Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York 11901 on Tuesday, December 15, 1998, at 2:00 p.m.

Present:

Vincent G. Villella,	Supervisor
James B. Lull,	Councilman
Philip Cardinale,	Councilman
Christopher Kent,	Councilman

Also Present:

Barbara Grattan,	Town Clerk
Adam Grossman, Esq.,	Town Attorney

Absent:

Mark Kwasna,	Councilman

Supervisor Villella called the meeting to order at 2:00 p.m. and the Pledge of Allegiance was recited, led by Curtis Highsmith.

Supervisor Villella: "Thank you, Curtis. We are going to approve the minutes of December 1st meeting."

Councilman Lull: "So moved."

Supervisor Villella: "Is there a second?"

Councilman Kent: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Lull, yes; Villella. Yes. 4 yes, 1 absent."

Supervisor Villella: "Let's go down-- we have a special assignment here for Mr. Henry Tyte-- come on guys. Mr. Tyte, we finally sent it to the right address. How are you doing? This is from the Site Council of the Senior Citizens. Are they here? Is anyone from the Site Council here? Please come up. The Site Council today is recognizing Mr. Henry Tyte 1998 to be the Senior Citizen of the Year award in appreciation for many hours of volunteer service in

the community. And we want to congratulate Mr. Tyte. Thank you very much. Senior Citizen Advisory Council, can you please come up? Henry. Anyone else? Get everybody in the picture. These are the people-- I'm telling you, they do a tremendous job and just continue doing the great work that you're doing and we have to take care of our seniors in the Town of Riverhead. And this is an honor for Mr. Tyte and we really appreciate you for all you've done for the community. We want to thank you very much."

Henry Tyte: "I have one thing to say to the Town of Riverhead. There is a little street down on East Main Street called Harrison Lane, which I live on. Nobody knows where that is but there is a little place that goes out to Hubbard Avenue called Tyte Drive. There's a little map around town which shows it going out to Fairway Avenue instead of East Main. So they think that I live on Tyte Drive, but I don't."

Supervisor Villella: "Tell them the street that you live on."

Henry Tyte: "Harrison Lane."

Supervisor Villella: "Harrison Lane. That's where the problem was-- "

Henry Tyte: "That was out in Flanders."

Supervisor Villella: "They sent it to Flanders instead of Riverhead."

Henry Tyte: "And that is all because my nephew, more or less, a grand nephew named Henry David Tyte."

Supervisor Villella: "A lot of Tytes out there. Thank you very much."

Henry Tyte: "Thank you very much folks."
(Applause)

Supervisor Villella: "So we are going to be starting the Reports once we have this little lobby here going on. You're all set? Okay. Barbara, could you please read the reports?"

REPORTS:

Juvenile Aid Bureau	Monthly report for November of '98
Police Department	Monthly report for November
Recreation Department	Monthly report for November, total fees collected $6,962.50
Open Bid Reports	Building materials opened on 12/7 at 11:00. Two bids were received one from Riverhead Building Supply and (2) from Thurber Lumber Co.
	1999 Ford Crown Victoria LX Full Size Sedan, opened on 12/14/98 at 11:00, two bids were received, one from Sayville Ford and (2) from Tower Ford
	GMC Dump Truck opened on 12/14/98 at 11:10, one bid was received from Dyer Motors

APPLICATIONS:

Riverhead Chamber of Commerce	Mercy High School parade permit From 12/4 at 4:30 p.m., Route 58 traffic circle and Central Suffolk Hospital front lawn
Exhibition Permit	ASAP Promotion 12/17/98-12/26/98 grand opening Office Max
Special Permit	Foxwood Corp. 1407 Middle Road, Calverton - expansion of existing mobile home community
Site Plans	Polish Town Civic Association to erect metal gazebo to replace tent currently used
	254 Route 58 Corp. - Cablevision parking expansion
	Riverhead Landing Apartments, LP -

	construction of 44 additional units to complement approved and under construction 156 unit garden style apartment retirement community

Supervisor Villella: "Okay. Could we please close that door in the back? They're still partying out there. Seniors, they know how to party, right. All right. Barbara, could you please read the Correspondence?"

CORRESPONDENCE:

Petition	Submitted by Nancy Sperling with 29 signatures requesting a stop sign at the intersection of Wading River Manor Road and Imperial Way in Wading River
Petition	Submitted with 19 signatures requesting that the Water District be extended on River Road, Calverton
Roberta Burns	Regarding her support for the Riverhead High School student's proposal of extending the hours at the Jamesport town beach
North Fork Environmental Council	Regarding Tsunis petition for amendment of Industrial A District
North Fork Environmental Council	Regarding their displeasure with the Planning Department and the Zoning Department
North Fork Environmental Council	Regarding Maidstone scoping hearing
Jody Adams	Regarding FOIL requests
Michael Reichel	Regarding the proposed Sewer District extension - Northfork Knolls Hubbard Duck Farm

Supervisor Villella: "Thank you, Barbara. Now we'll go into the public hearing.

Public Hearing opened: 2:21 p.m.

Supervisor Villella: "Let the record show that the time of 2:21 has arrived. Would you please read the public hearing?"

Barbara Grattan: "Okay, we have consideration of a local law to amend Chapter 108, which that resolution was tabled at the last meeting and that was scheduled for 2:05 today. We are going to open up the one for-- I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall, Riverhead, New York, at 2:10 p.m. on December 15, 1998 to hear all interested persons who wish to be heard regarding the consideration of a local law to amend Chapter 64 entitled Fire Prevention of the Riverhead Town Code."

Supervisor Villella: "Bruce, would you like to speak on this?"

Bruce Johnson: "I have no comment but I'm here to address any questions."

Supervisor Villella: "Okay. Would anyone like to speak on this public hearing?"

Adam Grossman: "Okay. Well, the Fire Marshal in the town of Riverhead had put in some changes to the Town Code of the Town of Riverhead which is the subject of this public hearing. I actually think-- Bruce, if you would like to just come up the microphone and just state generally what those changes-- what the purpose of those changes are, I think that would be helpful."

Supervisor Villella: "Thank you, Adam."

Bruce Johnson: "Bruce Johnson, Riverhead Town Fire Marshal. Working over the last six months in my position as Fire Marshal, we noticed that we have a local fire prevention code which covers many issues but we identified several issues that we felt needed to be better addressed and to help in my position to ensure fire safety in all commercial buildings.

So what we have done here is put in changes that would cover several areas. The first and probably the most prominent is a fire prevention permit system and the establishment of fees. The current

Town Code does have a permit system already incorporated and it has a provision where the Town Board can set fees to go with those permits. To date no fees have ever been established and the first part of this code revision would establish very reasonable fees to cover both the installation of fire prevention, fire suppression type equipment and also cover high risk places of current occupancy. Things such as repair garages, dry cleaners and other occupants of that nature. Most of the fee schedules-- I have them here, they are very reasonable. They are just intended to offset the cost of the inspection and/or the planned review that go with those particular systems.

And we took a look at what our two neighboring towns, Southampton and Brookhaven have, and our fees are either equal or below what our neighbors have. And, again, that's to provide fire safety, that's the primary intent here.

Going along with that, there's a change-- just to modify slightly the waiver of liability to relieve the Town of any, you know, potential liability for these type of inspections. Should anything be inadvertently overlooked or any equipment is installed that might prove to be defective, we have a waiver of liability.

There is also an appeal process that's recommended here that if any permit is denied, an application can be appealed to the Town Board so that the Fire Marshal doesn't have sole authority, that I have to report to the Town Board and they can overrule any decision on an appeal.

There was also-- I'm just going through these very quickly-- there was also three areas that we felt we didn't have provisions in the local code, some of them are covered in national standards for the New York Building Code but it is certainly easier to address it if we have them as part of the local code. One deals with welding and cutting operations, some simple provisions there to, again, provide for safety. The intent is not to limit or prohibit anybody from having these operations; we just want to make sure that they're conducted safely. Welding and cutting is a new article. Lumberyards and woodworking plants, again, basically just dealing with proper separations of materials and spacing for fire safety and also a section to deal with hazardous chemicals. That's been a big buzz word in the fire service. We do have a lot of facilities and hazardous incidents. This code addresses some of the safety issues for that and it also establishes a provision where the Town should they need to respond to and expend Town monies to clean up any hazardous spill, the

Town Code would have a provision of recouping those expenses that were incurred from the responsible party. We don't currently have that. Right now, if there is a need to expend Town funds, we don't have a clear provision to recoup that money expended.

And that's basically a synopsis of the various changes that we're trying to propose. It is somewhat encompassing but we wanted to try to do this as one package based on what I've identified in the last six months as some areas that I feel we can improve in our Town Code and, again, give the Fire Marshal a little bit more in the way of (inaudible) to enforce fire safety.

We didn't want to come out here to nickel and dime it, the different sections over a period of time with a number of different hearings, so we tried to make it all encompassing.

I'm here to answer any questions."

Councilman Lull: "Bruce, I have two questions."

Bruce Johnson: "Yes."

Councilman Lull: "First of all, just to make it clear, you have said that the fees that are involved are directly related to the cost of inspection and the office procedures for review of inspections and permits. Is that correct?"

Bruce Johnson: "That's correct. And they are intended as an offset and in reality they will probably in most cases not fully cover those costs. That they're intended as a partial offset but I don't think we're going to have full recovery. The cost of the inspection will exceed the fee."

Councilman Lull: "The second question is, this is an inspection which deals with quite a number of businesses in town. How do we get this word out to people in town, that this public hearing is taking place."

Bruce Johnson: "Besides the standard public notices, we contacted both by mail with the full package and telephone each of the business association presidents and I offered to speak at their meetings and actually attended two meetings in the past week to present this package and to answer any questions. And will continue to be available to do that any time here at Town Hall."

Supervisor Villella: "Bruce, I'd like to ask you a question, too. The Fire-- well, let me see, Fire Commissioners and the Fire Chiefs, did they give you a blessing on this particular-- "

Bruce Johnson: "Yes, they have."

Supervisor Villella: "Okay. That's important. All right. Thank you. Would anyone like to speak on this public hearing, please come up. George."

George Schmelzer: "The Fire Marshal mentioned liability. I don't quite understand what this is. Liability for what? The Town is afraid of liability. For what?"

Supervisor Villella: "We're afraid of you, George. Bruce."

Bruce Johnson: "George, I would like to clarify that. Two things. Right now, there's certainly always liability and we're in a very (inaudible) society today where anytime we forgot to do anything, we certainly could be subject to a lawsuit. We want to try to certainly limit the scope of that and, you know, perfect example. If I inadvertently overlook something that could be a problem on one of these inspections, we don't want to necessarily make the Town fully liable for that. So that's a standard practice for these things in all the code references and we just want to incorporate that in the town's local law.

And there is currently a provision for that and this is just basically expanding it to cover the Fire Marshal and also the Fire Districts and the Fire Chiefs who I also consult on a number of these plans, everything from site plans to some of the large fire suppression systems that go in. We ask the Fire Chiefs and the Commissioners for their comments and we certainly don't want to have them subject to liability for anything that they may comment on or they might approve."

Supervisor Villella: "Thank you. George."

George Schmelzer: "Still don't know what's-- what are they going to do-- who's going to be responsible? The Town says if I inspect it, miss something, it's not my fault, it's somebody else's fault. Whose fault is it?"

