it's adjacent to or close to the Wading River- Wildwood State Park. And with that I'm going to turn it over to Mr. Kelleher."

Dennis Kelleher: "Okay, once again, the developer of this proposed subdivision petitioned the Town Board to extend the water main into the subdivision- service the nine lot subdivision. Again, this subdivision is also located already within the existing boundaries of the Riverhead Water District."

In order to provide water to the subdivision, approximately 700 feet of eight inch water main would need to be run (inaudible). This will really be extending off of existing 12 inch water main that is located on- already located on Old North Wading River Road. On this drawing in yellow is the proposed 700 feet of water main and in blue is the existing 12 inch water main that's already been installed.

We estimate the water use for this subdivision to be approximately 2,700 gallons a day on an average day and approximately 8,100 gallons per day on a peak summer day. The total cost of installing the water main to this subdivision is approximately \$49,500 for construction costs, engineering and inspection and contingencies. Once again, the entire cost will be paid by the developer at no cost to the Riverhead Water District. In addition, the developer will be required to pay key money in the amount of \$2,500 per lot. Nine lots, it would be a total of \$22,500."

Supervisor Kozakiewicz: "Thank you. Anybody who would like to address the Board? Seeing no hands, I declare the public hearing closed at the time of 7:16."

Public Hearing closed: 7:16 p.m.

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Public Hearing opened: 7:16 p.m.

Supervisor Kozakiewicz: "And at this point in time, the time still being 7:16, open the third public hearing."

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on December 5, 2000, at 7:15 p.m. regarding the extension to the Riverhead Water District to be known as Extension No. 60, Equestrian Estates."

Supervisor Kozakiewicz: "Quickly, while he's approaching. This one is located off of Union Avenue in Aquebogue and will be part of an extension of Grant Drive. It consists of, I think 29 lots if my memory serves me right, and with that said, Mr. Kelleher."

Dennis Kelleher: "Maybe before I start, I'll just explain. This public hearing is different than the two previous public hearings. This proposed subdivision is not in the existing Riverhead Water District boundary so this public hearing is really to have a formal (inaudible).

As the Supervisor mentioned, this extension is called No. 60, the Equestrian Estates subdivision. It's a 36 acre site that's being proposed as a 29 lot subdivision to be located on the east side of Union Avenue north of Grant Drive. As I mentioned, the property is located outside the Riverhead Water District- just outside the Riverhead Water District boundary.

In addition to the subdivision, this one is a little different in that there are three small individual lots that are fronting Union Avenue. I've highlighted this in (inaudible). Actually on the drawing shown in the big pink box is really the proposed extension area which includes the entire Equestrian Estates subdivision. In addition to that, in the small (inaudible) of three individual lots that are not part of this subdivision. However, the water main will be installed across (inaudible) of their property. We are suggesting that the Town (inaudible). I'll talk more about that in a second."

Councilman Kent: "Are you saying those are already existing homes?"

Dennis Kelleher: "No. These are existing lots and I'm going to be honest, I don't know if there are any homes- "

Councilman Densieski: "No, there aren't."

Dennis Kelleher: "I think they're vacant lots."

Councilman Densieski: "Vacant."

Dennis Kelleher: "However, if someone were to build a house there tomorrow, they will not have to go through with a formal extension of the Water District; they could just go to the Water District office and (inaudible)."

Councilman Kent: "Does the main end now where the fire hydrant is on the corner of Grant?"

Dennis Kelleher: "Yes, it does. As is shown on the map here (inaudible). Again, in blue is the existing water main which really comes up to the corner of the existing subdivision (inaudible). In yellow we highlight the proposed water main- "

Councilman Kent: "So it won't be running along Union itself. It will be coming up through the internal part of the property there?"

Dennis Kelleher: "I'm sorry. If you look close, we will be extending the water main all the way up Union to the northernmost part of the subdivision. If you could just let me take a step around here- actually, the existing water main now comes up Union and stops at the corner of Grant, then goes in through Grant to the end of the cul de sac. As part of this project, we're going to extend the 12 inch line all the way north to the corner of the property. It has been Riverhead Water District policy to at least allow anybody beyond the existing district boundaries-- service water-- we always bring it to the furthest part of the proposed extension."

Councilman Kent: "So this would allow people also on Union Avenue to connect to the water?"

Dennis Kelleher: "That's correct. The three lots that I'm talking about are these three lots right here."

Barbara Grattan: "We're not getting this on tape though Dennis."

Councilman Kent: "You can take the microphone and bring it over with you or go back to the podium."

Dennis Kelleher: "I'll walk through it and then we can (inaudible). In order to provide water to the site, approximately 1,400 feet of 12 inch water main will need to be installed along Union Avenue, really to the northernmost part of the property- of the proposed subdivision. In addition, approximately 2,800 feet of six inch and eight inch water mains will be installed through the property

as highlighted in yellow on the map.

Projected water use is approximately 8,700 gallons per day on an average, with a maximum day of 26,100 gallons per day. The cost of extending the District to service this subdivision is estimated at approximately \$68,000 including construction costs, design, inspection and contingencies. This total cost is to be paid by the developer at no cost to the existing Riverhead Water District.

In addition, the developer will need to pay key money amount of \$2,500 per unit, for a total cost of \$72,500 for 29 units."

Councilman Densieski: "Dennis, quite a few of the residents on Union have expressed concern about getting water up there and we've been telling them to hold up until Equestrian goes in because that's going to save them a fair amount of money."

Dennis Kelleher: "That's correct."

Councilman Densieski: "But now how do we get water to the rest of the residents on Union Avenue?"

Councilman Kent: "Farther north- "

Councilman Densieski: "Yeah, north."

Dennis Kelleher: "Further north, they would have to petition the Town Board- "

Councilman Densieski: "Okay."

Dennis Kelleher: "-- as we have in the past and but now they've just saved- the water is as I stated before, 1,200 feet closer to them."

Councilman Densieski: "It's going to save them a lot of money."

Councilman Lull: "They're saving three-quarters of a mile."

Dennis Kelleher: "If the development was not there, they would have to pay for that 1,200 feet plus the rest of the way- "

Councilman Densieski: "Okay."

Dennis Kelleher: "But, again, anybody to the north of this is

not included in the Riverhead Water District boundaries and they would have (inaudible)."

Councilman Densieski: "Yes."

Dennis Kelleher: "Even somebody who was just on the other side of Union Avenue, even though there may be a 12 inch pipe in the street, they would have to (inaudible)."

Councilman Densieski: "Understand."

Dennis Kelleher: "Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody who would like to address the Board with regard to Extension No. 60? Bill Kasperovich."

William Kasperovich: "William Kasperovich from Wading River. I apologize for being late. My advice to the people of the Wading River area and to the people in Riverhead, I would have expected that in these public hearings we would first hear from the man that is employed by the Town and the man one and only that is in charge and seems to know everything about everything and there is no number two man and nobody else. Now, H2M is the consultant to the Town. They do the business end of it. They do the (inaudible). They do the inspecting of the contract and they do the inspection of the construction. What does this sound like? A one man show? That's what it is. And since Mr. Gary Pendzick is the Superintendent of the water works, I would expect one member of the Town Board to present these developments. How does anybody else know the (inaudible) or the aspects of concern?"

Now, it's all very nice it seems to be washing out when the man says it's paid for by the developer. (Inaudible) phrase beyond that nobody concerns (inaudible). And yet we have salaried people and elected people that should be concerned.

I would like to see somebody direct me from the Town, salaried appointed elected, how have you, to become a party to these developments and this installation. Thank you."

Supervisor Kozakiewicz: "Anybody else who would like to address the Board with regard to Extension No. 60? Not seeing any hands, I declare the public hearing closed at the time of 7:26."

Public Hearing closed: 7:26 p.m.

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Supervisor Kozakiewicz: "And is we can open up the fourth public hearing, Barbara, at the time of 7:26."

Public Hearing opened: 7:26 p.m.

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Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on December 5, 2000, at 7:20 p.m. regarding the consideration of a Local Law to amend Chapter 101, Section 101-3, Stop and Yield Intersections; Railroad Crossings; Parking field."

Dawn Thomas: "This public hearing concerns a code change to Section 101-3 of Riverhead Town Code which deals with stop and yield intersections; railroad crossings; parking fields."

The first amendment was essentially adds a stop sign on High Meadow Lane at the intersection of Timothy Lane and the entrance from the south.

The second proposed Town Code is to Section 101-10.2 and that would eliminate parking on High Meadow Lane on both sides between the hours of 3:00 a.m. to 6:00 a.m. On also Melissa Court between those same hours, 3:00 a.m. and 6:00 a.m. Rita's Court between the hours of 3:00 a.m. and 6:00 a.m. And Timothy Lane between the hours of 3:00 a.m. and 6:00 a.m. All of these roads are within the Mesta Vista subdivision located in Jamesport."

Supervisor Kozakiewicz: "Okay. I noticed that I had a card from Toni Litka. Toni, is this public hearing the one that you wanted to address with your card? Would you step forward, please?"

Toni Litka: "Toni Litka from Mesta Vista. Can I ask who requested all this midnight- after midnight, the parking? I didn't think we've been having trouble with parking."

Supervisor Kozakiewicz: "I believe it was addressed through the Highway Department and came to us through that mechanism. Are you saying that you haven't had a problem at all? So you would be opposed

to this proposal, Mrs. Litka?"

Toni Litka: "Well, I'm not opposed but I think that's kind of silly from 3:00 a.m. to 6:00 a.m."

Supervisor Kozakiewicz: "Okay."

Toni Litka: "Who's going to come in 2, 3:00 in the morning? Not in our development?"

Supervisor Kozakiewicz: "Who's going to- right, you haven't had a problem?"

Toni Litka: "No."

Supervisor Kozakiewicz: "That you are aware of."

Toni Litka: "No."

Supervisor Kozakiewicz: "Okay."

Toni Litka: "And I'm on Timothy."

Supervisor Kozakiewicz: "Okay. All right. That's what I believe was the case, so we'll speak to them and find out what started- you know, caused that to be addressed and asked us to take it up. If it's not a real problem then I guess we're holding this hearing and what you're telling us, maybe we don't need to take this action at this point in time."

Toni Litka: "How about the stop signs? Are they going to keep adding stop signs every 100 feet or so? We have a stop sign on Timothy already. The stop sign is supposed to be on the other end of Timothy where it joins onto High Meadow again."

Supervisor Kozakiewicz: "This has been something that has certainly been a situation that many people petition the Town Board to place stop signs. As a practical matter what occurs is those petitions are referred to the Town Attorney, Police Chief, the Highway Superintendent and Jim Lull and they determine what the real purpose for the stop signs to be posted are. If it's solely to control speed, we don't put them up. It's not the right mechanism by which to control speed. If there's really a need for a stop sign, then the Town Board if, in fact, that's the advice from the number of people who I just referred to, then we act accordingly."

Tony Litka: "Okay. While I'm at it, can I also ask- "

Supervisor Kozakiewicz: "Well- if you want to come up later after we get through the public hearings, I certainly will allow you an opportunity, Mrs. Litka."

Tony Litka: "Okay."

Supervisor Kozakiewicz: "But- okay? But I would really like to deal with at hand. Anybody else who would like to address us with regard to this particular public hearing, the amendment of the Vehicle and Traffic Law? Yes? All right."

James Irwin: "How are you doing?"

Supervisor Kozakiewicz: "Very good. Your name and address, sir?"

James Irwin: "My name is James Irwin. I live on High Meadow Lane. The people in Mesta Vista I think are great and, you know, the community as a whole I know you know is great. We have no problems whatsoever. But anyway, I think I have no understanding of why we have to have parking signs on High Meadow Lane throughout the whole development. I think it's actually a waste of time. I think it's a waste of Riverhead's time, Riverhead police's time. Now they've got to patrol the area.

Also, it's not necessary. I don't have a- you know, we don't have a parking problem that I see. So I don't think there's any, you know, necessary action to be taken for this.

That's really all I wanted to say and there's no traffic problem. It's in the middle of a farming community. You know, you're surrounded by natural wildlife areas so I don't see any need for it. And I'm just saying I'm opposing it."

Supervisor Kozakiewicz: "You would not want the Town Board to- this change. You would rather not have those signs up and you haven't experienced any problem where you reside?"

James Irwin: "I don't see any problem with having- no."

Supervisor Kozakiewicz: "Okay."

James Irwin: "The stop sign, that would be fine with me but I

don't see the necessity of that also."

Supervisor Kozakiewicz: "Okay."

James Irwin: "But if they need that, they, you know, the people in the area feel that they need it, but I don't think that's actually necessary either."

Supervisor Kozakiewicz: "Okay. Thank you, Mr. Irwin."

James Irwin: "Thank you."

Supervisor Kozakiewicz: "Anybody else--"

Councilman Cardinale: "I have a question for the Town Attorney or maybe Bob will know. How did we come to be here considering this local law? Was it a request?"

Supervisor Kozakiewicz: "I believe it came- I think it came from- "

Councilman Lull: "Yes, it had been a request, but the problem, Phil, is that- "

Supervisor Kozakiewicz: "This didn't go through the Committee."

Councilman Lull: "-- at this point we've got two members of the four person Committee here who have never seen this."

Councilman Cardinale: "I see."

Councilman Lull: "So between this hearing and the comments by other people, we will sit down, Dawn and I with the chief and with the highway superintendent and make a decision about this."

Councilman Cardinale: "When a request comes through for such as this, there's a Committee we send it to which is Dawn and Jim and Police Chief and who else?"

Councilman Lull: "Mark."

Supervisor Kozakiewicz: "Mark Kwasna."

Councilman Cardinale: "And this one- two of you never saw it so it may have gotten through."

Councilman Lull: "That's right. When we have one in almost every case, we go out and look at it."

Councilman Cardinale: "I see."

Councilman Lull: "And observe the situation. This one we haven't done yet."

Councilman Cardinale: "Okay. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like- yes, sir."

James Irwin: "I also wanted to say that there are other people who park in our neighborhood in the street and--"

Supervisor Kozakiewicz: "Residents? People who own homes there?"

James Irwin: "Own homes."

Supervisor Kozakiewicz: "Okay."

James Irwin: "Where are they going to- I mean on their properties? Are we going to have to make a parking lot on our property? It's ridiculous."

Supervisor Kozakiewicz: "Okay. Thank you."

James Irwin: "So I just wanted to say that."

Supervisor Kozakiewicz: "Okay."

Joel Lazarus: "Good evening. My name is Joel Lazarus. I'm a homeowner in Mesta Vista. I live on High Meadow Lane. I'm also a volunteer fireman in the Jamesport Fire Department. I'm not speaking as a representative of the Fire Department but my own personal observation is that at no time have we had any problem responding to an alarm in our neighborhood. There are a few cars that are parked on the street but we never have a problem getting around them in order to respond to an alarm.

And, also, as a private citizen and a homeowner, I have to tell you that I don't understand where this is coming from at all and I will echo the feelings of the other homeowners who have come before

you in that this is absolutely silly and I'm sure as a whole if you would canvass our neighborhood you would find out that probably the majority of the homeowners would be against any sign. Thank you very much."

Supervisor Kozakiewicz: "Thank you. Barbara, did you get his name?"

Barbara Grattan: "Yes."

Supervisor Kozakiewicz: "Okay, okay. Thank you. Anybody else with regards to this public hearing to amend the Vehicle and Traffic ordinance Chapter 101? All right. That being the case, the time of 7:36 having arrived, I close the public hearing."

Public Hearing closed: 7:36 p.m.

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Public Hearing opened: 7:36 p.m.

Supervisor Kozakiewicz: "Okay. And at this time, we would like to call to order- or ask Barbara to call the last public hearing. Again, the time being 7:36."

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on December 5, 2000 at 7:25 p.m. regarding the consideration of a local law to amend Chapter 108 entitled Zoning, Article I Section 108-3 Definitions, Special Permit."

Supervisor Kozakiewicz: "This code amendment is to Chapter 108 which is our zoning ordinance. The reason why we're taking this action is in part or probably wholly prompted by a decision we received recently in the matter of the Riverhead Centre case.

What it did was caused us to make a second look or a better look at our zoning ordinance. Historically the special permit provisions preceded or were enacted prior to our site plan ordinance which is Article 26 and what it occurs-- back in those days when all special permits were being reviewed by the Town Board, there was not an automatic site plan review.

So, in light of that, when the Board considered special permits under the pre-existing language, they required or the code required

developers to submit a site plan that showed a great deal of detail that they needed to be signed and stamped such as topography, first floor elevations, proposed locations of structures, lighting detail, information such as that.

In light of the fact that we have Article 26 which is a formal site plan review process where all these details are worked out, the Board is proposing a change to 108-3 which would remove the rigid requirements of that formalized site plan and instead require the submission of only a conceptual site plan which will give us enough information and provide the public with enough information to know what the project is about. And then if they receive the special permit approval, obviously an applicant with that special permit approval in hand would still need to go through the formalized site plan process.

So that's the gist of the amendment we're talking about today. Hopefully, I did a good enough job explaining it.

Anybody who would like to address the Board with regards to the proposed change to 108-3?"

Councilman Kent: "Bob, before anyone speaks, we- I received a letter, I think everyone did, from Tim Rumph and I've asked that Barbara could either- it's very short- so maybe she could read it into the record. It's his proposed amendment to the code and a suggestion of how we should treat these types of applications in the future (inaudible)."

Barbara Grattan: "The letter reads: December 4, 2000. Dear Chris: I have read the public notice to amend the Zoning Ordinance regarding Special Permits and have the following suggestions:

More specifically, under Section 108-3(2):

A conceptual site plan showing the location of all required setbacks, all existing public streets, all proposed buildings and structures, vehicular and pedestrian circulation, parking, landscape treatment and other site elements deemed necessary for the proposed project, signed, sealed and certified by a New York State licensed architect, engineer, landscape architect or surveyor.

I believe that landscape treatment should be included on the conceptual site plan in order to fully evaluate the plan.

Landscape Architects are also licensed by the State of New York to practice site design and they should be included in the list of design professionals to prepare site plans.

Thank you for your consideration on this matter.

Respectfully submitted, Araiys Design, L.A., P.C., Timothy Rumph."

Supervisor Kozakiewicz: "Anybody else who would like to address the Board with regard to the proposed amendment to the special permit? Bill Kasperovich."

William Kasperovich: "William Kasperovich from Wading River. Mr. Supervisor, you have me at a disadvantage because someplace between Northport and the diner, I lost my reading glasses. However, in the change of paragraph a, section 2, we eliminate the word complete, it preceded the word conceptual. Why in God's name do you want to take out complete and not replace another adjective to say what you want to say? To remove the word complete when the presentation made to you is far from complete you have nothing to say. This is absolutely wrong.

The second item, as I say I'm at a disadvantage I can never read my own notes, in subsection 2 (inaudible)-- that was subsection 2 further down the line on that same section, you write signed, sealed and certified by a New York State licensed engineer, or architect, or licensed land surveyor. Licensed land surveyor cannot be put alongside a professional engineer or registered architect. His legal privileges are not the same and he cannot extend the rights and privileges to a site plan other than the boundary or to be within the boundary. As far as conceptual proper presentation, he's not allowed and yet you put him in here one, two, three, as an equal. That is absolutely wrong.

So, most of the time developers, people that want to sell you a bill of goods at a work session or public hearing or whatever, they will pull all kinds of shenanigans to get their way. And one of the shenanigans is they would present detail- unnecessarily detail sheets of paper and later on say you put us through such an expense and burden. Well, nobody stood up to them to my knowledge and said well this is of your own choosing. And in all these minute details that they throw in (inaudible) subterfuge and (inaudible) inaccuracies or inadequacies.

You are leading the people to believe that you are making it easier for people to present a site plan and yet at the same time you are totally working (inaudible) of the need for a conceptual graphic presentation. And the work that I have seen come through here over the years, people come in with a preliminary situation, a study, and they are detailed to the (inaudible) degree. And then they say, look at all the work we did; look at all the studying we did. It has nothing to do with the conceptual presentation of the project.

The concept has to be complete not in- when you use a two by four or a three by four but what it is and how it's going to be used. And fancy pictures and renderings are of their own choosing and it's all to influence whoever they are speaking to for their own good. And so what you are attempting to do here is to give them different directions with which to present to you that they have done the requirements of the Town code here (inaudible). If I had my glasses, I could use up my entire time here to expound on this. But taking the word complete that prefaced conceptual indicates that you're not trying to accomplish what this paragraph is supposed to accomplish. Thank you."

Supervisor Kozakiewicz: "You're welcome."

Councilman Kent: "Can we respond to that?"

Supervisor Kozakiewicz: "Well, let's see if there's anybody else who wants to respond- address the Board. Vince Tria, your name and address, please."

Vince Tria: "My name is Vince Tria, small property owner. I'm a little confused. I thought- this was sort of going to go back to what has been done by the Town to help a guy not spend a lot of money, do his like preliminary, and if it gets past stage one then in stage two, we're going to find out if we have to spend more money."

Supervisor Kozakiewicz: "That's correct. You're giving it in very general terms. What we're proposing to do is eliminate the need for a full blown site plan at the special permit stage understanding that the special permit is a different proposal and a different being than the site plan process. All of the questions and all the issues raised by the prior speaker are set forth in Article 26 which is the site plan review Chapter or Article, I mean, and that talks about all the detail that's necessary for site plan, all the formalized issues, the landscape detail, the elevation detail, the topo detail, the light. So that's the idea."

Vince Tria: "It's just that from my personal experience what I went through, so that my initial cost was only the survey and the sort of sketch of what we propose- "

Supervisor Kozakiewicz: "So that you knew you had special permit approval first?"

Vince Tria: "Right. Because- "

Supervisor Kozakiewicz: "So you could stage it."

Vince Tria: "Right. If I understand that other way or the way the law is currently written, I can spend like \$10 or \$15,000 giving you all the drawings, landscaping and everything else, and then at the next stage, I'm going to be told sorry, Charlie. How do I recover that \$15,000? And I really thought that what the Town Boards were doing and have done was to help the person, it wasn't a hinderance. It was a sort of make it easier to get the beginning of the process done without a lot of expenditure of money. Am I correct- "

Supervisor Kozakiewicz: "That is correct. But it's also to really follow what was done historically. The special permit section was enacted in I think 1976 or 1977. At that time, there was not a site plan ordinance, the detailed site plan approval process. Since there wasn't that site plan approval process, of course, the Boards wanted to know what was being proposed as part of a special permit. In the '80's, '85, '84, the site plan ordinance was enacted in order to address those issues, the detail for where is the dumpster going to be located for example. Is it going to be enclosed? What are the elevations of the building going to look like? What are the colors of the building? Where is the landscape detail? What type of landscape detail are we talking about? And that's done at the second phase or the second stage or the next stage after you receive the special permit approval. So that's, in fact, true. I guess I can say yes, you're right, but I wouldn't say it was solely because we're looking to benefit the developer and keep his costs down. It was a matter of following what had happened historically with the way the code had been drafted."

Councilman Kent: "Well, a special permit really goes to use on the site. Zoning allows certain uses on the site and there are other uses that are allowed by special permit. So getting- receiving a special permit petition- I mean making a petition and receiving a special permit has to do with the use on the property. The site plan has to do with how you develop the use. And that's when you go into

the more specific details--"

Supervisor Kozakiewicz: "Correct."

Councilman Kent: "-- of the development of the use. The granting of a special permit is based on your concept of how you're going to use the property and that's why we want to treat it as a two prong process. When you go into site plan, even in the preliminary site plan you are going to need specifics and details. So you're talking preliminary. It's not preliminary. A special permit is a different animal. It's not a site plan. It's establishing the right to use the property a certain way. That's what the special permit process is. And that's why I don't believe you should have full engineered drawings upon making a special permit application."

Vince Tria: "I just wanted to clear my head. I happen to agree. I think what has been done is fair and you know not everybody if I may is a developer."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board with regard to 108-3? Yes?"

Michael Davis: "Good evening, Supervisor Kozakiewicz, Councilmen."

Supervisor Kozakiewicz: "Good evening."

Michael Davis: "Michael Davis. I live at Robin Street in Port Jefferson. Now I'm not a resident but I'm in some ways affected by the changes in the interpretations of the special permit process. Now if I recall, Judge Orshin issued a ruling on October 18<sup>th</sup> that seemed to indicate that the way it is written currently to include a complete site plan was the way until the law was changed that the special permit should be reviewed. I was subsequently told by the Planning Director that we were ready to go under the rules that- for a complete site plan. Our traffic studies had been exhaustively studied, our- all of our layouts were done. So--"

Supervisor Kozakiewicz: "Mr. Davis, I don't mean to be rude and cut you short, but we're talking about the change in the- the codification and the changes to the special permit process. I know you're dealing with it as it affects your proposal that's pending before the Board and there is a resolution calling yours on for a public hearing again our first meeting in January so we can address it. Are you in favor of the proposed changes? Are you--"

Michael Davis: "I'm in favor of any projects following where we are now to have the way that it is being proposed to be changed."

Supervisor Kozakiewicz: "Okay."

Michael Davis: "To have a simple conceptual site plan and say look, we'd like to upzone the property. If it's in keeping with what you'd like for your community, how do you feel about it? And then we'll go ahead and spend the money to develop a site plan that further defines- to really meet the needs of the community even if it's to the color of a building. My only concern was having felt that I might have reached that point that even under the old rules we were finished and ready to go, that was my only question. How does it affect people in the (inaudible) now and subsequently I think everybody should enjoy that privilege of a two step process."

Supervisor Kozakiewicz: "Okay. Thank you, sir."

Michael Davis: "Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board with regard to the proposed change in the special permit language? Charlie Cetas."

Charles Cetas: "My name is Charles Cetas. I'm Vice-President of the North Fork Environmental Council and a Riverhead resident, a lifelong resident of Riverhead. I think you have to think long and hard before you- whatever you decide to do on your change of this particular part of the definition of a special permit."

I think the real question is what do you as a Town Board need for, you know, to make an informed decision as to whether to grant a special permit or not. It's not- I know a lot of people will go, like, pay the money for, you know, apply to the town for this or that or whatever. I know they feel like it's a burden for them and I can understand that. But I think from the Town's point of view, I think you have to think what do we need, you know, to make an informed decision. You have to make findings before you grant a special permit. You have a whole list of considerations. I'm not going to go through each and every one of them, but I think with some of these considerations that you have to think about when you- before you grant a special permit, by way of what you see on the site plan and what level of detail you get on that site plan.

I also understand that, you know, this site plan definition was-

special permit definition was drawn up before Article 26 was adopted. So the problem I see is that you've got to make the definition of special permit relate somehow to Article 26 under, you know, site plan review.

So, you know, I went and read a little bit of the Article 26. I think, you know, the fact that you're requiring a site plan of some kind, you know, for a special-- consideration for a special permit already assumes that sometimes the site plan review process has begun and, in fact, under Article 26 you do have that two stage process. You have a preliminary review. Okay.

And, I don't mean to read the whole thing, but the site plan process shall commence with the submission of preliminary plans for review by the Planning Department to determine code compliance, aesthetic compatibility. Said review shall be (inaudible) between the Planning Department staff and the project designer with no time limitation or fee imposed. Plans shall include such drawings as shall fairly represent those structural, topographic and design features that the Architectural Review Board and the Planning Department staff require to evaluate the proposed construction, addition, reconstruction or alteration. Poor quality and/or incompleteness drawings may result in resubmittal and consequent delay (inaudible). This is just a preliminary review which I think the definition of special permit already assumes is ongoing or has taken place.

And the last sentence of the preliminary review section of Article 26 says the end result of the preliminary review shall be a site plan which shall be acceptable in concept or formal application. So I guess my suggestion is if you want to change the wording of this number 2 under A special permit, maybe it should read that the Town-- let me see, what is it? The Town Board under these provisions and any further rules or requirements of the Planning Board of the Town of Riverhead require the following data and information as a basis for approving a special permit.

So I would say, (inaudible) your basis for approving a special permit should be a site plan which shall be acceptable in concept or formal application under Article 26. And formal application is described under 108-131(B) as several different requirements and then in 108-132 describe the contents of the application for site plan review.

So, I- so my feeling is it's not formal application on requiring a final site plan, but it's the beginning of the formal review process

which I think special permit is a formal review process. You have to send this thing over to the Planning Board for their recommendations. I think the Planning Board would like to have as high a level of information as possible. I think you guys would. Shouldn't have (inaudible). The only way we can get that is through the application. So that would be my recommendation."

Councilman Densieski: "Thank you Charlie."

Supervisor Kozakiewicz: "Thank you."

Councilman Cardinale: "You know listening to Charlie and listening to the previous comments by Chris, I want to ask a question. I'm impressed with the distinction that a special permit- that Chris makes- is a determination by this Board that a particular use is appropriate on a site and that the separate consideration of how that use should be laid out on the site via a site plan is a separate consideration. So why should we have a site plan at all when we consider a special permit? Why don't we just forget it completely?"

If you believe, as I'm inclined to, that distinction is valid, the only thing that the Town Board is considering when it considers a special permit is whether it is in effect going to permit the specially permitted use to be as if included in the permitted uses within the zoning code. So when we made the zoning code and put the zoned permitted uses in, we didn't have a special permit for them. Why do we need a special permit at all to permit a specially permitted use? Why don't we just make a decision based upon the advisability of permitting that use at that location and refer the whole thing to the site plan people for the rest of it? In other words, have no site plan, no conceptual site plan."

Councilman Kent: "But there are some factors though you have to consider, including impacts on the community, the surrounding properties. So you have to have some kind of conceptual idea of how it's going to be developed."

Councilman Cardinale: "You could get a survey for that."

Councilman Kent: "That's why we included, I think, a licensed surveyor as a- "

Councilman Cardinale: "Well, just a general survey without any detail at all. I guess what it really boils down to is what you said. How much detail to you want at this level at this time? Technically

if you're correct in your distinction, you don't need any because you are just considering what issues- is appropriate."

Councilman Kent: (Inaudible)

Supervisor Kozakiewicz: "Well, before- this is probably- we can talk about this- a good discussion. Maybe we should continue this at work session. Charlie, I think has some input."

Councilman Kent: "Yes, but I have a question. I think Charlie, sometimes we require SEQRA on special permits- "

Charles Cetas: "Yes, I've been saying- "

Supervisor Kozakiewicz: "You do."

Charles Cetas: "-- that's my point. I mean, you're going to have to-- "

Councilman Kent: "Couldn't we then ask for further information? If we decide we need further information, we can always ask for it."

(Unidentified): "Do you?"

Dawn Thomas: "It's in the statute."

Supervisor Kozakiewicz: "That's in the statute."

Councilman Kent: "Right. So- "

Supervisor Kozakiewicz: "It's in the statute. It's at the very last section, I believe it is, that if we need more detail, we can ask for more detail. It's there."

Councilman Kent: "I want to put this use on this property. It's specially permitted under the code. We could look at it at that level. Then we can say we need more information. We want to know how much of the property you're going to use and how much development you're going to put on the site. It can become more detailed as we ask for more detail. So- "

Supervisor Kozakiewicz: "Just to be clear. There is a provision which says any other information deemed by either Board in its discretion to be necessary for reasonable determination of the application. So the language is there."

Charles Cetas: "But, I think you also have to realize, too, you know, the public hearing on a special permit- "

Supervisor Kozakiewicz: "I think the bottom line is you would like to have it equate it to the preliminary site plan requirements in Chapter 27- I mean Article 26, correct?"

Charles Cetas: "Well, I would like before you go- "

Supervisor Kozakiewicz: "You're opposed to this?"

Charles Cetas: "Well, I would think before you go to apply for a special permit, you would have gone through the preliminary site plan review process."

Supervisor Kozakiewicz: "Okay."

Charles Cetas: "You would have gotten to a point where the Planning Department says, well, you know, you may have a reasonably good chance of getting approval from the Town Board. So that they would maybe have reached the stage where, you know, you could make a formal application under site plan review already, before they even apply for a special permit. So, the-"

Councilman Kent: "You are trying to expedite development; you're trying to speed up the process? Is that what you are proposing to do?"

Charles Cetas: "No."

Supervisor Kozakiewicz: "So you are suggesting they file both at the same time?"

Councilman Kent: "I'm trying to see what you want to do because how do you know- what if we- if we haven't even given you the right to use the property that way, why should we go to the extent of a preliminary review?"

Charles Cetas: "Well, are you going to begin holding public hearings on site plan- because- "

Councilman Kent: "No, no."

Charles Cetas: "-- public hearing is through a special permit public hearing or- "

Supervisor Kozakiewicz: "Right. And the information should be sufficient with what we're proposing and the plans here, I think, and if there's questions, they can be put at that time by the public, I believe. I think what you're suggesting is that for some reason a difference between conceptual and complete is going to be- make the special permit process infirm."

Charles Cetas: "I think we're going to be at a level where they're going to- normal application, you know, so you present at that time what has been developed in the Planning Department through the initial preliminary site plan review."

Supervisor Kozakiewicz: "Okay. I think what we'll have to do is discuss this further. Thank you, Charlie. All right. Anybody else who would like to address the Board with- Steve Haizlip."

Steve Haizlip: "Steve Haizlip of Calverton. I want to ask- "

Supervisor Kozakiewicz: "Yes?"

Steve Haizlip: "I was just waiting on you to get through with your discussion."

Councilman Lull: "We're just continuing our discussion from before, sorry."

Supervisor Kozakiewicz: "Go ahead."

Steve Haizlip: "You know, it's not nice of me talking and all you talking, you're not hearing what I'm saying. You know, it kind of goes over."

Supervisor Kozakiewicz: "We're ready."