Supervisor Villella: "I guess the Courts will have to decide

that. But we're trying to get it away from that, liability."

George Schmelzer: "You initiate this stuff. Don't want liability, you're inviting suspicion right away."

Supervisor Villella: "Is that-- Bruce, is that how the other Town codes are read? Same way?"

Bruce Johnson: "Yes."

Supervisor Villella: "Okay."

Bruce Johnson: "You know, again, there's always an implied liability but, you know, we follow the codes, we're not making independent decisions but it's basically, you know, the standard for an oversight. Certainly anything that's negligence or malfeasance or anything else that's held under the law to, you know, to be held liable that the waiver doesn't apply to would be the case here also. It's basically for honest omissions."

George Schmelzer: "You mean the Town would make the waiver to itself? I don't understand that."

Adam Grossman: "If I could just add a couple points."

Supervisor Villella: "Add a couple."

Adam Grossman: "Okay. George, the first thing we're doing is we're trying to make the code similar to what other towns are-- in terms of fire prevention. The second point I want to make to you is that in the State of New York and most states there is what's called comparative negligence. In other words, it's divided into percentages and even if the Town is one percent responsible for some particular act that takes place that results in a fire, there still could be some liability. So what we're trying to do is tighten up the code, tighten up our procedures here at Town Hall to minimize the possibility that the Town is going to be held liable for any amount of damages."

George Schmelzer: "Well, how do you do it? Tell me what you're doing. What do you mean?"

Adam Grossman: "George, you've got to talk-- "

Supervisor Villella: "Talk into the mike, George."

George Schmelzer: "What are you doing? You say you want to eliminate liability. What do you do? How do you do that?"

Adam Grossman: "Well we're trying to tighten up our system so that we do a better job."

George Schmelzer: "What way? What way? Tell me. Explain, please. I've haven't heard anything what you do. You say you want to avoid liability but a lot of gobbley gook that's all I hear."

Bruce Johnson: "Let me take one more shot at that. George-- "

Supervisor Villella: "Either that or you could take him out in the hall and, you know, show him. Explain to him. But go ahead, Bruce, one more shot."

Bruce Johnson: "I think George's point is well taken. Our effort is not certainly to have liability waivers put into the Town Code but to do a better job as Adam mentioned and to that end the Town Board has been very gracious in getting me out to a lot of necessary schools so that I am fully trained and we don't make any mistakes, and we follow the code. We do things in a number of stages. (Inaudible) so before I can even get into a building, we're looking at it on the drawing board. We're making sure we have checklists. We follow the codes to cover those things, the national standards, they're written by experts so that the consensus is that if we're looking at something for that standard that if it has all the provisions, that we're done the best job to make it safe and not have any problems out there, not even have to worry about the liability.

And the same thing goes out in the field. We've got good trained eyes. All of our commercial buildings now, out new installations get three separate inspections, you know, the commercial buildings (inaudible) fire marshal so we're really tightening up to make sure that we don't miss anything and that we don't have unsafe buildings or anything out there that could cause a problem. And, really, the liability again. It's just a standard thing. Hopefully, we'll never have to go that course."

Supervisor Villella: "George, you look confused."

George Schmelzer: "(inaudible)."

Supervisor Villella: "Well, then-- "

George Schmelzer: "(inaudible) people get suspicious, I'm suspicious. You're not saying yet what are you-- where are you going to pass the liability on to, if anyone?"

Supervisor Villella: "If you're not really-- George, if you want, you could have Steve-- I mean Bruce go out there and he'll explain it to you because otherwise you're tying up everything."

George Schmelzer: "Well, just explain-- "

Supervisor Villella: "I want other people to come up and talk about it if they'd like to."

Geroge Schmelzer: "You brought it up yourself. Explain it simply. What are you going to do with this liability? Nobody thought about it but the town itself. You bring it up yourself, then you weasel around and don't explain it. Who are you going to pass it on to?"

Councilman Lull: "No, George. George, if I may. Let me try and put it from a very layman's point of view. And that is what we're talking about is a very specific code. The important thing is the code for inspection. Let me give you an example. We had an accident at the fireworks display which we held last summer, which was held last summer. When that was inspected prior to the fireworks display, everything fit the state code perfectly. The problem was the state code didn't deal with the problem that happened. Okay? In other words, we followed the state code very specifically and can prove by the Fire Marshal's records that we did inspect it carefully.

Since we inspected it carefully following the codes that were written, it lessens our liability. You can't-- you can't ever-- as you know, you can't ever vote away or send away or give away the right to sue, the right to litigate. You can't do that but what you can do is make it such that if the rules, if the inspection rules are followed to a "T" that it does, in fact, have less liability for the town."

George Schmelzer: "Well, you are doing that by bringing that liability issue up, you're creating suspicion. I don't know why you brought it up. You follow the state rules, let it go at that."

Supervisor Villella: "Well, this is a public hearing so we'll take that into consideration, George."

George Schmelzer: "Someone wants to buy a fire extinguisher, you've got to get a permit?"

Councilman Lull: "If your store requires a fire extinguisher, you better have one that is permitted. Yes. For that size."

Supervisor Villella: "That's working."

George Schmelzer: "Somebody tried to sue me one time because the gun didn't perform right. They try everything."

Supervisor Villella: "People do whatever they want, George. You know the system."

George Schmelzer: "Yeah, so-- "

Supervisor Villella: "All right. Is there anything else you'd like to speak-- George, we'll get some other people to speak on. Okay. Thank you, George. Who else would like to speak on-- yes?"

Leonard Rempe: "Leonard Rempe, owner of East End Plumbing and (inaudible) here in town for the last 28 years. I would like to thank the Town Board for finally getting a full time Fire Marshal. As much as they come and inspect our work and check everything the way it's supposed to be done, it keeps fly by nights out, and really a very good move by the town.

As far as the permits are concerned, and the costs of the permits, 100% they should have the permits and they should have the costs of the permits. The local towns along-- all around us, charging $100. When I bring in a set of plans to be reviewed, this cost is used in the fire prevention. Very, very good. I'd like to thank the town for doing this."

Supervisor Villella: "Thank you, Lenny."

Councilman Lull: "Thanks, Lenny."

Supervisor Villella: "Anyone else like to speak on this public hearing? If not, the time is 2:37 p.m. The public hearing is closed."

Public Hearing closed: 2:37 p.m.

Unidentified: "Can we just on this problem-- or on any other problems?"

Supervisor Villella: "This is just this public hearing we just had. Excuse me."

Unidentified: "I had something else in mind that I wanted to ask you."

Supervisor Villella: "No, no, no. It's not the time. That's later on-- okay."

Unidentified: "Oh, okay, thank you."

Supervisor Villella: "You're welcome."

Public Hearing opened: 2:38 p.m.

Supervisor Villella: "Let the record show the time of 2:38 has arrived. Would you please read the public hearing, Barbara?"

Barbara Grattan: "I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall, Riverhead, New York at 2:15 p.m. on December 15, 1998, to hear all interested persons who wish to be heard regarding the consideration of a motion of the Town Board to amend the Town of Riverhead Zoning Ordinance and the Zoning Use District Map to provide for the planned industrial park district to the exclusion of the existing defense institutional zoning use district upon 550+ acres of real property within the Calverton Enterprise Park, Calverton."

Supervisor Villella: "Thank you, Barbara. Rick, would you like to speak on this?"

Richard Hanley: "Yes. I just have a couple remarks. Richard Hanley, Planning Director. By resolution #849 of this year, this Town Board did amend the Master Plan of the Town of Riverhead to provide the initial legal framework necessary to allow for the reuse and redevelopment of the Calverton Naval Weapons Industrial Reserve Plant

property which was conveyed to the Town on September the 10th.

The amendment provided for a mixed use development of the property which included the creation of an industrial park development within the improved area between the runways and for tourist and recreational facilities in the outlying areas.

The zoning ordinance being considered this afternoon would implement an element of the Master Plan revision by providing for a planned industrial park district to the exclusion of the (inaudible) defense institutional zone which presently exists. The district proposed is a total of 575 acres which is depicted on the map in the front of the room.

The text of the district which is entitled Planned Industrial Park District provides for permitted land uses which includes light industrial, manufacturing, assembly, warehousing, laboratories, offices and the like. Aviation uses are provided to support the industrial uses, however, general aviation is excluded. The district further requires that all development shall be designed in a campus like planned development which would be approved by the Town Board upon the consideration of a comprehensive development plan of a minimum of 100 acres, such plan showing proposed roadways, utilities, and building footprints.

On the approval of such plan by special permit, individual buildings and lots would be approved for the subdivision and site plan process contained and described within the text of the zoning district which relies upon design standards for subdivision maps and building design specifically.

In furtherance of development which is compatible with the natural and social environment, the proposed district provides for performance standards which require adherence to the following: connection to the municipal water district and sewer district, conformance with Articles VI, VII and XII of the Suffolk County Sanitary Code, management of stormwater through a general stormwater (inaudible) permit, maximum clearing area of 65% of the site with a maximum of 15% in planted fertilizer and in vegetation, the submission of a traffic study assessing impacts of traffic generated by proposed uses and mitigation measures shown, and, lastly, conformance with the noise ordinance of the Town of Riverhead.

Essentially, that concludes my remarks about the zoning district.

I'm available for any questions the Board or the public might have."

Supervisor Villella: "Okay, thank you, Rick. Who would like to speak on this public hearing? Sid?"

Sid Bail: "Good afternoon. Sid Bail, President of the Wading River Civic Association. An area of concern-- I basically-- our group, the Civic Association, has supported the development of the site. We don't want to leave it go, you know, back to Mother Nature and the wilds. And we know it's an important component for the future of Riverhead town but as you are well aware of the history of the site in the '90's, there is like a different vision of how the site should be used, international cargoports, you know, very large jets, etc. And apparently that wasn't the vision shared, not only by obviously the Wading River Civic Association but by this town, your predecessors, Jim Stark, Joe Janoski, and the Supervisors of all the East End towns. It wasn't the direction that, you know, people wanted to go in.

Looking at the plan for the Industrial Park, one of the areas that I have questions about-- two areas in general-- are related to aviation use. I know some of these questions have already come up. Under permitted uses, under Section 7, it says aviation uses and support services, including flight schools and testing facilities, but excluding general aviation and regularly scheduled passenger service. I know there's a problem in codes, I believe I know from a lay person's point of view, of being too specific, but like aviation uses and support services, what does that leave us open to? I know it excludes general aviation and regularly scheduled passenger service. So I'm troubled by that section.

One other aviation related section on page 14 under performance criteria, Rick was just up here talking about the town noise ordinance and back in the jetport saga, noise was a critical concern and in 14 it says development within the PIP district shall adhere to setbacks. And it goes on to say what the town standard is, 65 dba's, and certain-- I guess this applies at night-- if they exceed the dba's they have to do certain kinds of noise abatement measures. Then it turns around and says that such restrictions shall not apply to aircraft noise-- shall be restricted to daytime hours. Am I missing something here? It seems inconsistent."

Supervisor Villella: "It sounds like it, but, Rick, do you have an answer for that?"