Steve Haizlip: "Now, I'll start over. Steve Haizlip of Calverton. What amazes me is these judges and these high powered attorneys that graduated from Yale and all these high colleges with these big words, you don't understand them. Now, I don't understand, what are they talking about conceptual are the words. Is that a definition phasing in? The judge said you didn't- that you permitted-presented conceptual plan, not complete plans. Now, what is this word conceptual?"

Supervisor Kozakiewicz: "Conceptual. It's like an idea. Idea or a concept."

Steve Haizlip: "Oh, all right."

Councilman Kent: "You know, you resemble Judge Dunne very much and you could probably go in there in black robes and rewrite the whole opinion. You look just like him."

Steve Haizlip: "You know, Jim, I was on Grand Jury- I was on Grand Jury when he was presenting his cases back in '78. I remember him then when he was with the District Attorney."

The gentleman that was from Pt. Jeff was it?"

Supervisor Kozakiewicz: "Yes, Mr. Davis."

Steve Haizlip: "Yes, Mr. Davis from Pt. Jeff. Here's the question I want to ask. Now, when Judge Dunne made that ruling about the Riverhead Centre, now, any other special permits that was already in process or in the hopper, if I recall by the constitution, and with Phil Cardinale one day at work session when a department head was trying to push a plan into a new law that was coming up, that Mr. Cardinale said you can't do that until the new law goes into effect. The existing law has to stay in place until it is approved. Now, in Mr. Davis' case, he's- has a lot of work into this project whatever it is, now, how can Judge Dunne go back and throw out something beyond the date that he ruled?"

Supervisor Kozakiewicz: "I don't think that's really the topic here. What we're talking about is a zone- a change to the zoning ordinance and that's what we're talking about today and I'd like to try and limit the discussion to whether we should change 108-3 to the proposed language which is proposed. The issue of the effect the decision had upon Mr. Davis and other people who were in the special permit hopper, is I don't think a proper subject for discussion with regard to the question of whether the Board should consider the zone change. So- "

Steve Haizlip: "Bob, whether you consider it or not, I'm just saying what Mr. Davis presented here, it shouldn't affect him because that ruling went down I believe he said the 18<sup>th</sup> of October."

Supervisor Kozakiewicz: "That's correct."

Steve Haizlip: "If his stuff was in before that, how can a law be made retroactive by Judge Dunne? The only retroactive thing I know in this country is pay raises, that you go back to the first of the

year and get pay raises."

Supervisor Kozakiewicz: "Thank you."

Steve Haizlip: "But, I just don't see it."

Supervisor Kozakiewicz: "Thank you. There's another hand that was up. Bill Kasperovich, I think."

Councilman Kent: "He's applying the law as it existed."

Supervisor Kozakiewicz: "Right."

Councilman Kent: "A new law."

Supervisor Kozakiewicz: "Right."

Councilman Densieski: "Come on up, Bill."

William Kasperovich: "You don't really want me up there."

Councilman Densieski: "True."

William Kasperovich: "William Kasperovich from Wading River. If I may, let me address Councilman Cardinale. I'm sure (inaudible) he remembers my bringing to his attention the concept that was approved, that was (inaudible) was totally wrong. Now, with that in mind, I still hear you say, Mr. Cardinale, that you don't thing said plan is necessary."

Councilman Cardinale: "No, I- "

Supervisor Kozakiewicz: "I don't think he said- I think he said he questioned whether it was necessary."

Councilman Cardinale: "Yeah, right. I was making the distinction between the- "

Supervisor Kozakiewicz: "I can't believe I'm actually speaking up for Phil."

Councilman Cardinale: "This is amazing, yeah. Go ahead, Bill, I'm still not sure what you're asking, so go ahead."

William Kasperovich: "Well, you five gentlemen are coming to a

point to include things up to date and the main thing you have to come to a total agreement on is what you want to be presented in what fashion such as to display what is going to be done. Now, however you want it to be presented, you can modify for the presentation. But the completeness of the concept cannot be (inaudible).

I can't stand up here and say that you five gentlemen don't pay attention to the paper that's put in front of you by people trying to promote an approval of a special permit. But having seen such conditions and having seen such action, I say you better put your thoughts together and come up with today's understanding of what you want to be shown however (inaudible) on paper or however modern technology has come to enable people to present things. But it's a graphic presentation of something what somebody wants to do. Now how you want them to bring it to you is what it boils down to. But at the same time, you are going to pay attention and peruse that which is presented to you. If you don't peruse through the information that's given to you, this is all for nothing. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address comments to the Board regarding- yes, Odell Evans. Grace's Place (inaudible)."

Odell Evans: "Are you sure?"

Councilman Kent: "There was a special permit application."

Odell Evans: "Odell Evans, Riverhead. I don't quite understand Article 26. Who reviews that site plan?"

Supervisor Kozakiewicz: "The Town Board."

Odell Evans: (Inaudible)

Supervisor Kozakiewicz: "There is no public hearing."

Odell Evans: "That's what I don't understand. Why wouldn't (inaudible) site plan?"

Supervisor Kozakiewicz: "That's- with this provision that's true as well. All- there's currently no public hearing for site plan. We're not proposing to change that law. We're not proposing to change that aspect at all. There's a public hearing with regard to the special permit. Again, as pointed out by Councilman Kent, the code in the various zoning districts allows for certain uses, some of them by

special permit."

Odell Evans: "Right."

Supervisor Kozakiewicz: "And when they're by special permit, there's a public hearing. But the site plan review process which is- was in place with the special permit process in '76, did not require a separate public hearing for site plan. The more detailed site plan Article, Article 26, likewise does not require a public hearing. So there was- we're not cutting back or curtailing a second public hearing. If that's the question."

Odell Evans: "It's still not clear. Second public hearing- "

Supervisor Kozakiewicz: "There is none. That's why- there was no special- let me just make sure. There was no public hearing for a site plan in and of itself. If the site plan was tied to a special permit, then there's a public hearing for the special permit."

Odell Evans: "I don't understand- "

Supervisor Kozakiewicz: "Well, what we're proposing to do is, again, get the code in sync with what's happened over time in light of the fact that we now have Article 26 which talks about the process by which a site plan is reviewed and by which we undertake them. As a matter of fact, you've been here a lot of times at work sessions and at Town Board meetings, you notice that at the work sessions we do discuss site plans in work session and then we pass a resolution at the regular Town Board meeting with regard to site plans and certainly at that point in time if there's any questions by the public, they can address them to the Board as far as the site plan itself. But there's not a separate public hearing process."

Odell Evans: "At the work session?"

Supervisor Kozakiewicz: "No. At the Town Board level. When the meetings occur because there's got to be a resolution for the site plans themselves."

Odell Evans: "Oh, the resolution of the site plan- "

Supervisor Kozakiewicz: "Right. And as you know there's a process- there is a comment period here where anybody can address the resolutions before the Board."

Odell Evans: "Okay, now you are supposed to be concerned about people spending money and get that special permit turned down. How many special permits are turned down in a year's time in this town? Grace's Place was turned down but how many other special permits have been knocked down in Riverhead?"

Supervisor Kozakiewicz: "Again, somebody talked about saving money but what I said was that in truth the real process here is that we're trying to follow what's happened historically with the code. The fact that in '76 there was a special permit process. In '76 there was not a site plan process. So, therefore, in order to handle that, the language had the detail required so that when someone submitted a special permit application we were looking for A, B, C, D, E and F in a site plan. Because of the enactment of Article 26 which involves the site plan process later- what we're trying to do is make more- I think as a policy making Board up here, make it follow what's been set forth in the way that the legislation has been drafted, Mr. Evans. I think that's what we're looking to do.

I don't believe that this is driven by the other aspect which is the monetary savings. It was to bring the code in compliance. Will it result in savings to someone proposing a project? Undoubtedly yes. But that was not, I think, a factor that we talked about as a Board in moving forward to make the change. We are doing it to conform to what's been happening in de facto in practice and what's happened historically with the ordinance, Chapter 108."

Odell Evans: "Okay, so (inaudible), and you still ask for more information- "

Supervisor Kozakiewicz: "The ordinance- the special permit provision does provide us with that discretion."

Councilman Kent: "We have to. And by the way, you've asked about some other special permits. I can think of two right off the top of my head where we either asked for more information or we've asked for an environmental impact statement- "

Supervisor Kozakiewicz: "The cell tower."

Councilman Kent: "-- that had been forthcoming. The cell tower, the two restaurants between Tanger I and Tanger II. We haven't seen the environmental impact statements on either one of those and those are both special permits that we asked for more information and the further information didn't come forward. So, I don't know what's

going on with those."

Odell Evans: "Okay, fine."

Supervisor Kozakiewicz: "Okay? Thank you. Anybody else? Yes. I'm sorry, I forgot your name."

Eve Kaplan: "Eve Kaplan, also from the North Fork Environmental Council, Northville. I'd just like to revisit the question of use and size that has come up a bunch of times. I know that the Planning Department as well as the Town Board holds the opinion that the special permit should really just be about use but I'd like to make a case for why size matters.

For example, if you have a distribution center, that's a use, right? But there's a big difference between say a very small distribution center, maybe the size of a house, and Wal Mart's larger distribution center. (Inaudible) smaller one to live around, be around, and (inaudible). So another local example may be the Big Duck. If there wasn't (inaudible) recreational value, it would just be a little duck. Right? That would be a completely different use for that site.

So, I think it does make sense to for a large project on the site (inaudible) part of the use and you probably want to look into ways that you might be able to require a complete site plan for large projects in size cutoffs to protect smaller development if that's what you're interested in doing.

I hope that the Town Board will do some homework and look into what other towns have done and I think it always benefits the town. I think the town will see that the town should be more stringent with large projects. You will get better projects and better looking projects and that really that no one (inaudible). Thank you."

Councilman Densieski: "Thank you."

Councilman Kent: "Are you suggesting some type of size distinction as far as what the impact- you are saying the size of a project would have an impact so that would be something we would look at with the special permit. Not the size itself, but the impact it would have because I think that's what we try to limit, the impact on the surrounding community. Is it one of the terms of the special permit- "

Supervisor Kozakiewicz: "I think that also- and maybe this is certainly the zoning limits what build-outs there can be. As we know in certain applications, if their coverage- and you cited one, Wal-Mart- certainly the detail there would be important as far as the size and what the lot coverage is because in that case they exceeded the 15% lot coverage and the special permit that they were able to receive from the town was, in fact, based upon a percentage of lot coverage. So in that case, I think that's detail that's necessary and, again, I think that catchall phrase in the special permit provisions would allow for that."

Eve Kaplan: "(inaudible) but you can work still work into a site plan- not in here. As we've seen in the, you know, the change of zone- conceptual site plans for some of the recent projects that came up like the Headriver project and (inaudible)."

Supervisor Kozakiewicz: "Okay. Thank you. Anybody else? Okay. Time being 8:24, close the public hearing."

Public Hearing closed: 8:24 p.m.

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Supervisor Kozakiewicz: "This is the time where we allow people to address comments to the Board on any matter. I have a number of cards here which I'm going to go through since people have signed. However, I'm going to take one person out of turn because I cut her short when she was up addressing us on Mesta Vista and that's Toni Litka. Toni, I know you had some additional questions of the Board, if you want to come up. And while-- "

Toni Litka: "Toni Litka, Mesta Vista."

Supervisor Kozakiewicz: "Thank you."

Toni Litka: "A few months ago we had a discussion about property owned by Richard Mohring (phonetic). We complained about the premises not being maintained. The town sent him notice, they gave him 10 days to fix it, to improve the property, or the town would do it and add it to his taxes. Ten days, that gone by two months now. Then I understand the town was supposed to put in a request for bids for somebody to come and cut that grass. Is that true?"

Supervisor Kozakiewicz: "We go through an informalized bidding process, correct. Yeah, we have a procurement policy. If it doesn't

reach the level where a formalized bid is required by State law, we're still required by our auditors to go through a procurement process. So, yes, you're right."

Toni Litka: "We pay a landscaper \$35 to maintain our property."

Supervisor Kozakiewicz: "You have to understand, we have State requirements. We have an auditor who looks at our books and part of that process and part of the review by the independent auditor is that we go through this process. Even though there's not a formalized bid required, we still need to at least get facts, quotes from different vendors as to what they would charge us. We're required to do that. It's part of our procurement policy."

Toni Litka: "I can see \$3,500, but \$35? Is it worth it, time and the bookkeeping and everything? The fellow that maintains the four foot- four, five feet that the town owns, he comes with a machine, he does a (inaudible) job, and the gutters are full of leaves and debris. The sewers are all covered up- "

Supervisor Kozakiewicz: "I'm trying to figure out what kind of job that is. I'm not understanding what a- what is it a (inaudible)?"

Toni Litka: "It's aggravating. And another thing- "

Supervisor Kozakiewicz: "Is that a legal term?"

Toni Litka: "I don't know if it's even in the dictionary. And another thing, you were Town Attorney when we were having the differences with Mr. Mohring. How come he still owns two pieces of property? I thought the town was going to confiscate that to reimburse the money that he owed for finishing the roads in Mesta Vista. What happened to that deal that he still owns a piece of property?"

Supervisor Kozakiewicz: "I can't tell you, Mrs. Litka, because I don't remember. I'd have to look at the file and refresh my memory. Dawn or myself can get back to you. I don't remember. I'm going to be honest, I don't recall. I know we went through a long- "

Toni Litka: "It aggravates me why he still owns a piece of property there. The town forgot about that deal just like they did about our roads- "

Supervisor Kozakiewicz: "Mrs. Litka, I'm not saying that. I'm

saying I don't know the answer. I have to look at the file and we can respond to you if you give me at least that courtesy rather than ask me, you know, off the record- I mean here point blank. Because I haven't looked at the file. I don't know the answer. I'm asking you to give me an opportunity to have the file pulled by the Town Attorney and I can respond to that question."

Toni Litka: "You will get back to me?"

Supervisor Kozakeiwicz: "Either I or the Town Attorney will."

Toni Litka: "Fine."

Supervisor Kozakiewicz: "Okay?"

Toni Litka: "Okay, thanks."

Supervisor Kozakiewicz: "Thanks. All right. Now going to the cards. Anthony Gadzinski."

Anthony Gadzinski: "This is my first visit here in 35 years."

Councilman Cardinale: "Welcome."

Councilman Kent: "I look forward to those days."

Anthony Gadzinski: "I'm here regarding the purchase and renovation of the Kingdom Hall building and the authorized expenditure of \$2.75 million and I have furnished a copy of my letter in this regard to each of you.

To me, the purchase of a building for \$350,000 presently unsuitable as a senior citizen center, tearing it apart and renovating it is not in the best interests of the Town of Riverhead. I don't mean this as a joke but this is like buying used police vehicles, paying for them, and then paying again to have someone put them in working order.

My first appeal to the Town Board is to call a public hearing on this matter now stating all the facts and widely publicizing it so that the citizens are fully made aware of this matter.

A more desirable solution to me would be for the Board to rescind the prior resolution authorizing this expenditure and to take a fresh approach toward the construction of a new building in a much more

desirable location. I urge you today to authorize a public hearing on this expensive proposition and to hold off on the requirements of a permissive referendum. I would appreciate hearing from you in this regard. I thank you very much for your time."

Supervisor Kozakiewicz: "Thank you. Larry Williams."

Larry Williams: "Good evening. My name is Larry Williams (inaudible). Letter that was previously written to Mr. Mark Kwasna, Highway Department. I'll read you the letter. I know there are issues that have already been addressed but I think a couple of members of the Board may be able to enlighten me as to where we are at the present time. The letter reads as such:

Dear Mr. Kwasna: The members of the Clearview Neighborhood Club, Inc. (phonetic) would like to thank you and Mr. (inaudible) of the Highway Department for their response to some of the concerns of our association. There are several issues concerning Mill Road that need to be addressed. I'm sure you all know where Mill Road is.

Traveling from West Main Street onto Mill Road heading north, there are high/low areas along the roadways as you approach J.T. Blvd. and Fanning Street. The vehicles pull onto Mill Road from these adjoining streets and senior citizens pull onto Mill Road from Glenwood Mobile Park, there's a strong possibility of a motor vehicle accident. In addition, several children ride bicycles in the area. The problems are especially evident during the evening hours and during inclement weather conditions.

In addition, drivers are constantly speeding along this roadway. Previously, as (inaudible) request, additional signs were placed on Mill Road which we feel has helped. I have (inaudible) based on recent observations, we feel that additional measures need to be taken.

There is also the problem of overweight trucks and tractor trailer type vehicles that travel through the neighborhood, go down the lawns in the neighborhood when turning corners. Your crews have made some repairs but the problems persist.

The concerns of this letter are very important to the entire community. The safety of our children, senior citizens are the utmost importance. (Inaudible) perhaps we will not have any defects in the future. We would welcome the opportunity to meet with you and Mr. (inaudible). If a meeting is not possible, a written response will be accepted.

This letter was originally written on May 24<sup>th</sup> of this year.

At this time, I'd like to resubmit this letter. If anyone has any- I know Councilman Lull at one point there was some study done in the neighborhood?"