Richard Hanley: "Sure. I'll make a comment on both of Sid's issues. The first being that the history of the planning work that went into the revised Master Plan of the town for this particular property, that was the work that was done by HR&A as consultant to the town. Essentially that firm was charged with responsibility of putting together a reuse plan, a redevelopment plan for the site and in that they, I think, made a-- in my view-- made an exhaustive review of the market for aviation in this region and concluded essentially that there was absolutely no market whatsoever for a cargo port at this site or in this area. They concluded further that it would not make sense for this site to be used as a general aviation, fixed based operator airport. They, however, did see a potential market for aircraft use, aviation use of the runways that exist on the premises which are significant, to support certain kinds of industrial uses, i.e., aircraft manufacture, aircraft repair, jet engine repair, those kinds of uses. So, essentially, this zoning ordinance is suggesting that aviation use of the runways is for the support of industrial use within the 500 acres. There is no intention whatsoever as it can be seen by the zoning text to allow for standard fixed based operator aviation. In fact, it excludes it. So that was the Master Plan intent behind the uses that have been proposed.

With regard to aircraft noise, there is a section in the ordinance which Sid has identified to the Board, which essentially is a performance standard that all land uses within the site would have to conform with the existing noise ordinance in the Town of Riverhead which sets a limit of 65 decibels for industrial uses or on industrial properties. The inconsistent sentence that he pointed out is not inconsistent, it is an exclusion for aviation and the intent is that we will use these runways. There may be a noise level associated with aviation which exceeds the noise ordinance, but we expect to mitigate that by excluding any night flight or night deliveries. So, that was the idea behind that particular section of the ordinance."

Supervisor Villella: "Okay. Sid, does that-- "

Sid Bail: "Thank you for your clarification. Although I don't see in the code any exclusion of night flights and-- "

Supervisor Villella: "That came up in the HRA report. I remember that."

Sid Bail: "Yes. But it's not in your code."

Supervisor Villella: "Okay. We could adjust that."

Richard Hanley: "A sentence in-- the last sentence of the ordinance which is a performance standard for noise, says "such restrictions-- which are the noise restrictions-- shall not apply to aircraft noise whose flights shall be restricted to daytime hours." So my reading of that sentence is that this ordinance would restrict all aviation-- or all use of those runways to daytime hours.

Now if we need a more specific definition of what daytime hours are-- we can add that. It's the legislative intent of this district to restrict taking off and landing at evening hours and nighttime hours which is essentially when noise levels have more of an impact on residential areas than in the daytime."

Councilman Cardinale: "Rick, why don't you consider putting a period after the word noise and then making it all flights shall be restricted to daytime hours. One period and one capital All would do it."

Councilman Lull: "That's it."

Supervisor Villella: "This is a public hearing. That's what we're here for. To hear what Sid has to say and make corrections. That's what the system is all about."

Sid Bail: "Can I make one other observation?"

Supervisor Villella: "Yes."

Sid Bail: "On the issue of like aviation use, the-- I realize it's important to have the zoning in place so that the town can make some good use of this 500 acre site but also the maintenance-- what was the maintenance, this runway cost per year, if you have just very, very, very limited aviation use? Is this really a doable type of thing or are you just leaving it up to the market to determine that? And, you know, Dr. Koppelman used a phrase that we East Enders always viewed these things as the nose of the camel getting underneath the tent. We told him we were worried about not only the nose but other parts of the camel-- but it-- the noise issue, particularly, you know, pretty-- I guess next year or hopefully the year after you're going to be dealing with the other acreage and the other uses that are suggested and noise could be a real deterrent for some of the real good uses that are being talked about here, amusement, you know,

developments and major, you know, people investing large sums of money in Riverhead.

So, I would just like to see more of that fleshed out a little more. Okay, thank you very much."

Supervisor Villella: "Okay, thank you, Sid. Would anyone else like to speak on this public hearing? Ann."

Ann Miloski: "My name is Ann Miloski from Calverton and I would like to also speak on number 14 because the way it's reading now it can open up for a lot of different items and I'm going to read it so you can bear with me.

The development within the PIP district shall adhere to setbacks as required in Section 108.25. Notwithstanding such adherence, noise emanating from the PIP district shall comply with the noise ordinance of the Town of Riverhead which limits such noise levels from commercial and industrial properties to neighboring properties to 65 dba. That's fine. This sentence, I think, should be deleted. In the event such noise levels are exceeded, such additional noise abatement measures including increasing such setbacks of the provision of noise walls or the provision of berms, fences, vegetation and the like shall be provided for.

So I think anything above that noise level wouldn't be acceptable to the people living in that area.

And, also, for whatever else you're going to do on the outside perimeter of this 550 industrial site and then after it says such restrictions shall not apply to aircraft noise whose flights shall be restricted to daytime hours. That should be specific what the daytime hours are. And also somewhere in here-- I don't remember exactly where, it does speak about having an express-- flight express, nighttime hours. And I don't think that we want nighttime hours for planes to be coming in. And that was one.

The other item that I have a little problem with is permitted uses, number 6, which is fine. It says automotive, truck and bus assembly repair and storage, providing all such repairs and assembly conducted within enclosed buildings. Fine. But now on number 11 it says automobile and automobile component manufacture, assembly, design, fabrication and testing and I asked Rick about that and he said that could be outside. So automobile testing outside could be

very, very noisy depending on what type of automobile testing. So I think that's another item that should be checked into.

And then in the accessory uses where it says number 11, outdoor storage of equipment, materials or vehicles when suitably screened by walls, fences, berms. Exactly what would that entail? Garbage?"

Supervisor Villella: "Rick?"

Ann Miloski: "I think that's a little bit too broad and I think that should be taken into consideration when you're redoing this. And then the other one that I had-- "

Supervisor Villella: "Did you want an answer on that one, Ann?"

Ann Miloski: "No. The other one under office use, it says minimum on three acres. Minimum front yard and side yard is only 50 feet. That doesn't seem to be enough."

Supervisor Villella: "Say that again, Ann."

Ann Miloski: "Office is minimum front yard and side yards and rear, 50 feet. That's-- "

Supervisor Villella: "That's the core property not by the fence. I know you want a buffer-- "

Ann Miloski: "Yeah, I know. Fifty feet isn't-- "

Councilman Lull: "Think what it's like downtown."

Ann Miloski: "So, I just-- I had a question mark on that, just think about that."

Supervisor Villella: "Rick, maybe you should explain-- besides that. This is something to do with the Master Plan that you got most of this information?"

Richard Hanley: "With regard to-- "

Supervisor Villella: "Well, not just that. I mean, the overall picture. Let them know that you've been working on the zoning with the Master Plan people."

Richard Hanley: "This zoning district is a result of a fairly long, arduous planning process for the property which the then Town Board desired to get (inaudible) consideration. There was a--as I stated in my remarks, there was an archaic zoning district that regulated the land use on the property which did not provide for reuse and redevelopment. So we went into this fairly involved process of looking at the marketplace and making some decisions about what kinds of uses could occur on the site that would meet some of the goals that we established which were increasing tax rateables for the town, creating wealth, and increasing employment opportunities for the region. So that was the basis for the amendment to the Master Plan and essentially what this zoning ordinance does is it implements that Master Plan on the site.

With regard to Ann's comment in terms of the intent or the legislative intent on the performance standards for noise, what that sentence is saying is that in the event that such noise levels far are exceeded, that means that if the town were aware that a particular that a particular land use in a site plan approval process might exceed 65 dba or decibels, then that land use would not receive approval in the site plan until such time as that noise level was mitigated through either berms, fences or vegetation.

So the intent is not to allow exceptions to the noise ordinance but to require a mitigation or an abatement of that noise ordinance so that it conforms to the district.

She also had a question with regard to the side yard on a three acre parcel."

Supervisor Villella: "Front and side."

Richard Hanley: "Okay. The-- oh, I see what you're saying. The side yard is not the problem, it's the front yard."

Ann Miloski: "Front yard."

Richard Hanley: "Yeah, okay, we'll take a look at that."

Supervisor Villella: "Okay, good."

Richard Hanley: "And there was one other issue, I think, with outdoor storage. This is an industrial park that we would envision there might be lots created or uses created such that there would have

to be some equipment repair-- I'm sorry-- some equipment storage on the site and the intent is to require that the ordinance would mandate that that outdoor storage whether it's vehicles or equipment would have to be suitably screened at a certain level so that it's not visible to neighboring property owners-- within the subdivision zone."

Supervisor Villella: "And we've got the Tomcat up there right now."

Richard Hanley: "Suitably screened. All right. We'll take a look at that front yard. I kind of agree with her. I think there might be a-- "

Councilman Kent: "Rick, could we also add provide additional protection-- prohibited uses so we can further define number 11, accessory uses? Because I think accessory uses is so broad under number 11 that you might end up with an automotive junkyard which I know is not-- "

Richard Hanley: "Right. If there is any question about what an accessory use really is, then we can always-- we can qualify that with prohibited use section. Yes."

Supervisor Villella: "We still have the final say. We're not going to allow something like that."

Councilman Kent: "Right. So that's why we need the prohibited use section."

Supervisor Villella: "Anyone else like to speak on this?"

Richard Hanley: "Just one note on accessory uses. The definition of accessory use is that that use does not occur without one of the principal uses that are shown in the ordinance. So, these things can't stand alone."

Supervisor Villella: "Thank you, Rick. Mr. Bates. No, up here, up here."

Councilman Kent: "And please state your name."

Brendon Bates: "My name is Brendon Bates and on the front yard

setbacks, I don't think that's a problem because the one side says 50 feet and the other side says 50 feet, that's 100 feet in total. So there's no problem with 100 feet (inaudible) between the office buildings in the front. That's my point."

Richard Hanley: "The question, I think, was the front yard, not the side yard."

Brandon Bates: "I said the front yard. No, I said front yard. Fifty feet-- "

Supervisor Villella: "Okay, Mr. Bates. We got you on record for what you said. I appreciate that. Thank you very much. Anyone else like to speak on this? Steve?"

Steve Haizlip: "Steve Haizlip of Calverton. When Ann read her comments from her literature about garbage, well, I would like to put into the record and also for the Fire Marshal to listen in. In hot summer weather when you've got these here dumpsters or receptacles for garbage they have been known and I have seen it, spontaneous combustion and get a fire going. So I think it should be looked into is some type of ventilation or a method to where the hot sun doesn't cause it to be spontaneous combustion."

Supervisor Villella: "Thank you, Steve. Hope you feel better. Your voice sounds a little raspy there. Anyone-- Tim?"

Tim Yousik: "Tim Yousik, business owner and resident of River-head. One of the things that I didn't hear is the racetrack part of the zoning, the race complex that's been kicking around this town for about six years, that concept. Has that been considered as far as the zoning is concerned and if so, is it in there or will it be in there?"

Supervisor Villella: "Rick, would you like to speak on that?"

Richard Hanley: "When the US Navy prepared the impact statement to support the amendment to the zoning ordinance and this-- Master Plan I should say, and the contemplated zoning ordinance, there was a study done of or an alternative for racetrack use of these runways. That was part and parcel of the draft impact statement and the final impact statement and the findings statement. If one were to look at the listing of permitted uses in this district, I think the relevant section, the number that Tim is interested in, is number 11 under

permitted uses, which is automobile component manufacture, assembly, design, fabrication and testing as a permitted use. It's my view that racing as an event is-- should not be defined necessarily in the zoning ordinance but could be approved by the Town Board through shows and exhibitions which is not a land use because it does not occur on a daily basis. It occurs just a number of times a year such that if the infrastructure is there, which it is, the runway itself, the Town Board could approve a race event which is associated with automobile testing as a land use through shows and exhibitions. And you could do that a number of times a year. I recall that when the impact statement was being prepared, we were talking with Project Calverton and negotiations or the discussions were that these events would occur no more than four or six times a year.