Supervisor Kozakiewicz: "Yeah, we did look at the possibility of imposing a weight restriction for the neighborhood. As a matter of fact, I spoke to the Highway Superintendent very recently about that. He suggested that we should, in fact, go forward, have the legislation drafted and have a public hearing on it. So, I guess we should address that in our next work session and decide if that's the way we want to go as a Town Board. Because I know, I did speak to Mr. Kwasna about it and he thought it was a good idea."

Larry Williams: "Okay."

Supervisor Kozakiewicz: "And that was, I think, within the last two weeks."

Larry Williams: "Okay. Has anything been done about the- I know I recently spoke to- it wasn't recently, it was over a month ago- I spoke to Mr. Kwasna about the damage to the neighborhood, the lawns."

Supervisor Kozakiewicz: "I'm not familiar with that one. I'll have to converse with him and speak to him about that, Larry, because I'm not familiar with that issue. Okay?"

Larry Williams: "Okay. I'd just like to submit this letter."

Supervisor Kozakiewicz: "Okay, thank you. Gus LoPorto. Gus, okay. I have two cards for you, Peconic Bay and Swezeys and Cablevision and R&R Mobile Park."

Gus LoPorto: "One at a time."

Supervisor Kozakiewicz: "Okay, go ahead."

Gus LoPorto: "Gus LoPorto. It's been a year since I've approached you boys on Cablevision. What is being done with Cablevision? I got an increase of \$4.00 and some odd cents this month."

Councilman Cardinale: "Yeah. The- as I was speaking with you

and I know you spoke with Zabby outside, one of the realities is that the thing that most residents want the town to deal with Cablevision about is rates. These rates continue to go up without regard for the public and programming. The programming is- you must buy three stations to get the one you want. Those are the two areas that your federal legislators have precluded or deregulated so that the town has no control over programming or rates whatsoever at this point. So unfortunately you are not going to get any relief from rates until- or from programming problems, until this competition that will come in and challenge Cablevision.

And it was thought that the telephone companies were going to do that. Just the reverse is happening. If you look over into Southern New England, they just pulled out of the cable market because they couldn't compete effectively. Congress is now considering reregulating Cablevision in order to put some controls on rates that are increasing much more than inflation and, in fact, there was a- Bob submitted a letter, I submitted a letter, and the towns of East Hampton and Southampton submitted comments to a public regulatory commission hearing in Washington who is considering reregulating Cablevision because of the lack of competition. So, in those regards, we're not going to get anywhere.

In regard to the franchise agreement which really deals only with public access considerations, use of extra stations for the public, our position with Cablevision is they want that agreement more than we want it and if they want it, they're going to have to comply with the current agreement and begin by giving to the town a rebate for six or more years that they have failed to give senior citizens the discounts they're entitled to under the current agreement. So unless they comply with the current agreement, we're not interested in dealing with them on a new agreement.

In fact, there is a provision whereby we could seek to throw them out as franchisee because they're not responsive to our needs. It is a very difficult procedure but at this moment, we're telling them if you want to deal with us on a new franchise agreement, comply with the old one first. And that's really where we are."

Gus LoPorto: "Who's receiving the surcharge? Where is that money going?"

Councilman Cardinale: "Okay. You are probably talking about the franchise tax. We don't get- in Riverhead we have not asked for a franchise tax in the current agreement. Now a franchise fee is a pass

along for Cablevision so if we asked for a three or five percent franchise fee, they would simply raise the cable payment that you make each month three percent or five percent whatever we had asked for. So it doesn't hurt them because they pass it along.

We probably will eventually in the new agreement see a franchise fee because that would allow those people who are not residents of the Town but who use cable services within the town to contribute to the town's- to the town in that way. But it isn't going to charge Cablevision the three or five percent. They're going to pass that right onto us.

What they need our contract for is they cannot get financing as readily unless they can produce five or ten year contracts showing that they have the franchise agreement with this town or Southold or whatever other town. That's why, I believe, that they are more anxious than we are to complete the agreement."

Gus LoPorto: "All right. Now, I complained about the cars on 58, there's car dealers, farm stands, all over your sidewalks, the curb. Are we going to allow that? Who's in charge of that?"

Supervisor Kozakiewicz: "This- well, let's deal with them in the relationship that you addressed them. Farm stands and those type of operations are exempt from the zoning so we've talked about trying to deal with farm stands by some other mechanism. We're meeting with the Farm Bureau representatives in order to address safety concerns, I think, principally, as far as farm stands and those type of uses.

The auto dealers, we did have a meeting. I met with them approximately three weeks ago, apprised them that the number of automobiles that they have out on 58 are in violation of their site plan and we're not going to permit to go on. If you noticed, at least I think a couple of them have cut back on the amount of cars that they have out there. So they have at least voluntarily complied and they are meeting again, I think, next week to discuss it further."

Gus LoPorto: "The other things, the mobile homes on 58, R&R. It's been a year since I've been in there. It was as bad then as it is now."

Supervisor Kozakiewicz: "Well, I think there's been some improvements so I beg to differ with you on that. Because there's been some mobile homes that have been removed as a result of enforcement from the Building Department. A number of them that were

problems have been cited, they need a Chapter 54 proceeding or we have actually had those mobile homes removed. I know a number of them have been removed. So- so on that, we are trying to- it's unfortunate that it's you know taking as long as it does but we are concerned about it. I know that Mr. Barnes, the Building Department and his staff have been in there repeatedly to enforce the code and as this Board knows, we've had a couple of them as the subjects of some lengthy Chapter 54 unsafe building hearings."

Gus LoPorto: "All right, what's become of Swezeys?"

Supervisor Kozakiewicz: "We're being advised by Mr. Knapp that they intend to start next spring. Under their original deed, they have a reverter clause. The reverter clause provides that they must do, I think, it's substantial construction, is that the word? And if they do not, the property reverts back to the Town of Riverhead and that expires next year, 2001. So they're under the gun to get some work done out there."

Gus LoPorto: "And, Bob, I spoke to you in October about Peconic Bay, the boats in the back of Swezeys, and asked you who's paying for their light bill."

Supervisor Kozakiewicz: "And at this point- "

Gus LoPorto: "You tell me."

Supervisor Kozakiewicz: "They are not being charged, right."

Gus LoPorto: "Any idea when- "

Supervisor Kozakiewicz: "Historically, it's just funny because when this whole project was being proposed, I think a lot of people got up and said, Town, you're wasting money because no one's going to come to the river front to visit it and now we're experiencing a change that, in fact, boats are going there, so we've talked about it and we're going to, I think, if the Board agrees, go out to an RFP and see if we can have a dockmaster established so that we can charge the next season, 2001."

Gus LoPorto: "Well, the bill for September and October, the light bill was \$978. Two months. One meter."

Supervisor Kozakiewicz: "I hear you, okay."

Gus LoPorto: "What are we going to do about it?"

Supervisor Kozakiewicz: "We're going to deal with it next year, sir. I already told you that."

Gus LoPorto: "Okay. Thank you."

Councilman Kent: "The boats are out of the water now."

Supervisor Kozakiewicz: "I don't think there's any boats now. I don't believe- I know you talked about it and we discussed this and we're going to take it up as a Board. Thank you. Steve Haizlip."

(There was some inaudible discussion among the Town Board members)

Steve Haizlip: "Steve Haizlip of Calverton. My number one item here that I want to bring to the Board's attention is next time that a big construction is authorized in this town, like the FedEx and maybe some other buildings that will be future coming, when these big trucks haul sand and topsoil off of the premises and they enter our roadway and leave it bedded with all heavy topsoil and mound up and coming into the lane, let them remove it, not our Highway people. And they've gotten away with this in Village Green up on Edwards Avenue as reported by Alice (inaudible) a couple- a few years back, and I checked on it and it was really true. And I kind of messed up here. You know, I get one eye fixed up, then the glasses don't help really too good.

I'm very happy to report that Rita's Garage in Calverton on Riley Avenue has removed all the dead trees. They have put in new fresh green trees and have cleaned up the front yard and now it looks presentable. And the next project, I guess I'll have to work on B&G down there.

The State Department of Transportation, Mr. (inaudible), has answered my letter about the situation at Edwards and Route 25, telephone poles right in the road and mounds of dirt and banks and trucks having trouble making turn radius. And they are going to look at it in January.

Now, this- when Phil addressed the other gentleman about Cablevision, I remember very well when Cablevision first came into this town and they stood right up here and said that they were going to allow the senior citizens discount. But somehow or another along

the way when the federal government deregulated it they said the fact that they was unregulated (inaudible) their agreement with the town that they didn't have to allow that 10%. Now, I don't think anything like that was probably in the contract that whoever was Town Attorney at that time and the Supervisor and allowed them to come in drew up the contract, I don't think that they would put in the contract that in case of deregulation or something you will deny the senior citizens of your proposed 10% discount. And, Phil, I'm glad to see that you are standing by those 245's."

Councilman Cardinale: "Thank you."

Supervisor Kozakiewicz: "Thank you. Nicole Fanelli."

Nicole Fanelli: "Hi. My name is Nicole Fanelli. I live in Wading River. I'm here tonight representing the Wading River Civic Association. I'll try to make it brief, I have this cold and I can't talk well. The Civic Association has become aware of a program known as the Local Safe Street and Traffic Calming Pilot Program in which New York State will be allocating \$2.7 million for local safety projects on Long Island. These projects focus on pedestrian and bicycle safety. The funds will be distributed through the New York State Department of Transportation.

We understand that the Town of Riverhead is one of the 111 municipalities which received a grant application for this money. The Wading River Civic would like to suggest that the application be made for a pedestrian sidewalk in Wading River beginning at 25A and Wading River Manor Road traveling north to North Country Road and west along North Country Road to the duck pond.

The Civic feels that a sidewalk is necessary at this time for several reasons. The traffic on North Country Road is very heavy and very fast. I live on North Country Road. The current speed limit is 30 miles per hour but the average speed that most automobiles drive travel is about 45. If you travel 30, people get right behind you, they don't like you to travel 30. The volume is very heavy year round. There are cars, trucks, school buses, public buses and motorcycles and they speed down this country road year round and into the night and in the 15 months that I've lived there, I have witnessed two auto collisions due to excessive speed. This makes it dangerous, nearly impossible, to walk along this route.

The second reason is that this route includes an elementary school, two churches, two preschools, and our downtown Wading River

which is the duck pond, some shops and a beautiful new restaurant. And we feel it would be a wonderful asset to have people get out of their automobiles and do some walking in Wading River. We think it would enhance both the quality of life and the rural characters that the people of Wading River are trying to preserve.

Most importantly a sidewalk in Wading River on North Country Road would make Wading River a favorite place for children and for families which there are so many more of coming into Wading River. Are there any questions?"

Councilman Kent: "Can I just ask you a question. Are you talking on the west side of Wading River Manor Road as it comes up- would this be the side where the Amoco- the old Amoco- "

Nicole Fanelli: "I don't have a suggestion as to the side as this was just a really preliminary- "

Councilman Kent: "Well, the duck pond, I'm thinking as you come up- "

Supervisor Kozakiewicz: "The duck ponds are on the south side."

Councilman Kent: "-- the duck ponds are on the south side- "

Supervisor Kozakiewicz: "The southwest."

Councilman Kent: "-- coming up the west side, coming around by the fire house, is that the what you're talking about? The side where the church is?"

Nicole Fanelli: "As I said, I have looked at this and I don't know what the answer to that is."

Councilman Kent: "When you're talking about North Country Road, are you talking about east of Wading River Manor?"

Nicole Fanelli: "No."

Councilman Kent: "Are you talking- "

Nicole Fanelli: "West."

Councilman Kent: "-- after they connect. After they merge."

Nicole Fanelli: "Right. Right at that intersection. So it would curve around to go just down- following down towards the churches and the (inaudible)."

Councilman Kent: "So it would be on the opposite side of the street from the intersection rather than crossing the intersection. Where the big tree is- "

Nicole Fanelli: "I know what you're saying. I don't know the answer."

Councilman Kent: "Okay."

Nicole Fanelli: "I don't have a plan. I'm just making a suggestion. It's not a simple answer."

Councilman Kent: "Well we need at least a conceptual plan."

Nicole Fanelli: "Anything else?"

Councilman Kent: "Where's Sid?"

Nicole Fanelli: "I knew you were going to ask me that. And I was going to- he's at an energy forum meeting but I think he wanted a new face here from the Wading River (inaudible), that's mine."

Supervisor Kozakiewicz: "Well, thank you."

Councilman Densieski: "Thank you."

Nicole Fanelli: "Thank you."

Supervisor Kozakiewicz: "William Sprostan."

William Sprostan: "Good evening. Councilmen, Supervisor, Town Clerk, Town Attorney. Last month I approached the Board in regards to our scenic easement covering our open space preserve. I'd like to know if any of the Councilmen have every read this in regards to the open space preserve up on Baywood Drive."

Supervisor Kozakiewicz: "Yes, that was at our last meeting, two weeks ago when you came here."

William Sprostan: "Correct."

Supervisor Kozakiewicz: "Right."

William Sprostan: "And do you Councilmen ever read this documentation in regards to that preserve? Okay. I know- "

Supervisor Kozakiewicz: "I know the Town Attorney has because I talked to her about it."

William Sprostan: "Well (inaudible) some of this documentation. So you can read this so you'll have a better understanding when I come, if I have to come back again, and you'll understand what I'm talking about. Okay."

I understand from the last meeting that there was a work stop order placed on that property. Well, I want to let you know something. A few days later after I was at this meeting, that work continued. They put up 30 more poles. They drilled 32 new holes, okay, and those holes are at this time open. They're a danger to the children in that neighborhood. Okay. Those holes are 30- approximately 30 inches deep, 12 inches in diameter. They were never closed up. These people were stopped, the fence company stopped, by I think our local town law enforcement, okay.

I have a few photos I've taken at that preserve I'd like to present to the Board so you can see it as you come into our area, okay. What it looks like as you come in and approach our development, if I can present these to you. In the spring time- "

Councilman Kent: "Please, don't talk until you get back to the mike."

Supervisor Kozakiewicz: "Yeah, we can't pick it up."

Councilman Kent: "You won't get on the record."

William Sprostan: "In the spring time, it enhances our development as you approach it. It's beautiful, the trees and the flowers, especially the shrubs that grow in there and it gives something to our community. Okay. And I understand the town did the research on it and because of the site plan somebody put up there to change that and build on that preserve, they're staring to erect this fence and I understand the town went out and did a title search because apparently the title search that this gentleman had when he bought this property for \$80,000, 13 acres I might add. Thirteen acres of property he bought for \$8,000. I want to know where I can go get

that. Okay. He bought this for \$80,000 and he started building on it. And then it came to our attention and then we approached the Board.

Now since then, the Town Attorney, Dawn Thomas, did a title search and I think that title search came back and it is a preserve on that title search."

Supervisor Kozakiewicz: "The easement was filed and recorded."

William Sprostan: "And recorded. Now the gentleman who brought the property, his title search came back and there was no record of that on his title search. That's not our problem; that's his problem."

Supervisor Kozakiewicz: "That's correct."

William Sprostan: "He can sue his title search company and leave that preserve that alone. Okay. You know, those pictures, if you see on one and two, it's very nice. Three and four get nasty as you see the poles protruding out of the ground. That's beautiful. I'd like to be the neighbor across the street from that looking at that. And then in five, it speaks for itself. Okay?"

Now my only issue here is what would the Town of Riverhead do to maintain the scenic easement and that is presently on file and recorded? Okay. The second thing is how are we going to resolve this problem? How are we going to deal with this? Somebody else (inaudible) and I come into a development and I say- and I have a brochure, okay, from when I bought the house right there, a preserve is right there. We were told it was always going to stay that preserve. Okay."

Councilman Densieski: "It's on town property anyway."

William Sprostan: "It was always a preserve. Free nature preserve. Free of all obstructions, complete."

Councilman Densieski: "This looks like it's on town property anyway."

William Sprostan: "If the Councilmen would like to read this documentation, I'll give it to you right now- "

Supervisor Kozakiewicz: "Well, I don't think we can do that

during a public hearing. The Town Attorney has reviewed it, she's confirmed through a title report, Dawn has, that it was, in fact, recorded. If the property owner refused to comply, we'll have to bring him into court. I think the other alternative which we talked about and which is what we should do immediately is ask the Zoning Board of Appeals to rehear this matter based upon the evidence that was conveniently not provided to them, i.e., the existence of the scenic easement.

And I would tend to believe that if they hear that evidence, because I understand that the right to build this particular closure, fence, obstacle, eyesore, whatever you want to call it, was the result of an application made to the Zoning Board of Appeals where this information was not provided to them."

William Sprostan: "Correct. So I don't blame them for- "

Supervisor Kozakiewicz: "I'm not blaming them. I think what the suggestion is and- is that we should go back to the Zoning Board of Appeals and have them readdress that issue."

William Sprostan: "Corrected in a timely manner also."

Supervisor Kozakiewicz: "Correct."

William Sprostan: "I feel that right now, those 30 poles that were put in should be taken out because they were put in after the stop work order was issued. In fact, I think all the poles should be taken out until this matter is resolved. All those holes should be filled up because no damage should have been done to that property at all. None whatsoever. So I feel that the poles should be removed, the holes should be filled and then the Zoning Board should reconsider this matter and do what they have to do to protect that scenic easement, whatever it takes. Because, believe me, people in our community are very upset about it.

All we want is that peace of mind. You know, when you buy a home, you want to know that some day you'll be able to relax in that home and not have anybody (inaudible) in your space. I read in the paper today and it's true, let's face it. You read about Campo? He's building a lot of homes here. I hope he builds big enough homes where they require enough space that the homes are large enough. I don't want another Town of Brookhaven here. No one wants that. Because you know what? Before you know it, your land is gone. The scenic beauty of this- Riverhead is a beautiful town. I've got to tell you that.

But if you let this town get destroyed by big builders, you know they've got deep pockets and they want to fill them with your money. Put restrictions on them where they have to- let them start paying out of their pockets \$10,000 for every home they build to the town for the new schools we're going to have to build to supply those people. Let them start digging into their own pocket, see how fast they want to do this.

They don't care about your quality of life. They only care about their own quality of life. Our quality of life in this town is important to every individual in this room now and every, every taxpayer. (Inaudible because of applause)

This- if we can't protect 13 point something acres, okay, how are you going to protect all this land? And that's all I'm asking for. And that's all we're asking for as people in our community. Protect our acreage. And, please, Councilmen, read the draft of that preserve. You'll understand what I'm talking about. I thank you for your time gentlemen and I only hope that this can get resolved in a timely manner. Okay. Thank you very much for your time."

Supervisor Kozakiewicz: "Thank you. Joan Griffin."

Joan Griffin: "Good evening, Joan Griffin from Calverton Civic Association. First of all, I'd like to say we're in favor of the Wilpon deal and I'd like to discuss that a little bit with you. Everything Mr. Wilpon proposed complies with the zoning. In the offer sent to the Town Board on 10/17 this year and the Board was asked to bring it to the- "

Supervisor Kozakiewicz: "That's not correct. And the reason I can say that is because he was looking for 316 units of housing, 4 golf courses. He'd be entitled to 216 units of housing. He was asking for an additional 100 units of housing which would be over and above what the zoning allows and that would have been an age restricted or an assisted living scenario. So that scenario is first and foremost incorrect.

Secondly, he was also asking for a separate accessory retail building which in and of itself would also not be allowed. It could be a component of a hotel conference center but it could not be a stand alone retail center. That also would be contrary to the zoning."

Joan Griffin: "Okay. Because in his letter he has also

proposed an overlay district subject to future approval for the other 100 houses- extra 100 houses."

Supervisor Kozakiewicz: "But, again, that's not in compliance with the existing zoning."

Joan Griffin: "You're not letting me finish. For another 100 houses. He's well aware that the overlay district may not be approved but he's willing to go into contract for the remainder of the project with the understanding that it might or might not be obtaining approval in the future for the overlay. So he's not really concerned over that 100 extra houses. He is concerned about the 216. Now, he proposed three golf courses and a training course that would (inaudible) the allowable 729 acres that you mention in your letter. He also proposed a hotel conference center as well as retail use-accessory retail use which is allowable by your letter. We urge the town to work on this expeditiously."

Mr. Wilpon continues to stand by his proposal to construct the above on 1003.4 acres to be purchased at the price of \$25 million, \$16 million cash and \$9 million in a secured note payable within two years. The original proposal was for 800 acres. He revamped the proposal up to 1003.4 acres because the town officials wanted him to take the 1003.4 acres instead of 800. And then the town officials changed their minds again and asked him to scale back to 800."

Councilman Lull: "That's ridiculous. That was never said by anybody."

Joan Griffin: "It's all in a letter."

Supervisor Kozakiewicz: "That makes it true."

Councilman Kent: "Whose letter is it?"

Joan Griffin: "(inaudible)."

Councilman Kent: "Right, well, I mean--"

Supervisor Kozakiewicz: "That's their letter to us."

Councilman Lull: "Don't trust her."

Joan Griffin: "Okay."

Councilman Kent: "I'd like to see a letter where we said we'd like you to change your 800 acres to 1000 acres."

Joan Griffin: "Okay."

Supervisor Kozakiewicz: "I'll find it."

Joan Griffin: "So it continues. So Mr. Wilpon and his partners spend a great time and resource revamping his proposal to comply with the town's wishes only to be told again change it. So here to go, more back and forth and time wasted and more tax revenues. How do you expect the town to draw business from anybody or investors if you keep changing your mind and putting up roadblocks?"

Another example of roadblock is (inaudible) with the Burman deal. No one in this town hall knew about the Wild Scenic & Recreation Act until the meeting in later October."

Supervisor Kozakiewicz: "Once again, incorrect. The Town was aware of where the Wild Scenic River Recreation boundary was. However, we had a number of discussions with staff while this deal was pending and we knew that we needed a permit from the DEC in order to do that. However, at no point in time did we ever believe that the movement of the Wild Scenic Rivers Recreation boundary line would be tied into a subdivision application. We were told to the contrary. We were told that that line would have no impact upon a subdivision application being made."

If you look at the Wild Scenic Recreation River Act regulations it describes what permit is necessary and what needs to be the minimum standards for a subdivision. The Burman subdivision meets those standards. So, once again, I think the information is coming from a jaded point of view or a pointed point of view. The town was aware of the fact that there was an ongoing discussion concerning the Wild Scenic River Recreation Act boundaries. We've had discussions. The prior administration had discussions with the DEC but there was never any insinuation that the two would become so involved that they would tie up one another. So, that is, again, a falsehood, a misrepresentation, and I think I don't know where you're getting your information from but I just need to respond to the Town Board because clearly that's not the case."

Councilman Kent: "Secondly, on the Wild Scenic Rivers Act, this is also up to the purchaser, it's his obligation to determine what restrictions are on property that he's interested in purchasing. And

there was a due diligence period which he waived September 15<sup>th</sup> of 1999. So if-- by waiving it he's saying that he is aware of all factors or restrictions that are upon the property including the Wild Scenic Rivers Act. So that was really his obligation under due diligence to learn that the property was within the area mapped and what the restrictions included. That's his responsibility, not the town."

Joan Griffin: "Okay, the next subject."

Councilman Densieski: "Joan, can I ask you a question, too? I'm a little curious why the Calverton Civic Association would endorse a housing project because two or three hundred homes equals a school. Now if you think that's bringing in business, it's not, it's bringing in homes and your school taxes are what's killing this town now."

Joan Griffin: "It's bringing in homes but it's also bringing four golf course, a corporate center and- "

Councilman Densieski: "What are they doing for your tax base?"

Joan Griffin: "-- a conference center and they would, you know, absorb some of the tax burden, too."

Councilman Densieski: "I disagree."

Joan Griffin: "\$25 million in case would help pay for the school. But I've got more though. The Northeast Motorcross, has that proved that they have financial resources to buy the land to build and operate their facility. The project would not produce an adequate amount of jobs to qualify it an eligible sponsor under the Urban Renewal program requirement. Northeast Motorcross is not in good standing with the American Motorcycle Association. The AMA is to motorcycle competition what Nascar is to stock car racing and sanction racetrack and racing events. Hugh Fleming (phonetic) director of the AMA stated that the relationship between themselves and Northeast Motorcross is very strained, very questionable. He has also added that the motorcycle group won't consider supporting racing in Calverton until after a track is built and operating. Northeast Motorcross isn't even respected by its own trade organization. Northeast Motorcross racing president, Peter Galesi (phonetic) if I'm saying his name right- "

Supervisor Kozakiewicz: "Galesi (phonetic)."

Joan Griffin: "Galesi, says his group inadvertently put out material suggesting their proposed track is already built. Northeast Motorcross does not seem to be very responsible. Is this type a business that would benefit the people of Riverhead by providing (inaudible) and high paying jobs? Since the builders have suggested digging the low grade to lessen the noise impact, some suggest that the project is really a sand mining operation in disguise."

Supervisor Kozakiewicz: "That's the end of it."

Joan Griffin: "Taking into serious consideration all previously mentioned information and the fact that Bridgehampton and Manorville have a large racetrack in their respective areas, further concludes that racetracks make poor neighbors and truly a rural setting would be most appropriate to accommodate such a project."

The Motorcross group would not be a good neighbor to existing golf courses and the proposed golf course, the hotel and shopping center and the incubator and most of all the residents of Riverhead. Besides we already have a racetrack that everybody enjoys, the Riverhead Raceway. And also the National Cemetery is not in favor of the Motorcross project.

Next topic. T.S. Haulers. We discussed it at the last meeting. There was a public hearing- "

Supervisor Kozakiewicz: "That's correct. There was a public hearing on the special permit."

Joan Griffin: "Okay. Is the site allowed to take in debris?"

Supervisor Kozakiewicz: "They have I believe a it's a registration which does allow them to have certain storage materials on the yard for a certain amount of time. It's- that is what's called a registration. It's not an actual permit; it's a difference between a permit and a registration."

Joan Griffin: "The purchase of the extra land. What's the intent of that usage?"

Supervisor Kozakiewicz: "I don't know. We have had no disclosure as to his intentions with regard to the additional land."

Joan Griffin: "The town can monitor their activity I understand with the reclamation of the site- "

Supervisor Kozakiewicz: "Which the DEC is currently doing."

Joan Griffin: "Okay. But the town can also look at it?"

Supervisor Kozakiewicz: "I think we can impose that condition as part of a special permit, yes."

Joan Griffin: "I understand by August of '99, nine and a half acres were to be restored? Was that done?"

Supervisor Kozakiewicz: "I don't know."

Joan Griffin: "And the schedule of mining, is- "

Supervisor Kozakiewicz: "I haven't been out there. So I can't tell you that."

Joan Griffin: "Okay. The schedule of mining on the site, is it behind, on time, or ahead of schedule? They had filed, I understand, their, like the HOV lane being built on the expressway- they intend to have this much built by a certain day and so on and so forth."

Councilman Densieski: "The phases- are you talking about the phases?"

Joan Griffin: "Is that all on schedule?"

Councilman Densieski: "Are you talking about the phases?"

Supervisor Kozakiewicz: "Yeah, it was a 15 year mining approval and it was in stages. Is that what you're talking about?"

Joan Griffin: "Well, I guess the question is let's just pick a number, 100,000 yards a day being taken out. But say they're taking out 125,000 so they're ahead of schedule. So does that mean once they reach their ultimate goal it stops? Or do they keep going until their 15 years is up?"

Supervisor Kozakiewicz: "I think once they reach the cubic yards that they were permitted to take out, they must cease operation. That's as I understand it."

Joan Griffin: "Okay. And then the town can be more restrictive than the DEC I understand? They can- "

Supervisor Kozakiewicz: "I think the court said that despite the spite that they had DEC approval, the town can, in fact, through zoning be more limiting."

Joan Griffin: "Okay. And how come T.S. Haulers wasn't stopped (inaudible) that you were talking about?"

Supervisor Kozakiewicz: "What do you mean stopped?"

Joan Griffin: "Well, you mention special permits tonight- "

Supervisor Kozakiewicz: "They had a full conceptual site plan. Coincidentally and ironically theirs complied with 108-3."

Joan Griffin: "Okay. Last question. How many tenants are using the runway currently at the former Grumman site?"

Supervisor Kozakiewicz: "Skydive."

Joan Griffin: "I'm sorry?"

Supervisor Kozakiewicz: "Skydive."

Joan Griffin: "Just one? Okay. And the rent that's being collected there?"

Supervisor Kozakiewicz: "That's of record. I don't know the number off my head. You can get that information from the Clerk's files or from Andrea Lohneiss."

Joan Griffin: "Okay. And I understand that Steve Kirschenbaum asked the Town for almost a quarter of a million dollars to repair the runway. Is that true?"

Councilman Densieski: "He did?"

Councilman Cardinale: "He asked that we incorporate in our- "

Supervisor Kozakiewicz: "I think he suggested that we include a certain allotment in our budget for improving the runway, activating the deer fence, getting the lights to work, buying potential or buying equipment to clear the runway, snow removal, etc. So he did ask for that, yes."

Joan Griffin: "Okay. And- "

Supervisor Kozakiewicz: "But the budget was adopted the way the budget was proposed."

Joan Griffin: "The budget for- "

Supervisor Kozakiewicz: "The town, the town's budget."

Joan Griffin: "Okay. About two months ago, a three person committee was appointed to check on how to improve the management of the Grumman site. What was their findings?"

Supervisor Kozakiewicz: "They- in gist? Short version?"

Joan Griffin: "Short- "

Supervisor Kozakiewicz: "Sell to Burman."

Joan Griffin: "Sell to Burman?"

Supervisor Kozakiewicz: "Yes."

Joan Griffin: "And is that deal still going on?"

Supervisor Kozakiewicz: "Yes, it is."

Joan Griffin: "Close soon?"

Supervisor Kozakiewicz: "God, we hope. We're trying. We've had a number of meetings with the DEC and with them and everybody to try and get it to move forward. Believe me, we've been working very hard on this one."

Joan Griffin: "Okay. Last- "

Supervisor Kozakiewicz: "At least one, two, three meetings a week to deal with this issue. I mean I think we talk about it just about every week at the Town Board level. Maybe more. The Town Attorney is reminding me that it's more often than that."

Joan Griffin: "Okay, last question. Is- "

Supervisor Kozakiewicz: "All right. Just as a probably an explanation maybe. I think everybody here has probably bought or sold a house. Right? And you know what type of problems you can experience when you're dealing with just buying and selling a house."

Imagine that with 400 somewhat acres of property that's affected by tiger salamander ponds, fresh water wetlands, wild scenic river boundaries, compatible growth areas, subdivision process, DEC approval, Suffolk County Department of Health Services approval, easements for water, easements for sewer. And you can understand why it's quite an extensive process. And we are working on it and we've been trying to get- we got an agreement on a metes and bounds, we reached an accord with Mr. Burman on that. We have our attorneys drafting the easement language so we can get to a closing. We're talking about all these things with Mr. Burman's counsel. So, believe me, although the appearance out there may be that we're not acting on the application, anything but the contrary."

Joan Griffin: "Okay. Last question. Is Grubb & Ellis Property Management the only agent for (inaudible)?"

Supervisor Kozakiewicz: "Are you asking are the only consulting persons out there because there is a different group called- I think it's Waste Management, Inc. or Waste, Inc. that handles the sewer aspect of the site. Are you talking about consultants?"

Joan Griffin: "Selling agent- "

Councilman Densieski: "That's not management."

Supervisor Kozakiewicz: "That's the real estate division. That's not the management firm."

Joan Griffin: "Okay. So they're the only real estate firm."

Councilman Densieski: "No. Any broker can bring any deal to the town but they will split commissions."

Supervisor Kozakiewicz: "But they have an exclusivity."

Councilman Densieski: "Right. But any broker that wants to bring a deal forward is welcome to bring a deal forward."

Councilman Lull: "And the CDA can bring a deal, too."

Joan Griffin: "Okay. Is Peconic Airfield Alliance a broker?"

Councilman Densieski: "Who?"

Joan Griffin: "Peconic Airfield Alliance."

Councilman Densieski: "Are they a broker?"

Joan Griffin: "Yes."

Councilman Densieski: "No, I don't think so."

Joan Griffin: "Because they're offering the propety."

Councilman Lull: "No, they're not."

Joan Griffin: (Inaudible)

Supervisor Kozakiewicz: "Let me ask a question. Is it a question of whether we should go to the state and determine whether they're not properly licensed and whether what the activities that they are doing are, in fact, brokering?"

Joan Griffin: "Yes."

Supervisor Kozakiewicz: "Why? Is it bad for them to try and attract other residents to the property or other businesses to the property? I'm trying to understand the reason- rationale for that. I'm sorry, what was that?"

Joan Griffin: "They're not an agent, a real estate--"

Supervisor Kozakiewicz: "But just make me understand. Is it bad for them to attract other uses to the property so that we get jobs out there and get development?"

Joan Griffin: "I can go out there also and (inaudible) different companies come in here."

Supervisor Kozakiewicz: "Yeah, if you knew somebody who was interested in the property you could, in fact, take them to Grubb and Ellis, to Mr. O'Connor or Mr. Sealer (phonetic) and say here's a prospective tenant, prospective buyer, and I think we would be most appreciative and it would help us with the redevelopment of the property."

Councilman Densieski: "We also have Dave (inaudible) from (inaudible) who is looking for people to come in there with no charge to the town. If he finds somebody, they can bring them to Grubb and Ellis. What's wrong with that?"

Joan Griffin: "Okay. Because this is what the Peconic Airfield Alliance put out. If you own an aircraft or an aerospace related company and would like to relocate to the airport facility take advantage of the lower lease payments or tie down fees please call the Alliance and they give out their phone number or there's a web site and they give out the web site. Then it says private and corporate aircraft can now use this runway subject to Town of Riverhead approval. So they call you guys and say I want to land my plane and they can do that?"