So to answer the question shortly, yes, it's provided for both in this code as well as the existing zoning ordinance of the town. Keep in mind, however, that in order for the Town Board to approve a race event, they would have to approve it under the auspices of the performance standards that exist within the zoning ordinance. The two most important being-- or relevant being the requirement for a traffic study which you could make part of your decision on shows and exhibition as well as on the noise ordinance itself. So the answer, I think, is yes."

Councilman Cardinale: "Can we get a clarification of that? Are you saying that if-- that it would have to be approved each and every race as a show or exhibit?"

Richard Hanley: "Yes. Because I don't see a race event which occurs four to six times a year as a land use and I think it would be improper for us to require a traffic study for each and every event if these occurred on a daily basis. If we would do that, we probably should just look at the environmental impacts of that use and prohibit the use. So rather than prohibit the use, the thought is that since these do not occur on a daily basis, they occur somewhat infrequently, that we could, in fact, approve them through existing procedures shows and exhibitions but apply the standards that the zoning ordinance elaborates relative to traffic impacts and to noise impacts."

Councilman Cardinale: "I have two immediate reactions. One is practical and one is theoretical. Wouldn't you say that-- from a practical standpoint-- you're talking about the kind of racetrack that they're talking about, I don't think practically speaking waiting for an exhibit permit each time you run a race is realistic. The second

thing is conceptually, isn't the use of the land for a racetrack the racetrack? Wouldn't that be a zoning use? Racetrack itself."

Richard Hanley: "The use of the land for racetrack in terms of the land use by my definition what a land use is, is the use of the track for automobile testing, car clubs and the like. I see a race event of a magnitude that's been discussed with me as not a land use because it occurs so infrequently."

Councilman Cardinale: "Because it is four to six times a year."

Richard Hanley: "Because of its size and scope and infrequency."

Councilman Cardinale: "And you think that 11 with the testing would cover what was being done there throughout the rest of the year?"

Richard Hanley: "Yes. And that-- those are the kinds of uses that were studied and analyzed in the impact statement."

Councilman Cardinale: "Which would mean that this makes room for the possibility but we're not really sure because we haven't stated one way or the other if we pass this statute."

Richard Hanley: "This ordinance essentially provides as a permitted use, use of the runway as a racetrack for automobile testing, car clubs, engine testing, manufacture or repair of engines, those kinds of associated uses with automobiles which had been suggested in the impact statement at the time by Project Calverton as the daily essential land use that we were considering.

The other uses were infrequent and maybe someone could put on the record what they expect in terms of the number of events, but my understanding was it was somewhere between four and six a year. And to require the user to create permanant noise barriers for an event that only occurs-- with that infrequency, I think is somewhat beyond what zoning does and it's more of a show and exhibition and the way you can mitigate through that process."

Supervisor Villella: "All right this is the same thing similar to the Polish Town tent."

Richard Hanley: "Yes. We go through a number of these in the

year in the Town of Riverhead and we never assess the noise impact of a country fair or the Polish Town Fair. I mean, we just-- it would be an impossible thing to do number one, and it would be somewhat counterproductive to do that. So that's how we've been handling this one. I would invite anyone from-- that knows-- could address the Board in terms of the number of events that they expect in a year, but my recollection was it was very infrequent."

Councilman Cardinale: "Is this the manner in which it is handled in those locales which have the kind of tracks that are being proposed or is this something that-- "

Richard Hanley: "I don't know the answer to that, Phil."

Councilman Cardinale: "I think it would be wise to check that so we don't reinvent the wheel here."

Richard Hanley: "Right."

Supervisor Villella: "Yes. Speak into the-- "

Tim Yousik: "One of the things that come to mind-- comes to mind listening to Rick, if the Town were to consider the idea of a race complex up in Calverton, I can't imagine any company coming along and dropping 20 plus million dollars to build something that this Town Board or the next Town Board may decide they're not going to issue special use permits for. That's why having it not worded in the zoning is certainly a concern. I am one that's always been in favor of the race complex and having spent time with Project Calverton and listening to different proposals and finding out what's really involved-- I mean, it's not just a racetrack. It's an entire racing complex which includes the possibilities of (inaudible), the possibilities of Goodyear or Pirelli building a test facility and creating real jobs. So, yes, they might be allowed to have their car clubs come but if they can't have any major events because this Town Board or the next Town Board may not approve special use permits, what makes this Town Board think that they would ever invest 20 plus million dollars to build this?"

Supervisor Villella: "That's what Phil was just saying. There might be a way if you have four or six major events a year, to put that all into one resolution or something to okay it."

Tim Yousik: "Or possibly as Phil suggested doing a little

homework on what other areas have done as far as their zoning is concerned so that maybe we can not reinvent the wheel and put proper things in place. Thanks."

Supervisor Villella: "Thank you. Anyone else like to-- George. No. George Conklin."

George Conklin: "George Conklin from the Timber Park Civic Association. I'd like to speak to the-- I'd like to reemphasize what was said by Ann and by Sid in our opposition as indicated by the petition we submitted sometime ago to the commercial airport. And I'd also like to speak to the racetrack idea. Number one, I believe that if you are going to permit racing as a permit, it should be stated so in the particular article and not the way it is stated. That's the first thing.

The second thing, the 65 decibels, if you look at the study that was done, the noise study, the noise from a race-- in my house-- is in excess of 90 decibels. That's having an air hammer outside your house. That you can relate to. I suggest that anybody who lives in that area who thinks this is a good thing should read that study. I did meet-- we did meet with the Project Calverton people prior to them, I guess, dropping their idea and they indicated that they would like a noise study, a real noise study, not just an estimate. And I would, once again, ask that before the town decides to permit one event, four events or six events or whatever number of events, that there be a real noise study."

Supervisor Villella: "That would have to be done."

George Conklin: "I can tell you that 65 decibels is reasonably loud and I can also tell you that testing of aircraft on the ground in that particular area causes such noise that you cannot hear someone who's standing right next to you. Because I went through about 15 years of that myself. And I have no desire-- absolutely no desire to go through that again nor does anyone else in the park, although there are some members of our association who are in favor of a racetrack, they would have to be assured if the town really wants the backing of the public that the noise-- "

Supervisor Villella: "That's part of the process."

George Conklin: "-- would not be possible to 65 dbs, doesn't make it. I think a good idea in something like this, too, would say,

you know, what is 65 dbs? Something that the laypeople, those of us who are not familiar with dbs can relate to, that everybody can relate to. So, again, more specific on that particular article and, again, our opposition to any kind of commercial-- "

Supervisor Villella: "Rick, could you write that down, put that in there, what George just mentioned. Curtis. Thank you, George."

George Conklin: "Thank you."

Curtis Highsmith: "I'm one of the gentlemen that were a part of Project Calverton. I just want to state a couple of things. First of all, I believe with what has been said in the past. In the zoning, if you are going to create zoning that would approve the possibility in the future of a race facility, then that's should be included with those particular words (inaudible).

Second of all, there had been several noise studies done over on the place. They're in the records and I think in the Town Hall here, you've got a stack (inaudible) one of them that we paid for ourselves that has to do with some of the decibels. And I think that you would see a little different reaction if you actually saw some of those records.

Third of all, what we're talking about is not just a racetrack. We're talking about a race facility and I think it would be a good idea for Riverhead to invest the money and maybe send somebody to go down to Charlotte and see what they have just done with that area and see what the people have to say about the kind of money, the kind of jobs and the kind of neighborhood that that race facility (inaudible)."

Supervisor Villella: "Thank you. Anyone else like to speak on this? All right, come on up and ask, George. George, come up front and ask first and then we'll get you on the record."

George Conklin: "Okay. Do you have these noise studies that he's talking about?"

Adam Grossman: "Would you state your name for the record?"

George Conklin: "George Conklin, again. Do you have these--"

Supervisor Villella: "I haven't seen it."

George Conklin: "Has anybody-- has the Town Board seen any-- "

Supervisor Villella: "The previous Town Board probably has but the new Town Board hasn't."

Curtis Highsmith: "We paid for one ourselves. So it is in the record."

George Conklin: "So we could-- I could-- "

Supervisor Villella: "Oh yes, if it's there."

George Conklin: "Where would I go to find it?"

Supervisor Villella: "Rick, do you have-- "

George Conklin: "Okay. Thank you."

Supervisor Villella: "Good, thank you. Anyone else like to speak? Ann. Wait a minute. Does anyone else want to speak? Bill? There we go."

William Kasperovich: "William Kasperovich from Wading River. I really don't know what to say to you people in that you haven't put forth what will be the last word by this zoning control. The runway usage in whatever manner or arrangement I think it would be an insult to a man's intelligence to not have him think that once the plane gets to the end of the runway it goes straight vertically up. There is a flight path and there always has been a flight path. This flight path was watched very closely by the Navy. Some 30 years back or 20 years back they wanted to restrict property heights. The entire neighborhood got up in arms and so they dropped that approach. But they did follow every change of property in the flight path. Very discreetly they followed every movement of every development (inaudible) its head. Now we have built many homes in the flight path since Grummans has ceased. We have approved many developments. And yet the flight path word itself is not included in the zoning. Those are two major items.

Noise is dependent or the traveling of noise is dependent on many conditions. The extreme example I would give you is that when the temperature is right and the cloud formations are such and the wind is such that in Wading River I could hear the trains or a church bell in Port Jefferson, 15 miles away. So, your-- which way the wind blows,

what conditions are would depend on the extent that the noise would travel. And when you introduce airplanes today, that noise would travel at different times of the year to every home within 20 miles of this site. And yet nobody pays attention to the distance from the site that the noise would have to be controlled.

When we had a noise problem (inaudible) public hearing, I related one time which comes back to mind in East Hartford (inaudible) where things got so bad that the testing of (inaudible) they had to build a four level structure that would carry the path of the noise within the building before it went outside. When I arrived in the area and went to bed the first night it was like big semi-trucks were driving by the window. I couldn't understand. I ran out of the house to see what was going on. These were the engines 10 miles away. So I became well aware of the control of noise in that period that I was on that (inaudible)."

Supervisor Villella: "We'll take that all in consideration with the public hearing, Bill."

William Kasperovich: "Well, I hear you say that but in all the time (inaudible) talk, I wonder whether anybody listens."

Supervisor Villella: "We listen. It makes sense, we listen. We really do. You're an engineer, you have a lot of expertise in a lot of this. You've got good ears, too."

William Kasperovich: "These-- I wish I could talk better so people could understand me. The seriousness of these items that I bring forth, you have a runway here at this moment where planes can land and take off. You're talking about restricting this to usage by whoever is taking or (inaudible) a project within the land and associated use. And yet nothing is said that you are restraining and restricing this to be a private runway. The federal agency has classification of airports and runways. They have restrictions and limitations."

Supervisor Villella: "Bill, this isn't going to be an airport. George wants an airport. Why don't you and George duke it out and see who wins. I know what you're saying, Bill."

William Kasperovich: "Well, people think of airport as a place you have a waiting room and you come and go on scheduled flights for passengers. That is only one aspect of an airport."

Supervisor Villella: "I can give you another one, NTSB. That's the reason why if they were to have a long term contract, they would like to make this the east coast headquarters and we would have to do something with that runway-- they would have to fly in planes once in a blue moon but we would have to keep it open for them. But, believe me, there's no airport. We fought that last campaign."

William Kasperovich: "As a port for passenger travel that is an entirely different aspect. I'm not addressing this in that sense. But you have a federal classified runway and a plane above is in disaster you have to let him come down on that runway. So if you have-- "

Supervisor Villella: "And it could be at night-- emergency."

William Kasperovich: "At any time."

Supervisor Villella: "If it's an emergency."

William Kasperovich: "So how and what (inaudible) of federal classification that we want to allow in the building should be brought into the (inaudible) now. And you can't detach any runway no matter how small without the flight (inaudible)."

Supervisor Villella: "We'll keep this-- that's why we have the mike and everything."

William Kasperovich: "I have been in this township long enough to remember the routine that went on in the Town Hall and such in order to get the Riverhead raceway approved and established and people built it and used it and what have you. They did not consider all the aspects. They were so desperate to have any kind of activity come into the township that they just overlooked things. So it appears that we're approaching that same sort of pattern. We're getting desperate in getting people to come in here and do something with this land and yet we're afraid of who might come in."

Supervisor Villella: "We don't feel desperate. We're, you know, just waiting for the right combination, Bill."

William Kasperovich: "I've heard this concerns about how much money it would cost to maintain the property as is and it's too much for us to do. I heard that desperate concern."

Supervisor Villella: "That's not on the public hearing. We're getting off the record here. If you have anything else, I'll answer that for you. Actually the way things are now, we're ahead in making money the way things are. So, that takes care of all that problems. But, if you have anything else according to the public hearing, Bill, I appreciate it. If not, I'd like to have someone else speak."

William Kasperovich: "In other words, when I hit on a sensitive spot-- "

Supervisor Villella: "It's not sensitive."

William Kasperovich: "You put me off. You chase me away."

Supervisor Villella: "No. I just told you exactly what's-- we're making money there with the NTSB. We're not losing money with the maintenance."

William Kasperovich: "Maintenance of this property is a large figure and a concern has been expressed that it is excess to what the town wants to or can carry."

Councilman Cardinale: "The maintenance is a heavy figure but the NTSB lease is even heavier. There is a net positive carry. In other words, the federal government is paying sufficiently to carry the fees so that there is not a negative. That's what the Supervisor just wanted to make clear to everyone."

Supervisor Villella: "We're not in a rush to go into anything."

Councilman Cardinale: "So we're not desperate to sell the piece. We have-- we can carry the piece as long as it's necessary to locate the proper purchaser or other party."

William Kasperovich: "Well, I hope somebody is looking for you and you're not looking for them."

Supervisor Villella: "Thank you."

Councilman Cardinale: "Thank you."

Supervisor Villella: "Anyone else like to speak on this? Mr. Bates. Ann, I'll get you next time."

Brandon Bates: "My name is Brandon Bates again. Does anybody

know what the noise level is at the raceway we have in Riverhead? What noise level does that generate?"

Supervisor Villella: "Do we have a code enforcer officer here? Leroy is not here. Okay. See if you can get him out in the hallway. We'll get an answer for you about that, Mr. Bates. Right now."

Brandon Bates: "If the code includes requirements for that track, what's going-- it won't be any louder at the other track if you have events occasionally."

Councilman Kent: "There's two issues with that. One, that track pre-existed its neighbors so it may not have to meet the requirements of the noise ordinance."

Brandon Bates: "That wasn't my comment."

Councilman Kent: "And, two-- "

Brandon Bates: "I wanted to know what the noise level was-- "

Councilman Kent: "Right. But then your second comment was, if that's not violating the noise ordinance, I think you said something to that effect."

Brandon Bates: "That any other raceway that you would have on occasions wouldn't-- it either."

Councilman Kent: "Well, we're not sure that that's-- whether or not that's above 65 decibels or not."

Supervisor Villella: "Leroy, do you know what the decibels are at the Riverhead raceway at night? No. Do we ever take any tests? We do any test up there? Okay. Well, yes, just get back to Mr. Bates when you have a chance, we'll get him the answer on that."

Leroy Barnes: "There's been readings but I'll have to check."

Councilman Kent: "In addition, it's different types of vehicles that would be racing. These wouldn't be those types of vehicles."

Brandon Bates: "Well, suppose it's nine."

Councilman Kent: "Nine?"

Brandon Bates: "Racetrack."

Supervisor Villella: "Ann, would you please come up?"

Ann Miloski: "(inaudible) the racetrack, five or seven events a year would be perfectly all right I'm sure with everyone in the town of Riverhead but getting back to permitted uses, you go down to 11 where you could put 11 into 6 where it says all of that is conducted within enclosed building. That means testing. Because from my understanding when I was-- went to Project Calverton and they were talking about it, they said they were going to be testing cars there and it might be every day. If you're testing racing cars, I'm sure the level will be more than 65 whatever it is. And I'm sure that the people in the area don't want to hear cars testing there every day outside. And Grumman does have an inside building for testing of cars, and engines. So I suggest that you check 11 and see if it could be incorporated into 6, otherwise you're going be having a lot of permitted uses as far as outside testing and-- "

Supervisor Villella: "Well, if there was a racetrack, I think the testing area would be like for tires also, they would have to do that outside. But for the engines and everything, that could be done in an inside chamber like you mentioned. Curtis-- "

Curtis Highsmith: "I just want to make a comment on that testing issue. Yes, there would be testing. But some of the cars that will be testing are cars like General Motors. They've got mufflers on them, you would never hear them just like up and down Main Street. Pirelli tires, the same difference. They're not necessarily going to be race cars running around the track every day. So you understand that."

Supervisor Villella: "That's something we'll look into, Ann."

Richard Hanley: "I think we may be losing sight of something."

Supervisor Villella: "I think we lost sight about 15 minutes ago. But, go ahead, Rick."

Richard Hanley: "All uses proposed for the premises must meet the standards of the noise ordinance, whether it's outside, inside, on the roof, in the basement. The noise ordinance prevails. Any user, whether it's automobile testing, manufacturing of a product will have to meet that ordinance and would have to provide whatever mitigation

measures on the site in order to ensure that neighboring properties can be enjoyed and that is not-- there is not noise levels beyond 65 decibels. That's what we've embodied in the ordinance, that has been the accepted standard in the Town of Riverhead since the initial noise ordinance was adopted. Now, if the issue is that 65 is not an appropriate number, that's a different discussion, but in terms of the zoning ordinance, the intent is to require all users to remain within that standard."

Supervisor Villella: "What about if they build a baseball stadium. That's one of the projects in front of us. That's 8,000 fans jumping up at the same time, yelling and screaming, you know, cheering on."

Richard Hanley: "Our noise ordinance would restrict that the noise emanating from a stadium-- "

Supervisor Villella: "So you're going to shut down the baseball game."

Richard Hanley: "-- is restricted and what would have to happen is that the developer of the stadium would have to mitigate the noise through either location of the stadium in an interior section of the site or some other way. Now we have the advantage here of a parcel which is 2,400 acres in size which allows us to-- in terms of schematics, if there's a user that's a nosy user, to locate him such that there would not be impacts on neighboring properties. So there are many mitigation measures that could be employed, either in construction and/or its location."

Councilman Cardinale: "Rick, could you address number 12 here, outdoor recreational uses? Exactly what do you have in mind there?"

Richard Hanley: "The intent was to provide for recreational uses within the premises outdoor and the intent was for racing to be an outdoor recreational use."

Councilman Cardinale: "So it could fit under-- earlier you alluded to 11. It could readily fit under 12 as could just about anything I might add."

Richard Hanley: "Yes. That's true, Phil, but my suggestion earlier relative to shows and exhibitions, I think this Board could be in a position to approve an exhibition which is a race infrequently

which could exceed the noise ordinance. I think we probably do that today with the Polish Town Fair and the Country Fair and a number of these kinds of events in the community."

Supervisor Villella: "Just certain times."

Richard Hanley: "But, what's the harm to the community if these events occur infrequently? I think the harm comes from a daily use or a land use on neighboring properties."

Councilman Cardinale: "And one other question. I note in the proposed statute there are no prohibited uses as Chris earlier noted and there are also no specially permitted uses. They're either permitted or accessory or they're not named. Why did you not include some specially permitted uses?"

Richard Hanley: "The intent of not listing some of the uses as specially permitted was to avoid a lengthy hearing process and possible SEQRA process relative to some of the uses. However, the ordinance does provide for a submission of that 100 acre plan which is a special permit. In that 100 acre plan, the applicant would have to show roadways, utilities, schematic layouts of buildings, and uses. You could be in a position for that special permit process to either approve or deny some of these uses."

Councilman Cardinale: "But the-- "

Richard Hanley: "The intent was not to do it on an ad hoc basis but was do it generically through this 100 acre planning approach."

Councilman Cardinale: "One of my concerns is that with the combination of uses of right such as-- and broadly stated such as outdoor recreational use, that you will be setting yourself up for-- without any special permit process, for an application that seeks to fit itself in within that broad definition and seeks to establish itself as a matter of right as opposed to a special permit. For example, you just mentioned an outdoor recreational use could encompass a racetrack."

Richard Hanley: "That's right."

Councilman Cardinale: "I think one thing that both the proponents and the opponents agreed on in the hearing tonight is we've heard about the racetrack often enough and long enough here that we

should address it specifically within the statute to give a clear and defined answer to the public. They could in theory let us pass this statute, make application as a matter of right for a racetrack under outdoor recreational use."

Richard Hanley: "Yes. But they would also have to show the Town Board a plan for 100 acres showing that use as well as other uses, utilities, roadways, the rest of it, and at that point you're in the special permit process for the approval of that plan. So there's an initial special permit process in the generic sense for a very large area as opposed to ad hoc special permits. Now, you can take the position that there are certain uses that may be more of a nuisance than others and you might desire to have a special permit process just for that particular use. I understand your point and it certainly seems (inaudible)-- "

Supervisor Villella: "That makes sense what you said."

Councilman Cardinale: "Good. Thank you, Rick."

Richard Hanley: "All right."

Supervisor Villella: "And there was-- who else wanted to speak? Henry."

Henry Pfeiffer: "Henry Pfeiffer, Wading River. I spent a career in the US Customs Service being everything from a control officer and inspector, liquidator, district director, regional director. Under my jurisdiction were airports as well as all the other functions that contain themselves in the customs operation, exports, imports. When I look at the contemplation and I've heard over many, many years ever since this property became available to the town about putting in a cargo airport, international airport. Okay, that was number one. Number two, a foreign trade zone. The people that were proposing these things didn't know what the hell they were talking about.

I would suggest that before you contemplate bringing any of these unattractive nuisances into the town, in any way, that you take a trip into JFK and find out what is required there to support an airport. Not only bringing in the plane, refueling it, loading cargo and so forth, but the ancillary services that must be provided by the US Customs Service, Immigration Service, the US Health Services, and so forth and so on. There's a whole long list of them. And the question

that occurred to me initially, why do we need a cargo airport out here? Who would benefit? Who is out here that has goods that is so close to us that they want to export this stuff or send it around the country, or who has a business so close to the airport that they're going to receive these goods, because you've got to have a plan leaving full, coming back full to make it profitable.