Councilman Densieski: "If somebody has a reason to fly in there, yes, they give the tail number and they can fly in, that's true."

Joan Griffin: "Okay, so let's say I'm flying out of Virginia 4:30 Friday night and I decide I want to land at Riverhead, who do I call?"

Councilman Densieski: "You call the Supervisor's office and you make an appointment and you have to have a reason. You want to relocate your business to town, you call the Supervisor- "

Joan Griffin: "No, I just want to land my plane- "

Councilman Densieski: "Well, you can't do that yet. I think everybody knows that."

Supervisor Kozakiewicz: "All right, all right. We haven't been allowing that, people just come in, any pilot to come in and land. It's been someone that's related to a use that's on the property. We've gone through this."

Councilman Densieski: "A hundred times."

Joan Griffin: "Okay, and then the last thing, one of the last things (inaudible). Yes, I am interested in leasing space or buying property at Calverton Airport, please contact me and they would ask for your name and address and phone number so they can contact you. So according to you, the Town Board, anybody can say to a business come on down, let's go to the Town Hall, let's go through all the paperwork that's needed and see if you can get into (inaudible). Is that what I'm understanding?"

Supervisor Kozakiewicz: "I think there's two questions or distinction here. You're suggesting that they're engaging in illegal

real estate practices which can be certainly taken to the state and the state can investigate if that's what's necessary. I'm not sure that's what they're doing. We- and certainly, listen, anybody can call. Any one of you can call the state and say listen we feel they're engaging in an illegal unlawful practice. I think that, however, the town's concerned if they're an industrial use, they would qualify as an industrial use as we redefined it and as the zoning has been put in place.

This Board has been looking to welcome all comers to the property assuming they can do what is proper with regard to it. They're not a hazardous spill type of contributor and they're not doing something that's contrary to the zoning, we'd have to take a look at it, again, after they go through the necessary steps. They go to Grubb & Ellis. They establish to the satisfaction of Grubb and Ellis that they are somebody who would make sense and would, in fact, at least put a number in that's what we've been asking for as far ballpark figures. Then they would go to the RDC if it's going to be an ultimate user of the property and as you know the RDC then refers its recommendations back to the Board as to whether the use if one that they feel is appropriate given the criteria that's been previously set forth for the redevelopment of the property. All right?"

Joan Griffin: "Thank you very much."

Supervisor Kozakiewicz: "Okay. Ann, do you still want to come up as well? That was a long one."

Councilman Densieski: "Way over 10 minutes."

Ann Miloski: "My name is Ann Miloski, Calverton. I'm very glad that you're really working hard on the Burman deal because I think it will help our taxpayers' pocketbooks it that ever goes through. And not only that, but for three and a half years we've been working on that economic development zone, we have businesses in there now that really want to expand and if the Burman contract goes through, these businesses can expand and they can hire more people and there's also another business that wants to come in that eventually will hire 1,000 workers and I think that's a wonderful deal and I'm glad that you're going forward with this."

The other thing, I also am for the Wilpon deal and I'll tell you why. There's 2,900 acres in the Grumman site. You have an industrial core which we have the reuse plan. You also have 2,000 acres outside of the Grumman site that's industrial. So all of Grumman doesn't have

to be covered with industry. We have the industrial core for the reuse, the Wilpon deal which (inaudible) their original proposal which was 729 acres with golf courses and they propose three housing units per (inaudible). Could you explain to me how- what is that, on two acres, three acres of land? What is- "

Supervisor Kozakiewicz: "It would be have to be, I think, as I understand it and if I'm incorrect on this, it would have to be all within the 30% golf course subdistrict. So however they choose to allot those or set forth those lots would be their call. But the bottom line is under the zoning when we did the recreational district the Board's vision was that we did not want one recreational use for the balance of the property outside the industrial core. Instead they set forth certain limitations on subparks."

The golf course subpark district is no more than 30% so that 30% would encompass golf course, clubhouses, golf- driving ranges, putting greens, and houses."

Ann Miloski: "And the hotel conference center- "

Supervisor Kozakiewicz: "That's a separate subdistrict."

Ann Miloski: "That's in a separate- but that would be included in the 729 acres?"

Supervisor Kozakiewicz: "Not the hotel conference center, no."

Ann Miloski: "That would be- "

Supervisor Kozakiewicz: "I think that's a separate subdistrict and they would have to apply for approval for a separate subdistrict."

Ann Miloski: "Well, I'd just like to say that I'm in favor of it and I think it would be a wonderful thing for Calverton to finally have something like a nice golf course over there and- "

Supervisor Kozakiewicz: "Oh, Mr. Schulman, I'm sure, would take some insult. I'm sure he believes he has a nice golf course there."

Ann Miloski: "Yes, he does, but I'm sure that he can also (inaudible) he thinks has been very good."

Supervisor Kozakiewicz: "Okay."

Ann Miloski: "And I just want to say that I'm for it. I'm not for the proposed overlay district because then they're doing something that is not in the zoning code now, but what is in the zoning code I'm for. Thank you."

Supervisor Kozakiewicz: "Thank you. Dorothy Farance."

Dorothy Farance: "Hello. I'm Dorothy Falance. I'm from Greenport and I've been- my husband and I have been observing the deer in the Grumman field for the past 30 years. And we've seen Grumman feed them in winters with hay; we've seen them hand fed and we know how tame they are and friendly and I was really dismayed to hear about the hunt that you approved of and I particularly dislike the brutal instruments that are being used to kill the deer such as the crossbow which- "

Supervisor Kozakiewicz: "No crossbow."

Dorothy Farance: "Yes, the bow and arrow."

Supervisor Kozakiewicz: "Bow and arrow, not crossbow."

Dorothy Farance: "Okay."

Supervisor Kozakiewicz: "Okay."

Dorothy Farance: "Okay. It has a bolt on it though, as I correct?"

Supervisor Kozakiewicz: "I'm sorry, what was that?"

Dorothy Farance: "It has a bolt?"

Councilman Densieski: "No."

Supervisor Kozakiewicz: "No, crossbow has a bolt and trigger but a bow and arrow does not."

Dorothy Farance: "Okay. But it does give massive internal damage to the deer or animal, whoever gets hit by it. And it's just brutal. I want to suggest a more humane approach to controlling the deer if that's the problem. As I said in the past, Grumman has used hay when they're hungry in the winters and so that very easily could be fed still. There's no reason that can't happen. And also contraceptives can be used successfully. They have been used in Fire

Island and I'd like to know if the Board members have- I know you've probably discussed these things, but if you three who voted for the hunt, if any of them have had a change of heart, change their vote."

Councilman Densieski: "Ma'am for myself, I haven't had a change of heart but if you want to put a proposal together, bring it before the Town Board on who is going to administer it and who's going to pay for it, I would be certainly willing to listen to it and possibly support it."

Dorothy Farance: "Okay. That sounds like a good idea. And also I had another question that came up in hearing about the proposal for the property in Grumman, I guess people are looking for jobs and so forth but I don't think that you will want to develop it so much as to (inaudible) Nassau County resident to make it something like (inaudible) because Riverhead is truly a beautiful place and you shouldn't over develop it."

Supervisor Kozakiewicz: "Well, that would be- that's put in place by the virtue of what the compatible growth area as far as the Pine Barrens Act allows, as far as clearing so that there are limitations on how much clearing can occur at the property. As does our code, our ordinance also has the same limitations on clearing."

Dorothy Farance: "What would happen- the question came up in my mind to the deer at that point?"

Supervisor Kozakiewicz: "Okay. If you the development occurs?"

Dorothy Farance: "Yes."

Councilman Densieski: "That's a good question. A very good question what's going to happen to 3,000 deer if Wilpon or the next guy down the pike develops. Good question."

Councilman Cardinale: "I think it's safe to say there will be less deer."

Councilman Densieski: "Yes."

Supervisor Kozakiewicz: "I don't think we've got a good answer for you today is what I'm hearing."

Dorothy Farance: "Okay, because it does take time to come up with a good answer, a humane answer. And so you are compatible though

if somebody were to donate hay or- "

Councilman Densieski: "I don't know if the DEC allows the feeding of wild animals. I would have to check with the DEC. I know they don't want you to feed the local geese and things like that. I'm not sure what the policy is on deer but I will gladly find out."

Dorothy Farance: "Okay. But as I said, we've observed, you know, what has been done in the past in the winters when we passed there, there were piles of hay that Grumman had put out for the deer. So maybe that would take care of it. Would that stop the hunting since it's supposed to be, you know, controlling the deer?"

Councilman Densieski: "No, I don't believe that would stop the hunt. This is a recreational hunt as recognized by New York State."

Dorothy Farance: "I thought it was because a humane reason the deer were starving."

Councilman Densieski: "No. This isn't a nuisance permit, ma'am. A nuisance permit is when they go in and just kill off all the deer because of nuisance. We don't have nor did we request a nuisance permit. We have just recreational hunt as recognized by New York State. You know, they don't corral them up and shoot at them or anything like that. It's just recognized as New York State hunting. All federal- all New York State laws apply and all rules that the State applies for hunting- applies."

Dorothy Farance: "Are you saying that you can hunt then because that's like corralled in and- "

Councilman Densieski: "No, it's not like that at all."

Dorothy Farance: "What's different?"

Councilman Densieski: "This is- there's no corralling, no baiting, no feeding."

Dorothy Farance: "Well, it is fenced in and then do walk up to you and- "

Councilman Densieski: "I know some hunters that would beg to differ with you."

(Unidentified from the audience): "I'll tell you right now-

I've been there. They run."

Supervisor Kozakiewicz: "All right, excuse me."

Dorothy Farance: "All right, thank you."

Supervisor Kozakiewicz: "Thank you."

Councilman Densieski: "Thank you very much."

Supervisor Kozakiewicz: "Vince Tria. You put in a card, Vince. Okay. Zabby. Time's a ticking."

William Kasperovich: "She didn't hear you."

Supervisor Kozakiewicz: "No, she heard me. Zabby. The record-- the time is 9:26."

Zabby: "Hi. I'm Zabby and I'm here to tell you a little bit about Cablevision and we can, in fact, applaud-- "

Supervisor Kozakiewicz: "Zabby, we've been asking everybody to identify themselves and where they live."

Zabby: "Yes, I live in Selden."

Supervisor Kozakiewicz: "Okay."

Zabby: "And I just wanted to applaud both Phil Cardinale and Bob Kozakiewicz because they did write to the FCC in protest and asking for the FCC to respond to the town's needs and interest and rights because after all it's our property that's being used by Cablevision. We have given them the right of way and they should be able to compensate us for that and we should receive just compensation by the fifth amendment of the constitution.

And I have some good- news about our local C-Span concept, our channel, our second channel 71. Just this past Saturday, in Newsday on page 15, it says Silver's peace offering to Assembly Democrats. He has said that he will allow the cable casting of the Assembly in Albany and that- we'll be able to get a copy of that tape, hopefully through Cablevision, and we'll get it piped down here. And not only that, but Senator Bruno says that, in fact, he will entertain getting the Senate taped and cable cast and now we'll have our Executive-- County Executive Gaffney and get him involved and I know (inaudible)

is for photographing our Suffolk County and pretty soon we will have a local C-span and it will all have evolved because the Town Board of Riverhead responded to the public. Not only did they hear but they listened and Phil Cardinale sent the first letter out of all the east end towns for us, yes, we can applaud on April 28<sup>th</sup>.

And as Phil Cardinale pointed out and Bob Kozakiewicz is now getting involved in backing up the team now, we have the whole team working here, they have told Cablevision that if they do not stop the breach of contract and there are other breaches, too, we can't get into it all because I only have so much time, but they're working on it and, in fact, as the community needs and interests are not met by Cablevision, Mr. Kozakiewicz can send them packing. And we can get the competition that was called for also.

On November 28<sup>th</sup>, Newsday wrote an article called What Cablevision Customers Need Most, Competition. And thanks to Mr. (inaudible) in Southampton we're going to get lots of people together and Jean Cocoran in Southold and, hopefully, we'll get all of the Supervisors across the State of New York together and we will fight for our rights as a Town so that we get internet modem sales. The percentage of internet modem sales that Cablevision is refusing to give and who knows, we may go back six years and also collect the franchise fee that would have subsidized the taxes. And there is a possibility but we'll tell you about that later.

And then I did want to say that thanks to Assemblyman-Assemblywoman Pat Acampora, she also had an effect in getting that C-Span 3 concept for our State. She wrote a beautiful letter to Tom Gardner (phonetic) of Cablevision and said I am pleased to know that Cablevision has added a new channel for government educational access that's 71 by the way. Cablevision still advertises pay per view commercials on it. This is strictly our channel. Please call them and say get that off. And that's to all our residents in the east end.

So many of our residents do not have the opportunity to see our government at work, firsthand. I hope that by adding this channel live coverage of state, town and county Assembly sessions can be televised. I believe it would be an effective educational avenue which would provide our residents with up to date issues to their areas and would make them feel more a part of their government. Thank for your cooperation with the issues. Sincerely, Patricia Acampora, Member of the Assembly."

Supervisor Kozakiewicz: "And with that said, you have your five minutes and thank you, Zabby."

Zabby: "You're welcome."

Supervisor Kozakeiwicz: "Okay. Bill Kasperovich. George is last because he came in late and filled out his card."

William Kasperovich: "William Kasperovich from Wading River. There are two major things, items that I'll talk about. See how the time goes. (Inaudible) unable to see some of the (inaudible) by Long Island Power Authority and I was- "

Councilman Kent: "Thank you, Zabby, I couldn't hear a word he was saying."

Supervisor Kozakiewicz: "All right, Zabby. Let Bill speak."

William Kasperovich: "(inaudible) of the opinion that the (inaudible) of quality of water and when I heard some of the people talking about the gas line running down Sound Avenue from Edwards to Route 25A (inaudible) what state of talk or action is this at today. Transmission gas line on Sound Avenue, between Edwards and 25A. Is there anything acting in the Town Hall on this?"

Supervisor Kozakiewicz: "I'm unfamiliar with anything with regard to this. I'll be honest. I know that LIPA came in to see us at work session this past Thursday in order to talk about a discussion with regard to a new transmission system to connect up to Mattituck and to the north fork. And they presented statistics regarding the use and demands that are being placed on the system, what occurred last summer, what occurred this summer, and to substantiate why they feel they need to upgrade the current or one of the transmission systems which dates back, what did they say-- Calvin Collidge. Is that what they indicate?"

Councilman Densieski: "1823."

Councilman Lull: "There was no discussion."

Supervisor Kozakiewicz: "So, I don't remember any discussion about a gas main nor any- nor do I recall seeing anything come in with regard to a gas main."

William Kasperovich: "The reason I bring it up is that in this

township there isn't a solitary individual that is either learned or experienced in gas line transmission. This is a technology above and beyond the knowledge of anybody here. And it's a serious matter. The same as gasoline tanks and gas stations were put underground maybe when they rust away we'll take care of it. We don't have to elaborate on the hell they raised and the difficulties we had to go through with this situation when it came to be. This is in our lifetime. Seeing how Long Island Power Authority works, this is a word of caution (inaudible).

The next item I believe we have a lack of rectitude here. The use of the Town Board under the nomenclature of work session has in my opinion gone out of hand. When a vote is taken (inaudible) or by a nod of the head or a movement of the arm, it's- what's the word- (inaudible) to get three consents. When this procedure is brought into work session it is no longer a work session, it is a Town Board meeting and should be conducted as a Town Board meeting not a work session. Now, I saw this done last Thursday and I thought this would be an appropriate time to bring it to your attention, each and every one of you that work sessions are work sessions and Town Board meetings are Town Board meetings. And you don't solicit acquisition or denials when there is no (inaudible) there is no formality on record. When you give a verbal consent to somebody in the business world, they look for you to live up to your word. And in a work session, I don't think you're entitled to do that unless you are going to call it a Town Board meeting.

I trust that you gentlemen will review this situation and keep your work sessions to a work session for the benefit of the town not as a device to simplify procedure. Because this simplified procedure turns around and nips us in the backside for lots of dollars. And especially not to the benefit of the residents. Thank you."

Supervisor Kozakiewicz: "Okay. John Murray."

John Murray: "Good evening. My name is John Murray. I live at 85 Baywood Drive, in Baiting Hollow, the Country Farms subdivision. First of all I want to start on a positive note and thank the town for paving Baywood Drive. I've been living there for nine and a half years and it's nice to see it paved.

My understanding is that this 13 acre preserve that's in the front on Sound Avenue, three acres of that, the owner could apply for a special permit to put up a greenhouse. If that's the case, then I ask that access be restricted to Sound Avenue, from his own property,

not Baywood Drive. And I have to use the words conceptual site plan or schematic site plan, it should show a buffer of coniferous trees at least 15 feet wide if he does get permission to screen- I mean permission to put up a greenhouse. But I would respectfully request that the Town Board deny a special permit application for a greenhouse. Thank you."

Supervisor Kozakiewicz: "Thank you, Mr. Murray. William Gilmore. William Gilmore. Oh, okay, I'm sorry, I didn't see you."

William Gilmore: "I almost fell asleep back there. How are you doing tonight, Councilman Cardinale, Densieski- "

Steve Haizlip: "Can't hear you."

William Gilmore: "Oops, sorry. My name is William Gilmore. I live at 527 Center Street, S. Jamesport. I'm here tonight about a code enforcement, Robert (inaudible), who has a little bit of developing down in Jamesport. Recently he started tearing apart what was left of the (inaudible). Right now there's a pile of garbage into Center Street at the beach access. It's approximately 32 feet long, extends 12 feet into the road, it's about 2 and ½ feet high. It contains assorted amount of debris, wood shingles lay there, I believe asbestos shingles, asphalt shingles. Last week the town was notified as per Mrs. (inaudible) who called Matt White and I believe Mark Kwasna and nothing has been done since. She was asked by the town to contact the police department and she called me, asked me to contact the police department which I had done, I believe, on Friday. Again, the pile is still there.

This morning, I contacted Matt White's office and left a message on his voice mail. Nobody's gotten back to me and the pile is still there. This is what I took prior to coming here tonight. I think something should be done. The kids, dogs, animals play there, the stuff is blowing all over the beach, up and down the road. Mr. (inaudible) feels he can get away with just about anything he likes to. He kind of (inaudible) his nose at the law.

Among other things that he's also done was last week he illegally hooked LIPA lines from the tower run (inaudible). He had some guy go up on a ladder and wire it up. Again, Mrs. (inaudible) and I called LIPA, they came and disconnected them.

I noticed he ripped the roof off which he doesn't have a visible permit displayed. I was told he does, in fact, have a permit or

applied for one but the work is continuing and he has not displayed a permit. Also to my knowledge of construction on old houses, the support structures or the 2 by 6 are 24 inches on center with lathing and then cedar shingles applied to. When it was ripped back down to the support structures which would be the 2 by 6's, when it's 24 inches on center, you cannot put half inch plywood onto the structure. It just cannot withstand weight and-- also talking 13 feet. These (inaudible) 15 feet long from the rafter (inaudible) to peak. And he's got 2 by 6's, 24 inches on center with one half inch plywood applied to it. That's a direct violation of the building code. The building could collapse. I mean it's only a piece of garbage as it is. It has no interior, it has no structure, the foundation is crumbling and the outside is crumbling and the town has been asked to condemn that project (inaudible).

He also has put on a whole new roof where he has taken off a section approximately 13 and a half feet wide by 11 and a half feet long where he has put in new 2 by 6's with half inch plywood, again in direct violation. I would like to see some response.

He also ran new electric from the side of his building to (inaudible). Again, no permit obtained. (Inaudible) And, again, I think the one shingle, the whole outside of the building and also the Bayview, I believe, were covered with asbestos shingles which (inaudible). If that's the case, he needs to have a hazardous waste place come in and remove those asbestos shingles. You can't just rip them off and throw them in a dumpster. I may be mistaken, I'm not sure.

I have a map which also shows the location if you'd like to- "

Councilman Densieski: "We know where it is."

Councilman Lull: "That's okay."

William Gilmore: "I also happen to be a neighbor of the property."

Supervisor Kozakiewicz: "Okay. All right."

Councilman Lull: "I won't speak- the Supervisor won't speak because he's busy taking notes and the way he's taking notes I can guarantee you'll hear back from him tomorrow."

William Gilmore: "Thank you very much."

Supervisor Kozakiewicz: "Thank you. One last card which is Mr. Schmelzer. Does anybody want to address the Board so I can save George for last?"

Councilman Densieski: "You can leave that to bring to Councilman Cardinale's office if you'd like."

Councilman Cardinale: "It will fit right in, right."

Supervisor Kozakiewicz: "Steve, do you want to come up one more time? Sure. And then we'll finish with George and we'll take up resolutions."

Steve Haizlip: "Steve Haizlip of Calverton. You're next, George. When Mr. (inaudible) spoke about getting deeds, one deed was cleared and the other deed wasn't, reminds me when a tenant was in a place and two houses and he got to use one well with a pump and it was set up so that each house could draw water out of that well. Now, when it come to testing the tenant in the houses the inspector went and drew water out of one house, then he drew water out of another house. What do you know? One failed and the other one didn't."

Supervisor Kozakiewicz: "Thank you, Steve."

Steve Haizlip: "And I've got the deeds."

Supervisor Kozakiewicz: "George Schmelzer."

George Schmelzer: "I don't have to repeat my name, you did it. I live in Calverton, New York, not Calverton, Virginia. I know- "

Supervisor Kozakiewicz: "No one said you live in Calverton, Virginia. Okay."

George Schmelzer: "I wanted to make sure- I know that you've got the three lawyers on the Board, but you've got them separated. It's a smart idea, they can't conspire. Bad enough when you get together. I didn't receive that letter like you said you would send about notifying- "

Supervisor Kozakiewicz: "I thought you were going to come in and get it."

George Schmelzer: "No."

Supervisor Kozakiewicz: "Okay."

George Schmelzer: "I thought maybe I had to leave a stamp off in your office."

Supervisor Kozakiewicz: "Yeah, that would be good. I could save the taxpayers \$.33."

George Schmelzer: "Okay. This Scenic River nonsense, when they passed it, it was Senator LaValle and our Supervisor, Janoski. But if the boat had turned over in the river, the muddy bottom might have been better. But it broke- Walter (inaudible) he had his pond for sale and (inaudible) the buyer walked away, couldn't use the land. So (inaudible) nothing, the town didn't care. They didn't care all along. Now when it bothers the Grumman land, that's different, see. What a difference it is when the town is involved now. Maybe you get rid of that damn thing. Altogether, have you tried to do that?"

Supervisor Kozakiewicz: "There have been discussions with DEC about taking the line down to Grumman Blvd."

George Schmelzer: "I mean go to the- "

Supervision Kozakiewicz: "No, I don't think they're going to entertain legislation to eliminate the Peconic River as one of the Wild Scenic rivers if that's what you're suggesting. No."

George Schmelzer: "Well, you ought to extend it to Peconic Bay Blvd. Give them people who want- give them some of their own medicine. How about that? These are (inaudible) people along the river here but (inaudible) Peconic Bay Blvd. Include that. See what they'll do."

Councilman Lull: "That's freshwater, George."

Supervisor Kozakiewicz: "Thank you, George. I don't think that's a river though when you get down to Peconic Bay Blvd."

George Schmelzer: "Yeah, well, they can do anything they want. And when we had that referendum vote, three of the five voted against it. They figured the serfs have no rights to decide what they want, only pay taxes. That's all the serfs can do. We know better than they do. But one of those who voted for that thinks the deer have more rights than the taxpayers. He wants to answer that, let him answer. I guess he doesn't want to answer. You know who it is."

Speaking of deer, the deer have nothing to eat there, we put about two dozen loads of cull potatoes at the shooting range, not for the people to shoot with but for the deer so they can eat those potatoes all winter. You see them eating the potatoes. There's about 30 deer that eat those potatoes, they survive good there, see. Because of the potatoes, we put them there every year. So if the environmentalists want to say anything, let them come over and take a look."

Supervisor Kozakiewicz: "Those potatoes aren't infested with (inaudible) or anything like that, are they?"

George Schmelzer: "Well, it doesn't bother the deer."

Supervisor Kozakiewicz: "Oh, okay. Okay."

George Schmelzer: "Maybe they can do something to get the ticks off the deer. Now, this Wading River Creek, have you given up on that?"

Councilman Cardinale: "Oh, yes."

Supervisor Kozakiewicz: "Wading River Creek. When you say given up on it, what do you mean?"

George Schmelzer: "The case that had- "

Supervisor Kozakiewicz: "The case. The case had gone up to the Court of Appeals. We asked the Court of Appeals to entertain it. The Court of Appeals has declined. We've exhausted our legal remedies."

George Schmelzer: "Well, that's a smart lawyer you had. Two years ago when he started that, I tried to help him, it was no use. He didn't use all the evidence. You've got two lawyers on the Board, they didn't watch the guy. So, at the same time, they were suing Brookhaven to get the old boundary back, they were suing the Lighting Company to dig up the street where it shouldn't be. Wasn't that some brains?"

Supervisor Kozakiewicz: "They're unrelated actions and one doesn't impact the other."

George Schmelzer: "Sure did. You see what happened."

Supervisor Kozakiewicz: "Well, you're entitled to your opinion."

George Schmelzer: "You see what happened. What happened? What went wrong?"

Supervisor Kozakiewicz: "I can give you a copy of the decision. You can read what the Court determined but one had nothing to do with the other."

George Schmelzer: "What made- what created the laws then? What made the laws?"

Supervisor Kozakiewicz: "We can argue this point until we're blue in the face."

George Schmelzer: "Tell me. What do you think- "

Supervisor Kozakiewicz: "The Court decided that the precedent the Town was citing for the theory that the boundary had been moved by (inaudible) or (inaudible) was not the relevant case. They looked at the language that the state had utilized when it enacted the boundaries and said when the state enacted the boundaries, there was no discussion of the Wading River Creek in that state legislation. And as a result, the Court found against us. I don't know how that has anything to do with the LIPA or LILCO suit concerning dredging."

George Schmelzer: "The boundary was enacted by an agreement between- "

Supervisor Kozakiewicz: "There was a patent."

George Schmelzer: "-- between the town and Southold in 1709."

Supervisor Kozakiewicz: "Right. But what I'm saying is the Court did not latch onto that. The Court looked at the state legislation."

George Schmelzer: "Somebody fouled up."

Supervisor Kozakiewicz: "Well, that's again the rationale the Court used. So- "

George Schmelzer: "Yeah, so- "

Supervisor Kozakiewicz: "You can read the decision."

George Schmelzer: "Yeah, about the airport. You- you made a big mistake giving it to Riverhead. If they didn't defend the country that way, I feel sorry for the country. Now it's like giving a new, brand new \$50,000 car to a five year old kid. Here's the keys, son, do what you want. Really, just as bad. Now- "

Supervisor Kozakiewicz: "I'm sure there's a few people who are saying there's other things that are bad, too, but I won't go into that."

George Schmelzer: "If you want me to, I will."

Supervisor Kozakiewicz: "No, we don't have to."

George Schmelzer: "Okay. Now they say people have to wait four hours to get a flight at LaGuardia now and they say this is too far out. It will take them an hour to get to the city from here. There's plenty of room here. You might see the day not too far off when they'll demand and the Port of New York Authority will condemn this because they need it and Riverhead will get nothing. You could make a deal with them now, sell it to them for a buck, with the guarantee by law, you can make a law like that, that they pay the land taxes forever after. Riverhead wouldn't have a mess. They don't know what they're doing anyway. Like a couple years now I've called the town the Town of Riverheadless. The name still sticks, I think."

Supervisor Kozakiewicz: "Thank you, George. Five minutes. It's been five minutes."

George Schmelzer: "You didn't say anybody else about five minutes. Spoke 15 minutes (inaudible)."

Supervisor Kozakiewicz: "That's not true. That's not true."

George Schmelzer: "Yes, it is. A lady spoke here 15 minutes."

Supervisor Kozakiewicz: "George, George. Five minutes. Thank you."

George Schmelzer: "Yeah, well, you treat everybody else the same, you always try to cut me down but others and you don't say a word. Yeah."

Supervisor Kozakiewicz: "I did stop Zabby at five minutes as well."

George Schmelzer: "What are you doing about this drain on East Main Street filled up? Anything happen yet?"

Supervisor Kozakiewicz: "You should- I don't have an answer today. I know we talked about this and we discussed it and it's Vector and I don't know the answer to it, George. I think that's the state or the county and it's Vector. Right?"

George Schmelzer: "It's a state road."

Supervisor Kozakiewicz: "It's a state road but the drainage is not the state's. It's the Vector's."

George Schmelzer: "It's what?"

Supervisor Kozakiewicz: "It's Vector controls. They're obligated to maintain it. It's county. So speak to the county."

George Schmelzer: "Well, speak to the county. You mean (inaudible)?"

Supervisor Kozakiewicz: "That's correct."

George Schmelzer: "Well, you call it a Vector pipe then. Well get them to dig it out then. Maybe they will."

Supervisor Kozakiewicz: "Thank you, George."

George Schmelzer: "Yeah, well, this Grubb- this guy Grubb gets a million dollars a year to do nothing for the airport. What do you need him for? Can't the town do it itself or are they unable to? (Inaudible)."

Supervisor Kozakiewicz: "George, I'm not even going to respond- dignify that with a response. If you're done, five minutes is up. All right."

George Schmelzer: "The lady spoke for 15 minutes. You never said a word."

Supervisor Kozakiewicz: "George, I'm going to ask the Chief to come in and escort you out. Do you want me to do that?"

George Schmelzer: "Go ahead, you ask him."

Supervisor Kozakiewicz: "Enough is enough."

George Schmelzer: "Yeah."

Supervisor Kozakiewicz: "You want- you say the same things every meeting. We've been hearing this for four years."

George Schmelzer: "You never get a right answer."

Supervisor Kozakiewicz: "Well, that's your opinion."

George Schmelzer: "Yeah."

Supervisor Kozakiewicz: "Five minutes, George."

George Schmelzer: "You don't know- "

Supervisor Kozakiewicz: "Please sum up. George, please sum up."

George Schmelzer: "Yeah. I'll sum up. You get the same answer every time. You don't know anything."

Supervisor Kozakiewicz: "Thank you."

George Schmelzer: "Yeah, and you're welcome."

Supervisor Kozakiewicz: "Have a seat."

George Schmelzer: "You went 15 minutes- "

Supervisor Kozakiewicz: "Have a seat."

George Schmelzer: "You never said a word."

Supervisor Kozakiewicz: "Have a seat."

George Schmelzer: "Yeah, I'll have a seat."

Supervisor Kozakiewicz: "Take up resolutions."

Resolution #1046

Councilman Lull: "1046- we'll wait just a second. Resolution 1046, the Supervisor asked for for committee reports. Our committee report is here. There are nine resolutions here coming up that are from the Personnel Committee. This is number one. Accepts the resignation of Catherine Murrell in the Nutrition Department. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1047

Councilman Densieski: "Approves extension of leave of absence for William Bilski. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded. I have a discussion on this. Under the contract I believe we're limited to six month leave of absence. If you take this and read it in conjunction with the next resolution; the next one talks about a six month leave. So I believe it should be amended to provide for a six month leave of absence."

(There was some inaudible discussion among the Board members.)

Councilman Densieski: "Yes, as amended."

Councilman Lull: "The amendment."

Barbara Grattan: "To read as six months?"

Supervisor Kozakiewicz: "Yes. So it would be June- June 13<sup>th</sup>, 2001."

Councilman Kent: "In both places."

Barbara Grattan: "Who did the amendment?"

Councilman Kent: "I got it right- oh, he moved it? Bob can't move an amendment."

Supervisor Kozakiewicz: "I can't move it; I just had a discussion. So I don't think it was ever moved for amendment."

Councilman Lull: "Okay, I'll move the amendment."

Supervisor Kozakiewicz: "Okay."

Councilman Cardinale: "Seconded."

Barbara Grattan: "Who seconded it, Cardinale?"

Councilman Cardinale: "Yes."

Supervisor Kozakiewicz: "All right. Moved and seconded. All right. Vote please."

Supervisor Kozakiewicz: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted as amended."

Resolution #1048

Councilman Kent: "1048 grants a leave of absence for Charlene Kagel from December 13<sup>th</sup> to June 13, 2001. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "We've lost a valuable employee, but I'll vote yes."

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

Councilman Cardinale: "Yes. I hate to see Charlene go as well but this will give her the opportunity to reconsider for six months. So, I'll vote yes."

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

Councilman Cardinale: "She may miss Jack Hansen and want to come back. You never know."

Resolution #1049

Councilman Lull: "Accepts the retirement of Mary Lalomia in the Nutrition Department after quite a few years of dedicated service. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Yes. I'd like to thank her for her years of service. Yes."

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

Resolution #1050

Councilman Densieski: "Promotes Maintenance Mechanic III in the Department of Street Lighting. That's Milton Tyte. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1051

Councilman Kent: "Promotes Joseph Quigley to the position of Maintenance Mechanic III. 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 #1052

Councilman Lull: "Promotes Mark Griffin to Maintenance Mechanic IV in the Street Lighting Department. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1053

Councilman Densieski: "Appoints full time account clerk typist in the Highway Department, Donna Testa. 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 #1054

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

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Cardinale: "This is for the 2001 winter recreation program. I vote yes."

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

Supervisor Kozakiewicz: "I was just looking to see if there's any stress management programs, yes."

Barbara Grattan: "The resolution is adopted."

Resolution #1055

Councilman Kent: "This is a general town debt service budget adjustment of \$122,910. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Cardinale: "This is the first of what has to be several dozen budget adjustments in which Jack Hansen works his December magic. I vote yes."

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

Resolution #1056

Councilman Densieski: "Water debt service budget adjustment. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1057

Barbara Grattan: "Resolution #1057, Councilman Lull."