I would suggest that if this is simply a question of utilizing a strip of pavement out there that's left over from Grummans, to create an airport based upon that, you have to think twice a third time. Apart from the fact that if you have an airport in there, every transaction that takes place is controlled by the federal government and they require looking at. If you're going to JFK, they already have the facilities there. They've got the customs, they've got immigration, they've got controllers, they've got the whole smear necessary, customs agents, FBI, city police, all the rest of the ancillary in support of services and necessary that benefit a community and that can handle any of the commerce that is engendered out here at our industrial center. And it will be cheaper for them to run a truck in there, bringing their cargo, pickup their cargo, or to deliver their cargo if they are going to fly it out.

Now, one of the things that occurred to me, we talk about spending a great deal of funds and this would involve a tremendous amount of money to set up such an airport. How do we get from here to New York City from Riverhead?"

Supervisor Villella: "We're too far out. There won't be an airport."

Henry Pfeiffer: "What about the common on the ground transportation for the common person, not for a specific exporter, importer or business person who does not even exist at the present time in that area? What I'm saying is this. Before you make these decisions, do what we have to do in the military. First paragraph of (inaudible) situation is the mission. What are you trying to do? And that's the damned toughest part of the whole thing. Thank you."

Supervisor Villella: "Thank you, Henry. Anyone else like to speak on this?"

Richard Hanley: "All of the issues that Henry has just brought up were examined by HR&A. Their conclusion was that there is absolutely no market whatsoever in this region for a cargo airport.

This zoning ordinance does not provide for any airport, cargo, passenger as a use. So I think there's some-- I don't believe that the ordinance is vague but there's just some misunderstanding here in terms of what we're trying to do. We are providing for use of a runway by industrial users who might desire to have aircraft, maintenance, or some aircraft use on the premises. There is no intent for the creation of an airport. There is specific law for airports in the State of New York. We are not suggesting that. We are not suggesting that we are going to retain this property as a Town for an airport. The intent is that this property will be sold and in terms of decision making by the owner of the premises as to what's proper and what isn't, that's their job given the uses of the zoning ordinance. There is no intent for the establishment of an airport on this property."

Supervisor Villella: "Thank you. Make it quick, George. Last one. Oh, Bruce, you would like to speak, too? Okay, we'll let you finish up after George."

George Schmelzer: "A man has as much time as the longest one previously."

Supervisor Villella: "You could have as much time as you want as long as you talk about the public hearing."

George Schmelzer: "Yeah. Was mentioned back a ways about the 50 foot setback. Those who are concerned about the 50 foot setback should make sure their own buildings are on a 50 foot setback also first. Now, this thing (inaudible) how many people do you expect to be employed there?"

Councilman Lull: "George, that depends completely upon-- "

Supervisor Villella: "What goes in there."

George Schmelzer: "Sounds like (inaudible). You haven't got the slighest idea, huh?"

Supervisor Villella: "No. Until we have people in there."

George Schmelzer: "That's what I figured. Hundred people, I hear rumors for thousands. What really are you thinking about?"

Supervisor Villella: "On a full build out? Could be a few thousand."

George Schmelzer: "Will they live in Riverhead?"

Supervisor Villella: "If we have enough people-- "

George Schmelzer: "Well, now, you are going to want thousands of people to work there, not one of them, don't want them to live in Riverhead, huh?"

Supervisor Villella: "They already live in Riverhead. Most of the people that worked at Grumman are taking retail jobs. I think they would love to get back into some decent job instead of retail. Believe me."

George Schmelzer: "What do you think that would be? Grumman. They're not making airplanes there now. I don't know what you're thinking. I can't figure it out. If you have an airport there, it would be better because not many people would move in. Some of them might move out and you'd save more open space. You're worried about open space, want to spend taxpayers money anytime they sell a house (inaudible) open space, can't go off the tax roll, this would do it automatically."

Councilman Kent: "I think that's a reach considering an airport as open space."

George Schmelzer: "It's what?"

Councilman Kent: "I think that's a bit of a reach considering an airport as open space."

George Schmelzer: "I think you're reaching out, you don't know what you're reaching for. Do you know what you're reaching for, this thing here? I doubt it. I think the Navy made a mistake to give it to the Town of Riverhead. It's just like taking a kid from kindergarten, give him a learner's permit to fly 747's. Go ahead take off. Just as much sense, really. It's a damn shame to give it to Riverhead. They should have kept it under mothballs and-- "

Supervisor Villella: "You want to give it to the Port of Authority, I know that."

George Schmelzer: "Oh sure, they'd do a better job than you would at any time. As long as you make a state law that they pay the taxes on it like New York City has to pay taxes on their watershed."

Supervisor Villella: "Stick to the public hearing, George. We got off-- sidetrack."

George Schmelzer: "It's all part of it."

Supervisor Villella: "No. Not really. This is George's part."

George Schmelzer: "Really, I'm sad and disgusted. You're talking about an approach zone, the approach zones are still there."

Supervisor Villella: "That was just brought up. Forget about it."

George Schmelzer: "You didn't object to that, though, did you? That was okay, huh?"

Supervisor Villella: "No, we just listen. This is a public hearing, George."

George Schmelzer: "Yeah, so the one approach zone, nobody will think about at all, that's the national cemetery. Nobody cares about any noise there."

Supervisor Villella: "All right. No talking in the-- let's cut it out."

George Schmelzer: "And as far as decibels is concerned, how many decibels do you get from thunder and lightening? You've got a zoning on that, too? How about a flock of starlings down Main Street? How many decibels do they have? Come on. Now, what are you going to do with the rest of this after you get this special zoning in? What do you call that, spot zoning, too? I heard spot zoning's not legal in some places."

Supervisor Villella: "I don't think it's legal anywhere, George."

George Schmelzer: "Well you're doing it though. What are you going to do with the rest of this after you get this done?"

Adam Grossman: "I don't think that's part of the public hearing."

Supervisor Villella: "That's not part-- that will be another public hearing, George, so if you want to talk about this public hearing, you can. If not, I'd appreciate it if you would sit down."

George Schmelzer: "Well, you're making money on that wreck there yet-- "

Supervisor Villella: "That's not this public hearing."

George Schmelzer: "Well, that was mentioned before."

Supervisor Villella: "I mentioned it just to set the record-- "

George Schmelzer: "Well, you mentioned it yourself so if you mentioned it yourself, it must be all right. How many millions are you getting every year for holding that wreck there, that 747 wreck?"

Supervisor Villella: "It's on a 90 day basis."

George Schmelzer: "It's been there several 90 days already."

Supervisor Villella: "George, do you have anything else to speak on this?"

George Schmelzer: "Yes, yes. I didn't use up my time yet, somebody else was here for 15 minutes. In the meantime, if you can't make up your mind what to do with it-- "

Supervisor Villella; "Do you want to shut that TV off?"

George Schmelzer: "I suggest you raise deer because deer grow good there and you could have thousands of them there. If you need to fertilize the grass, you can take the sewer sludge from the sewer plant and make the grass grow better and you can raise more deer. You can sell those deer for a high price. Deer raised privately bring big money per pound."

Supervisor Villella: "What does that have to do with the public hearing, George?"

George Schmelzer: "Well, it's land use."

Supervisor Villella: "Within this area?"

George Schmelzer: "Yeah. So you don't know how many employees you're going to have here, don't know anything."

Supervisor Villella: "Once we have the program in front of us, we'll have that figure. Yes. Once we know what's going in there, George."

George Schmelzer: "I think you're going blind. I think you ought to give it back to the Navy and save the taxpayers some money and save yourself some grief, save the taxpayers some grief here. They should auction it off to somebody who can use it. Even the Port of New York Authority-- now I speak to people that work at Kennedy, they said it's becoming overloaded, dangerously so. In a few years they'll need more land, this would be it. And if you can make an airport out of it, you won't have more people moving in, they'd probably move out and you could have more open space then, see. Automatically. You didn't have any guts-- neither did the Board before to put this up to a referendum that November. Yes or no. Airport, yes or no. Why didn't you do it? What are you afraid of?"

Supervisor Villella: "You just saw what the reaction was here."

George Schmelzer: "You listen to some people from Calverton and Wading River, a few loudmouths. How about the rest of the people in the town? What do they think? You don't care about them."

Adam Grossman: "George, please stick to the subject of the public hearing."

Supervisor Villella: "Stick to the-- let's get back to the-- "

George Schmelzer: "What?"

Adam Grossman: "Please stick to the subject of the public hearing."

George Schmelzer: "Oh, why didn't you put it to a referendum?"

Supervisor Villella: "That has nothing to do with this, George."

George Schmelzer: "Sure it has."

Supervisor Villella: "No, it doesn't."

George Schmelzer: "You could divert your efforts to run the town, instead of this, you don't know what you're doing, you're going blind here. If a businessman ran like that, he'd lose his-- "

Supervisor Villella: "George, why don't we let someone else speak, please. You spoke twice already. I really appreciate-- we got your comments."

George Schmelzer: "Who spoke twice?"

Supervisor Villella: "You did."

George Schmelzer: "I did not. First time I've been here this hearing."

Supervisor Villella: "No, I didn't mean that. I didn't mean that, George. I'm sorry."

George Schmelzer: "That was another public hearing. You had people speak three times-- "

Supervisor Villella: "Okay. You're right."

George Schmelzer: "Yeah. I'll reserve-- "
Supervisor Villella: "Reserve for another time."

George Schmelzer: "No, for a few minutes later."

Supervisor Villella: "You sound like-- is this an impeachment case you're doing here?"

George Schmelzer: "The season is over. You even can't get a tomato now, you can get cauliflower but no peaches."

Supervisor Villella: "All right, George. We've got Bruce who wants to speak on this, and then we're going to close it. Bruce, could you please come up."

Bruce Johnson: "Bruce Johnson, Riverhead Fire Marshal for the record. I had an opportunity to review the zoning strictly for the purposes of the fire safety issues and a lot of the things like

setbacks, building heights and the businesses that are required are certainly adequate in terms of the fire protection but I would like the Board to maybe consider one addition to the zoning ordinance and that could come under the additional requirements-- we have 14 current provisions now that deal with everything from the health regulations to the noise zoning. And my recommendation would be to either include by reference or certainly maybe a few provisions from (inaudible) 1141 which deals with the fire protection of planned communities.

I know Rick in the Planning Department is very familiar with this but what I find is that in a lot of site plans I think a lot of architects overlook those provisions and it would be nice to have (inaudible) document or certainly put some of the specific, you know, provisions in there so that we don't have to send site plans back for fire safety issues, you know, the access around the buildings, the extension of the fire hydrant systems, you know, no parking in fire zones. All those standard provisions, I'd like to see those incorporated so that when we get these 100 acre site plans it includes those things already that we know should be there and maybe save a little bit of time-- site plan. Thank you."

Supervisor Villella: "Thank you, Bruce. All right. 3:53, I declare the public hearing closed."

Public Hearing closed: 3:53 p.m.

Public Hearing opened: 3:54 p.m.

Supervisor Villella: "The time is 3:54. Barbara, could you please read the public hearing? The last one."

Barbara Grattan: "I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall, Riverhead, New York, at 2:20 p.m. on December 15, 1998 to hear all interested persons who wish to be heard regarding the consideration of a local law to amend Chapter 48 Beaches and Recreation Centers of the Riverhead Town Code Section 48-7 Application for Permit; Fee."

Adam Grossman: "Okay. I just want to read for the record the subject of this public hearing. It is regarding Section 48 of the Riverhead Town Code, Application for Permit; Fee. Under subsection F the Recreation Department is hereby authorized to issue facility usage

permits for the use of town recreation centers, beaches, park picnic areas and ballfields. Fees for uses at these facilities shall be set on an annual basis by the Town Board and shall be posted at the Town Recreation Department and shall be on file with the Town Clerk. Subsection G-- well, F and G are being added to this particular section, 48-7. The Recreation Department is hereby authorized to propose recreational programs to be offered by the town and any and all fees associated therewith. Said programs and fees shall be subject to the review and approval of the Town Board on a periodic basis and shall publish same in a townwide brochure."

Supervisor Villella: "Thank you, Adam."

Councilman Kent: "And if I could speak on it. If no one else wants to speak, I'll just explain what's going on here. What this amendment to the code actually does is it codified past practice of the town. Without prior authorization the town in the past has always just set fees, has allowed the Rec Dept. to set fees and has allowed the Rec Dept. to publish a brochure that lists those programs being offered and the fees that we are charging for them. This just codifies it, allows the Rec Dept.-- grants the Rec Dept. the authority to establish programs and set fees that the town will charge for those programs. So if anybody wants to be heard."

Supervisor Villella: "Thank you, Chris. Does anyone like to speak on this public hearing? Go ahead, George."

George Schmelzer: "I thought that the public beaches, tidewater are free for public use at any time for any reason-- reasonable. So what's these permits for?"

Councilman Kent: "This doesn't have to do with beaches. This really has to do with Rec Centers."

George Schmelzer: "It says beaches right on there."

Councilman Kent: "That's just the title of the code section. It doesn't really-- "

George Schmelzer: "You say beaches, but you don't mean beaches? What do you mean?"

Councilman Kent: "Section 48 is entitled Beaches and Recreation Centers. This has to do with recreation centers and the use of the

facilities."

George Schmelzer: "You mean it doesn't include beaches?"

Councilman Kent: "No."

George Schmelzer: "Why do you put the word in there for?"

Councilman Kent: "It's in-- that's the title of the code section."

George Schmelzer: "Gets me confused."

Councilman Lull: "George, that code section does include beaches and it includes fees for parking on beaches."

Councilman Kent: "But the amendment only deals with the use of recreational centers and the fees associated with programs being offered at those centers."

George Schmelzer: "Well, you better-- "

Councilman Kent: "Actually it does include beaches in a way because it includes fees charged for the swimming program."

George Schmelzer: "I wish you'd make up your mind which it is now. It does include beaches?"

Councilman Kent: "Only as relates to the offering of the swimming program at the beach."

George Schmelzer: "Well, that's what people use beaches for. Anybody knows that."

Councilman Lull: "George, swimming instructors."

George Schmelzer: "Beach is supposed to be free to anybody and that's it."

Councilman Lull: "Thank you, George."

George Schmelzer: "So you should entitle that so people understand what they're reading-- I don't think you understand yourselves what you're reading there. Gee whiz. I'm surprised.

Well, that's normal I suppose."

Councilman Kent: "I tell you what. We'll give you the whole code and you can read the whole thing and tell us how it should be changed."

Supervisor Villella: "We're going to give you a homework assignment."

George Schmelzer: "How many pages is it? Is it one book?"

Councilman Kent: "It's two books."

George Schmelzer: "What, three inches thick?"

Councilman Kent: "And we want a written report in two weeks."

George Schmelzer: "Yeah, well, I can't read my own handwriting so that's no good. Okay. Thank you."

Supervisor Villella: "Thank you, George. Anyone else like to speak on this public hearing? If not, the time is 3:57 and I declare the public hearing closed."

Public Hearing closed: 3:57 p.m.

Supervisor Villella: "We are now going to close this meeting. Would you like to speak on something?"

Councilman Lull: "No. But we do have a public hearing that's tabled-- that is still open."

Supervisor Villella: "Oh, that's right. We do have-- we reopen the hearing before we go into the CDA. This isn't the time to-- do you want to speak on something particular, is that what it is? Oh, no, that comes later on at the end of the meeting when I ask for people to speak, then you can voice your opinions and everything."

Councilman Kent: "What hearing do we have open?"

Councilman Lull: "We still have the open hearing on the Tsunis application. That's still open."

Supervisor Villella: "That's still open. Did you want to keep it open or did you want to close it?"

Councilman Kent: "I think we should close it, after today-- people speak on it today, right."

Supervisor Villella: "Want people to speak on it, but I think John is here. I'd like to have people to speak on it."

Councilman Kent: "He could also speak during the time when we consider resolutions."

Public Hearing reopened: 3:59 p.m.

Supervisor Villella: "Why don't we-- this is on the public hearing that we have open still on the hotel-- motel change to hotel. Would you like to speak on this, John? Thank you."

John Tsunis: "Members of the Board, my name is John Tsunis in favor of the application for the change of zone and special permit Tsunis application. Naturally I'm disappointed with the apparent action the Town Board's about to make. I see on the agenda that there's a resolution pending for denial of the application.

I'd just like to bring a couple of things to the forefront before you do make that decision. One is the traffic study that I'd like to be included in the record which supports our original suggestion that the traffic generated by this hotel is a lesser impact than that permitted by other permitted uses in the zone. As you may know, the County Planning Commission denied my application and supporting the change of zone. I'm not sure that the Town Board does know that there was apparently misinformation sent to the County Planning Commission from the Town of Riverhead. For example, the Town of Riverhead advised the County Planning Commission that the application was for a five story hotel. As you know, it's a four story hotel. The Town of Riverhead advised the Suffolk County Planning Commission that the application was 160 room hotel. As you know, it's less than 140 rooms. The County Planning Commission was advised that there were proposed two curb cuts. And as the applications were submitted to the town, you know it's only one curb cut.

The Town of Riverhead advised the County Planning Commission that the application will require all kinds of variances and except for the special permit application which was apparent, there were no variances

required. The Suffolk County Planning Commission believes that the landscaping requirements weren't met. There were a lot of things that were incorrect that were reviewed by the County Planning staff and notwithstanding that there appears to me no way to change the Town Board's mind at this point. I think the Town of Riverhead is going to suffer a severe setback with this kind of information going to the County or just disseminating to the general public and the business community."

Supervisor Villella: "Jack, could you get Rick for us, please. Find Rick."

John Tsunis: "The Planning Commission was understood that there's a comprehensive plan underway and the conclusions are imminent. And the expert or the staff member that presented the application to the County Planning Commission indicated in so much as there's a comprehensive plan underway and as a matter of fact it was indicated-- I don't know if there were minutes taken at that Planning Commission-- that it would be completed in three to six months. They should withhold approval of the application for a hotel. It's my understanding that although a contract has been signed for a comprehensive plan, little or no work has been completed and the plan is a minimum of two years away."

Supervisor Villella: "I could correct you on that, John. That's going to be a priority for the master plan to work on that Route 58 corridor within the next six months."

John Tsunis: "I think that's a great idea, I think that's a great idea. As a matter of fact, the Planning Commission indicated that notwithstanding the application, they thought that Route 58 may very well be an excellent site for a limited service hotel. It's been said at other administrative hearings that a hotel would better serve the Town of Riverhead if it was built in the industrial C corridor which is in and around the Edwards Avenue area. That's five-- over five miles from this point. It's-- as far as I can see-- farm country. I can't for the life of me understand how good planning would suggest that a limited service hotel to support the infrastructure of Riverhead, the Route 58 corridor, would be built in farm country that doesn't have adequate roads to support that kind of use and doesn't have a sewage system which Route 58 and the downtown area does."

Supervisor Villella: "John, just for a minute, I want-- Rick, we seem to have some problems. The Suffolk County Planning Commission

was sent the wrong information. Was that from your office or was it-- like five stories instead of four, 160 rooms instead of 140, and two curb cuts instead of one. Just the opposite."

Councilman Lull: "They have the previous plan."

Richard Hanley: "Can I respond to that?"

Supervisor Villella: "Please."

Richard Hanley: "I was informed yesterday that the package that the Town Clerk sent over to the Planning Commission was the original application for the hotel which showed a larger facility than the one that we considered as part of all of our SEQRA, all of our reviews at the Planning Board level. If you recall, there was an amended application may have given some concerns about the height that (inaudible) a variance (inaudible), that was purely an oversight that the wrong material was sent. I don't know how the sending of the amended application would change the attitude of the Planning Commission because I don't know that their attitudes were necessarily dependent upon the height and the number of rooms. I think they had more general concerns about the location, whether it's 140 rooms or 160 rooms, I don't know. But, I will talk to the Town Attorney and see what his thoughts are relative to whether we should resubmit that and hold off on making a decision until that's been done."

Councilman Lull: "I think what we should really do, Vinny, I think what we should do is we can close this hearing when we finish today but I think when it comes to the resolution that we have, we had held off on the resolution pending an answer from the Suffolk County Planning Commission. If the Suffolk County Planning Commission did, in fact, act on incorrect information we probably should simply table the resolution, ask Rick to resubmit the document in its correct form to the Suffolk County Planning Commission. I agree with Rick. I don't know if it will make any difference-- if it will make a substantial difference, but I don't believe that a decision made on the incorrect information should stand. Just simply wait until next month."

Adam Grossman: "I agree with Jim precisely."

Supervisor Villella: "Good."

Adam Grossman: "I don't think we should act a recommendation

that-- I would suggest that we table it at this time."

Supervisor Villella: "Pull it. Okay. Table it. Thank you."

Councilman Lull: "That doesn't mean that you can't continue with your hearing, John."

John Tsunis: "Yes. I think-- it disturbs me somewhat. I appreciate the good faith being attempted by the Town Board at this point-- it disturbs me because I was begging the Planning Department to refer the application to the County Planning Commission for many weeks. It came at a very late date. Perhaps because of the urgency of the lateness and the application referral, there was a mixup. It disturbs me that there's a Planning Board member from this town that sits on the County Commission and there was no attempt to rectify or discuss the fact that the application was obviously erroneous. And very frankly, Mr. Supervisor, it disturbs me at this point because I've got 15 days left on my contract. So, it's Don (inaudible) chasing the final approval. It doesn't do me any good at this point. It really doesn't. I lose tens of hundreds of thousands of dollars as the time lapses to the new year, 1999.

It disturbs me because it seems to me in my initial conversations with the Town of Riverhead and with the application and with the submissions I previously made, Splish-Splash, Swezey's Department Store, the Riverhead Foundation, Chicago Title Ins. Co., Suffolk County National Bank, Palmer Vineyards, a little gasoline station on Route 58, Pindar Vineyards, Museums at Stony Brook, a former manager of the Holiday Inn in Riverhead all supported this application as being a bona fide application, something that would support and complement the infrastructure of Riverhead. And I'm concerned when your present zoning would allow me to come down with the building permit application to your Building Department and I can build a poultry processing plant there. I could erect a trucking station. Just with an application-- a building permit. A vegetable and fruit plant and I read with interest the newspaper articles about the residents about crying for an increase tax base and I think I could help that by building a seven million dollar facility that would not be a redundancy. It would complement what you have here. It would enhance the great strides that this town has made over the past five years. I believe they are great strides, some people may disagree. Traffic is inevitable. The traffic report by Nelson and Pope (phonetic) will indicate that the traffic emanating from this project would be of lesser impact than other applications that are permitted

as a matter of right. It's to be part of the record, yes.