Councilman Kent: "Just before we do 1057, I think the very top number in the from column has to be \$4,700 and I spoke to Jack about it and that's correct."

Councilman Lull: "As amended."

Supervisor Kozakiewicz: "That's the very top. The very, very top one."

Councilman Lull: "From appropriated fund balance, \$4,700."

Supervisor Kozakiewicz: "It says \$4,000 presently."

Councilman Lull: "Yes."

Supervisor Kozakiewicz: "It should be \$4,700."

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

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "I notice that these initially- the first three of these and some of the others as we go through here are appropriated fund balances moving from the balances which is the surplus to other accounts which are overdrawn."

Supervisro Kozakiewicz: "Excuse me? Zabby, Zabby, we're trying to conduct Town Board business. If you wish, you can go outside and discuss matters. Thank you."

Councilman Cardinale: "As I was indicating, they are from appropriated fund balance to I assume make right in an accounting sense the overdrafts in other department budgets. I am aware that this is necessary each December. I am hoping that someone is keeping track of who goes over budget and why so that we can correct it next time around so we don't have to do this. I vote yes."

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

Resolution #1058

Councilman Kent: "This is a budget adjustment in the Parking District, \$4,000. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Lull: "Part of this is an opening up of six more

parking spaces behind Barth's Drug Store with the moving of the Swezey fence, Swezey's fence, yes. So moved, seconded. Yes."

Supervisor Kozakiewicz: "Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #1059

Councilman Cardinale: "1059 is a Street Lighting District budget adjustment, \$5,000 from again appropriated fund balance or surplus to overtime expense and lighting maintenance. So moved."

Councilman Kent: "It is within their own department though."

Supervisor Kozakiewicz: "It's in the Street Lighting- "

Councilman Cardinale: "It's an important distinction, yes."

Supervisor Kozakiewicz: "Moved and seconded. Was it seconded? I don't think there was a second on it."

Councilman Lull: "Yes, I seconded it."

Supervisor Kozakiewicz: "Okay, moved and seconded. I didn't hear it."

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

Resolution #1060

Councilman Kent: "1060 authorizes the Supervisor to execute a change order No. 1 for Cliff Road West drainage improvement project, \$8,600 change order onto the \$147,784 project. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1061

Councilman Densieski: "It's a Workers Compensation Fund budget adjustment. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Lull: "I would much prefer that if there was a parenthesis where it says judgments and claims because the way it reads it says judgments and claims, refuse and garbage. The judgments and claims, refuse and garbage, yes, so moved, second, yes, whatever."

Supervisor Kozakiewicz: "I voted yes."

Resolution #1062

Councilman Kent: "This is a budget adjustment in the risk retention fund-- a lot of money. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1063

Councilman Densieski: "Sewer District budget adjustment. Same amount as Councilman Kent said. 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 #1064

Councilman Lull: "Repair and maintenance reserve fund budget adjustment. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1065

Councilman Kent: "This is a budget adjustment in the Water District. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1066

Councilman Cardinale: "This is an Economic Development Zone budget adoption. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Kent: "This is receiving grant and aid money and applying it to the expenses that we incur. Yes."

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

Councilman Lull: "I thought it was Ed's. Yes."

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

Resolution #1067

Councilman Densieski: "The Town of Riverhead Animal Shelter fund budget adjustment of \$500. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Lull: "People make donations to the animal shelter fund. They can make donations that apply to our spay neuter program and I encourage anybody out there listening who would like to make any donations to our spay neuter program to do so. Yes."

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

Supervisor Kozakiewicz: "But it should be pointed out this is not for the spay neuter, this is for building improvements. Yes."

Councilman Lull: (Inaudible)

Barbara Grattan: "The resolution is adopted."

Resolution #1078

Councilman Cardinale: "This is the So. Jamesport Ave./Somoza Chapter 54 capital project budget adjustment, \$2,000 in real property taxes to clean up expense. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "I'm going to vote yes here and also note that we learned this week that, hopefully, by January the motion that we have made to dismiss the final action here will be completed and successful and we will be able to, we hope, proceed to tear down the Lebanon building. So I vote yes on this."

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

Resolution #1069

Councilman Kent: "1069 was a puzzlement to me. Parking Meter Fund but I found out the answers. There was a balance left in the Parking Meter Fund and \$350 is to take care of the telephone that was at the comfort station. And the \$12,000 is the amount we agreed to take from this fund and put into- contribute towards the sidewalk improvements in front of the movie theater. So with those, I'll move this resolution. It's the Parking Meter Fund budget adjustment. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1070

Councilman Densieski: "Sewer debt service budget adjustment of \$161,350. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1071

Councilman Lull: "Y2K Recreation capital improvement project budget adjustment. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1072

Councilman Cardinale: "This is a senior citizen day care center

fund budget adjustment, \$5,000 from state aid, \$33,000 from general fund to personal services and social security. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1073

Councilman Lull: "Refuse and Garbage district budget adjustment. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1074

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

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1075

Councilman Densieski: "Special trust budget adjustment. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Kent: "Do you want to- okay, just a quick explanation."

Supervisor Kozakiewicz: "Discussion."

Councilman Kent: "The monies coming out of the Park and Rec fees are unanimously approved by the Rec Advisory Committee. The first two transfers are self-explanatory, one's going to the PAL storage building which is being used by the soccer program; children's playground at Stotzky Park which is going through major improvements. The 1998 Rec improvements included the completion of the South Jamesport tennis and basketball courts resurfacing, the light installation, the landscaping and the guardrail. The '99, was the Stotzky Park drainage between field 3 and field 4. And the 2000 includes Millbrook Gables playground improvements which include a basketball court, playground equipment, park equipment. The basketball and volleyball storage shed at the high school which is just a trailer that we put outside the high school gymnasium. Millbrook Gables landscaping. The master plan for Stotzky Park (inaudible). The Hulse Landing Road access ramp which was (inaudible) to that road), and the Grangible Park improvements. So it's everything we've done in Rec fees and I second the resolution."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Lull: "I think it's just a great idea. From probably part of Jack Hansen's special sense of humor, we have a major budget item referred to as special trust. Yes."

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

Resolution #1076

Councilman Kent: "This is a budget adjustment for the municipal garage, \$4,000. 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 #1077

Councilman Cardinale: "Unemployment insurance reserve fund budget adjustment. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1078

Councilman Lull: "Authorizes the Town Clerk to publish and post a help wanted ad for a full time automotive equipment operator in the Highway Department. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1079

Councilman Kent: "We've done this so much lately. Awards the bid on a new Ford F-450 super duty w/telelect hi rancher T136P aerial lift device. I will move that resolution."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "Go ahead, Ed, you can vote. We'll let you."

Barbara Grattan: "I just want to see if you guys were awake."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "I wish I knew what this was. Could

you?"

Councilman Densieski: "It's used for cutting down limbs in high places and it doesn't- it's done by hand. It's not one of those machines that rips the trees down."

Councilman Cardinale: "Yes."

Councilman Densieski: "It will cut each limb individually. It's a lot better for trees."

Councilman Cardinale: "And it's expensive, \$74,895. But a worthy cause, huh?"

Councilman Densieski: "Absolutely."

Councilman Cardinale: "I would vote yes."

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

Councilman Kent: "Well, the way we used to do this, we used to just take the mower- just take the mower up sideways and just run along and cut the trees alongside the road. And we were told one time that it was a terrible for the trees. I think some botanist came in one night and told us how bad it was."

Councilman Densieski: "Plus it's ugly."

Councilman Kent: "Yes. So this is the right equipment for the right job. Yes."

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

Resolution #1080

Councilman Lull: "Awards bid for abandoned junk motorcycles and mopeds of \$11.44 apiece. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes."

Councilman Densieski: "It was awarded to Outpost Automotive, Inc. Yes."

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

Councilman Kent: "If you had bid 11.45, you could have had this abandoned junk. I vote yes."

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

Resolution #1081

Councilman Densieski: "Awards bid for abandoned junk vehicles to Outpost Automotive, Inc. for \$25.52 per vehicle. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Kent: "Does this include any town vehicles? Yes."

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

Resolution #1082

Councilman Lull: "I don't remember seeing any information about the bids for snow removal."

Councilman Cardinale: "I don't either."

Councilman Densieski: "I don't either."

Supervisor Kozakiewicz: "Yeah, the bids were opened and Barbara's office did distribute them. There was a certain amount for base amount and then based upon incrementals, there was additional sums. There was only this one bid."

Councilman Lull: "Just the one bid. Okay. All right. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Comment as usual."

Supervisor Kozakiewicz: "I spoke to the Highway Department."

Councilman Densieski: "I don't care what the Highway Department said, sir. I'm voting no because we have a Highway Department and we're wasting money up at the Grumman property again. So I'm voting no."

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

Councilman Cardinale: "Well, out of sympathy for our- for my frugality and Ed's strong feeling I'm inclined to vote no, too. But for another reason as well. I think there was only one bid here which disturbed me a little and it was- and I do not have it attached so I don't remember what the amount was. There was only one bid here."

Councilman Lull: "There was only one bid and it was a two-phased bid, I think."

Councilman Cardinale: "Yeah. So I'm concerned that we might better put it out to bid than to accept it. I'm also not anxious to spend any more money than we must out there. So I will vote no."

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

Councilman Kent: "You want to go out to bid again is what you're saying and rebid it?"

Councilman Cardinale: "Yeah, there was only one bid and that disturbed me. Why wasn't somebody else- "

Councilman Densieski: "You're not going to have time to go out to bid again."

Councilman Kent: "Why, do you think it's going to snow tonight?"

Councilman Densieski: "Well, I think it will snow by the time you go out to bid and get your- go out- you've got to post and publish."

Councilman Kent: "How many years has it been since it's snowed here?"

Supervisor Kozakiewicz: "1996 was the bad last year."

Councilman Kent: "Do you want to roll the dice one more time?"

Supervisor Kozakiewicz: "That's up to you guys."

Councilman Kent: "Do you recall what the bid was? I don't even recall."

Supervisor Kozakiewicz: "The numbers were distributed by Barbara. I don't have them in front of me at this point."

Councilman Kent: "Was there a flat fee and then there was a fee associated- "

Supervisor Kozakiewicz: "There was a certain base amount and then if there was certain additional incrementals, there was an additional amount. Right, exactly."

Councilman Kent: "And this is the guy that did it last time, too, New View Landscaping."

Supervisor Kozakiewicz: "That's right."

Councilman Kent: "But I'm going to vote yes because I think Ed's right. If we probably went out to rebid it, we might get caught and then I spoke to Mark Kwasna about this also and he does not feel he has either the manpower or the equipment to go up there in a snowstorm and do the snow removal at the Grumman site in addition to snow removal on all the town roads. So I'm going to vote yes."

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

Supervisor Kozakiewicz: "As pointed out, the issue was discussed with the Highway Superintendent, Mr. Kwasna, as to whether the Highway Department could, in fact, take on this additional responsibility. And as pointed out by Councilman Kent, he advised that he felt he couldn't do it and adequately take care of the town highways. Based upon that, I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #1083

Councilman Cardinale: "1083 authorizes the Town Clerk to publish and post notice to bidders removal and disposal of screenings and grit Riverhead Sewer District Joint Riverhead Southampton Scavenger Waste District. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1084

Councilman Lull: "Awards bid for Benjamin Corwin electrical improvements. The bid to Mainline Electric and the \$17,870 to be spent there all comes out of state grant money. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1085

Councilman Kent: "We have a series of bids so we can find out the price of what it is going to cost for the improvements to the Suffolk Theater. I don't know if we want to take them as a whole- "

Councilman Densieski: "Yes, do them all."

Councilman Kent: "I think they will also be identical. 1085 is a general construction contract; 1086 is a mechanical contract; 1087 is a plumbing and fire sprinkler contract; 1088 is the electrical contract; 1089 is the audio visual contract; and 1090 is the decorative painting contract. And that's it. And they are all authorizing the Town Clerk to publish and post notice to bidders for interior renovations to the Suffolk Theater for all of the foregoing contracts. And I move them as one package."

Supervisor Kozakiewicz: "Thank you. Is there a second?"

Councilman Lull: "I'll second."

Supervisor Kozakiewicz: "Moved and seconded as one package."

Councilman Cardinale: "Second."

Supervisor Kozakiewicz: "No. Lull did it already."

Councilman Cardinale: "I didn't hear him."

Supervisor Kozakiewicz: "He jumped the gun."

The Vote: "Densieski."

Councilman Densieski: "Comment. They've done a fair amount of work to get this to this point to go out for bid and I think it would be irresponsible not to follow through when we see what the bid is going to be. So I'm going to vote yes."

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

Councilman Cardinale: "My curiosity is great here, too. Although I am as everyone I think knows not likely to support the expenditure, I'm curious to see if we can bring these bids in even in excess of the \$2.5 estimated. So I will vote yes to see what they are."

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

Councilman Kent: "For the reasons already stated, yes."

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

Resolution #1091

Councilman Kent: "I think we move the rest of the resolutions as one, okay? No."

Councilman Densieski: "Second."

Councilman Kent: "Authorizes the Town of Riverhead to accept surplus 1987 Chevy Q-Van from the Town of Brookhaven. So moved."

Councilman Lull: "I will second getting a 13 year old Chevy

van."

Supervisor Kozakiewicz: "Moved and seconded, for \$1.00."

The Vote: "Densieski."

Councilman Densieski: "Discussion. Sorry, guys. I'm glad that Brookhaven is giving us a van for a dollar or whatever it is here, for free. I think that's great. I think we have to be very careful that we're not setting ourselves up to create another department, maybe a haz mat department. I think the fire department handles those things. I think they do a great job. I think we better be careful here. But I'm going to vote yes to take a free van."

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

Councilman Cardinale: "My concern was that this 13 year old donated van might itself be a hazardous material. But according to what I read, we actually looked at this van and we still wanted it. So I vote yes for a donated van. We can always get \$25.52 for an abandoned vehicle as per our recent bid."

Councilman Lull: "We can cut it in half and get- "

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

Councilman Kent: "For the reasons stated by Mr. Cardinale, I think we should accept it. Yes."

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

Supervisor Kozakiewicz: "It does not need to be used for haz mat. It can be used for emergency response as pointed out in the resolution. Thank you. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #1092

Councilman Lull: "Authorizes the Supervisor to extend agreement between Crown Sanitation and the Town of Riverhead for the disposal of Town of Riverhead generated waste. So moved."

Councilman Kent: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1093

Councilman Cardinale: "This authorizes the Town Clerk to publish and post public notice of public hearing special permit of Zoumas Contracting Corp., Anna Lafata. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Yes, to post and publish."

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

Councilman Kent: "There was someone who presented something to the Board one time when something is so ridiculous that we should not even consider it, we should just reject it outright and not even have a public hearing and waste all of our time. Do you remember that suggestion to us one time?"

Councilman Cardinale: "Yes, yes. That was Walter Guzzari (phonetic). Yes."

Councilman Kent: "Yes. This might be one of those instances where we should just say no and not even entertain the special permit application. I would vote no."

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

Resolution #1094

Councilman Densieski: "Authorizes the Town Clerk to publish and post notice of a public hearing for a special permit petition of Michael Davis. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "You waited here all night for that?"

Resolution #1095

Councilman Kent: "It's sort of (inaudible) though, isn't it?"  
This accepts- 1099 accepts the- 1095, excuse me, accepts the performance bond of Cherry Creek, Inc."

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 #1096

Councilman Densieski: "Approves temporary sign permit of Hidden Ponds at Wading River. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1097

Councilman Cardinale: "This approves the temporary sign permit of warehouse sale by Designs up at Tanger. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Did any of the Board members see that because I don't remember seeing that one."

Councilman Lull: "Yes, we saw it."

Councilman Densieski: "You did? Okay. So I'll vote yes."

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

Councilman Lull: "Question for Dawn. If the sketch had been approved by three Town Board members, do we still need to have a resolution or can we skip these things?"

Dawn Thomas: (Inaudible)

Supervisor Kozakiewicz: "I think the code requires a resolution, I believe."

Councilman Lull: "Okay. Okay. Yes."

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

Resolution #1098

Barbara Grattan: "Resolution #1098 authorization to pay bills."

Councilman Kent: "So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Supervisor Kozakiewicz: "We have a resolution to take off the table. Is there anyone to take- 920 off the table?"

Councilman Densieski: "Authorizes the release of performance bond of Peconic Bay Golf. So moved. Oh, I'm sorry, Jim."

Councilman Lull: "That's all right. You're moving- "

Supervisor Kozakiewicz: "You're taking it off the table."

Councilman Kent: "I'll second to bring it up."

Supervisor Kozakiewicz: "Okay. Moved and seconded to take it off the table."

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes, to take it off the table."

Barbara Grattan: "It's off the table."

Councilman Lull: "I'll move the resolution."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded. Vote."

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

Supervisor Kozakiewicz: "Adjourned. Thank you."

Meeting adjourned: 10:15 p.m.

*Barbara Grattan*  
Town Clerk