It disturbs me, an innocuous, I think, facility that would employ 50 people, generate $500,000 in payroll, $100,000 in tax revenue, and in my opinion, a beautiful building would have support evaporate so quickly. It-- and I understand about a comprehensive plan. I'm a land use attorney and I'm a big boy, I can take it on the chin. But when it is suggested that a hotel and this particular application, a limited service hotel, that supports the Riverhead-- downtown Riverhead Route 58 corridor, the businesses that are here and are growing, it would-- it should be suggested that it be built in an Industrial C area in Riverhead on Edwards Avenue where there's nothing but farmland-- "

Supervisor Villella: "Or downtown."

John Tsunis: "Or downtown. Downtown's fine. But it was suggested in Industrial C where there's no sewer plant and there is farmland, it-- I get crazed with it because you can build with a special permit, a motel. And a four story motel. And the distinction as innocuous as we all said it was at one time, was an exterior entrance versus an interior entrance. I have somebody from Holiday Inn here that would never give me an approval for Holiday Inn if I bulid an exterior entrance motel. And it's disappointing. That's all I'm here to say. I'm not here to recoup any of my money. There's nothing anybody can do right now in this municipality to support this application except to approve it tonight, and otherwise, it goes down the tubes. The good natured criticism-- constructive criticism that I heard, I could accept but the competitors that are concerned because their facilities aren't really what the '90's or the year 2000-- to be concerned about a new facility coming in, should be a concern to the municipality because if you have to wait now for a comprehensive plan, you're talking two to four years for a new facility to come in where I think everybody sitting in this room knows it's very appropriate to come in. And that's my five minutes of psychology. Thank you for your attention."

Supervisor Villella: "Thanks, John. Anyone want to speak on that?"

Councilman Cardinale: "I'd just like to-- just to note that I don't think it's so much with this Town Board that John ran into trouble. John is an experienced real estate attorney. We have a 50 recommendation from our Planning Board, individuals who were appointed

by the Town, have taken special training and planning together with the Planning Department, a very forceful recommendation and a very compelling one against authorizing the relief requested. How many times realistically do you think a Town Board can disregard that kind of a recommendation from a Planning Board and expect these people to do good work and to study planning and to take the task appointed to recommend to this Town Board what is good planning practice.

We also have a Planning Department that we have to take counsel from. I do agree with you that I discounted largely your competitors. If you felt you could make money there, that was all that was relevant, not whether they felt you could. However, I think the Planning Board's recommendation, our Planning Board, was very compelling in my judgment on this matter."

Supervisor Villella: "Anyone else like to speak on this public hearing? Yes."

John Murray: "I wanted to just come today and say, number one, that we-- "

Supervisor Villella: "You didn't state your name."

Councilman Kent: "Would you please state your name?"

John Murray: "I'm sorry. John Murray. I'm with (inaudible) and one of our (inaudible) is the Holiday Inn Express which was under consideration for John's project. And as we have worked through the process, number one, we knew that John was an award winning franchisee of ours and so we work with our franchisees to go ahead and develop new projects in new areas. We looked at Route 58 and saw the demand generators and to build near those demand generators we thought made sense. We also looked at the economics of the project to say that, yes, it can be very viable in the marketplace, contrary to some things we heard from competitors.

And so we just wanted to come today and say that we're disappointed also that basically this was the right kind of project that we all thought we were kind of coming together on and it hasn't happened at this point. Thank you."

Supervisor Villella: "Thank you, John. Anyone else like to speak on this besides George? George, go ahead."

George Schmelzer: "Well, run by planners. If you can't run yourselves, (inaudible) run by planners. The Town can't even plan for itself, you've got to have a Planning Board, wonder how they plan their own businesses, their own lives. That's different though. Like to plan somebody else's, why not their own?

Now this Suffolk County Planning Commission, they-- they're the ones that left the expressway, don't go past 58, 20 odd years ago. That's good planning, isn't it? Instead of extending it to 105, maybe you should get on to that now. Also they don't want any buildings more than 35 feet high, except the county building-- the Dennison building, that's different. Do as I say but don't do as I do. And did they plan also the Southwest Sewer District can't even run itself. They want the taxpayers here to help pay for it. I could go on and on with this stuff."

Supervisor Villella: "But it doesn't pertain to this."

George Schmelzer: "So, this guy wants to spend seven million of his own money, won't hurt anybody, help the town, what are you afraid of? I don't understand. You talk about this nonsense over here, halfway in the (inaudible) with Grumman, something very specific and clear, you say no. I don't understand it. Really. Do you understand it yourselves? Are you afraid of the Planning Board? Some of them, they want two acre zoning, none of them have two acre zoning in their own house. Bunch of damned hypocrites. And (inaudible) this too. What are you jealous of somebody who wants to put up this building? It's his own money. He's not going to borrow from the town. Not going to get any special deals or special tax reductions, special low rates, low interest, special this, special that. What you want over here. I don't understand you, really. Sometimes I think you'll kill the town. I don't blame anybody not wanting to come to this town with screwy ideas they have, all this planning and zoning. We done-- the town grew better before we had all this nonsense. Now you're going to revise the zoning, you don't know which zoning that was any good. Would be good, no good. It's like a Laurel and Hardy joke almost some of the stuff is, really."

Adam Grossman: "George, try to stick to the subject of the hearing, please."

George Schmelzer: "Yeah."

Supervisor Villella: "What's the public hearing about?"

George Schmelzer: "What?"

Supervisor Villella: "What's the public hearing about?"

George Schmelzer: "It's getting worse than Laurel and Hardy. At least you could laugh at that. This you can't laugh at. But I say you should approve it. Forget the rest. Approve it."

Councilman Cardinale: "George, just to clarify your general position. Is it your general position that we should not have a zoning statute?"

George Schmelzer: "Not the way it's going, no. I remember before we had it, we did all right without it. People are going to preserve their own property. They're not going to-- "

Supervisor Villella: "What did he say? Do away with the Zoning Board, is that what he said?"

Councilman Cardinale: "No. Do away with zoning is what he's suggesting. Not just the Zoning Board."

George Schmelzer: "Yes. Yes. The people don't ruin their own property. Like in Calverton now, they're digging a sand hole in the farm area. That's because of zoning. Before we had zoning, a guy would go in some sandhill and dig the sand out. Now they look at this code, oh, we can permit it here, we're permitted here, let's do it. And people used to put a gas station up where it's most practical. Now, they have to put it where it's permitted, practical or not."

Councilman Cardinale: "Well, your dispute is not so much with us, it's with the Supreme Court because in 1920 when they originally passed zoning, the exact challenge you make every week in front of us was made, that it is the taking of property without due process of law. Unfortunately, in 1922, in Euclid versus Ohio (phonetic), remember that case, they determined it was not-- it did not qualify as a taking without payment. So you've got the dispute with them, not with us."

George Schmelzer: "Well, some judge there was a little biased I think at that time for his own particular stuff so he-- "

Supervisor Villella: "Okay. We got the history lesson."

George Schmelzer: "He should have maybe kept out."

Supervisor Villella: "George, you're for the hotel. I have you on record for that."

George Schmelzer: "Oh yeah?"

Supervisor Villella: "Is that what you said?"

George Schmelzer: "He should have exempt himself saying he's got conflict of interest if he was a good judge, he would have done that."

Supervisor Villella: "So we're going to close this public hearing."

George Schmelzer: "All right. Why don't you approve the guy and forget it then. Nonsense like this-- you should approve him."

Supervisor Villella: "Okay, thanks a lot, George."

George Schmelzer: "Okay, you're very welcome."

Supervisor Villella: "All right. We're going to close this public hearing. The time is 4:20 p.m. The public hearing is closed and we will pull that resolution. We're going to table it when we get to that area."

Public Hearing closed: 4:20 p.m.

Supervisor Villella: "Okay. Now I have to close this meeting."

Town Board Meeting closed: 4:20 p.m.

Town Board Meeting reopened: 4:24 p.m.

Supervisor Villella: "Do you want to take a break now or do you want to go into public comment? About 10 minutes, and then we'll come right back."

Recess

Town Board Meeting reopened: 4:45 p.m.

Supervisor Villella: "And we're going to go into public comment on resolutions so if you have any comments on a resolution, please come forward. Rolph."

Rolph Kestling: "I just want to ask did you add any-- "

Councilman Kent: "We have not added any resolutions to the packet."

Councilman Lull: "Nothing new, Rolph."

Supervisor Villella: "No, no, no."

Councilman Kent: "Everything on the agenda is what we're considering tonight with no additions."

Supervisor Villella: "Exactly."

Allen Smith: "Mr. Supervisor. My name is Allen Smith. With me is Mr. Jack Liebert who is counsel to Mr. Albert Benjamin. We appear before you relative to resolution 1100. We ask that you accept the-- 1101, my apologies. We ask that you accept these comments on resolution 1101. I met with the Town Board at its work session on Tuesday, December 8th. The meeting was attended by Mr. Hubbard, Mr. Benjamin, his company counsel, support staff-- "

Councilman Kent: "Oh not 1101, I'm sorry."

Supervisor Villella: "Okay, we've got it."

Councilman Kent: "I think the record should be correct."

Councilman Lull: "It's 1110."

Councilman Kent: "110-- 1110, I'm sorry."

Supervisor Villella: "1110. We got it now."

Allen Smith: "Okay. Whatever number-- "

Supervisor Villella: "1110."

Allen Smith: "Mr. Hubbard and Mr. Benjamin (inaudible) near Indian Island. In that meeting of the 8th, we supplied the Town Board with copies of materials prepared and submitted on this project over the last 11 months and we discussed the extension of Mr. Hubbard's permit. We agreed that we should meet Councilman Kent and Councilman Cardinale at noon on the 9th the following day. On the 9th Mr. Liebert, Mr. Kent, Mr. Hanley and I met in this room and negotiated a resolution extending Mr. Hubbard's permit for one year subject to conditions. On Friday, December 16th, this past Friday, the resolution before you was drafted and circulated.

If there is to be an extension of Mr. Hubbard's permit, there is an identity of interest between Mr. Hubbard and Mr. Benjamin as contract vendee. If the extension is not adopted, Mr. Hubbard is entitled to counsel to defend his permit separate and distinct from Mr. Benjamin's interest in the property. If Mr. Hubbard's permit is not to be extended, as discussed last week, I request an extension of Mr. Hubbard's permit for 60 days such that Mr. Hubbard may appear by counsel to represent his interest."

Supervisor Villella: "Thank you. Jack."

Jack Liebert: "Yes. Just briefly. My name is Jack Liebert, 377 Oak Street, Garden City, New York. I am general counsel for the Benjamin organization. I just wanted to assure the Board that we have prepared plans in accordance with-- in fact, they are the same plans that were reviewed last week with Mr. Hanley and counsel and other parts of the staff. We will be submitting them together with a petition this week for a proposal to construct 296 units of senior citizens housing apartments and that really is the purpose of this whole exercise. We appreciate the indulgence of Mr. Hubbard but we haven't veered from our promise to the Board to build in accordance with the plan which we've been showing to you all along. I just want to reassure the Board of that fact."

Supervisor Villella: "Thank you, Jack. Anyone else like to speak on the resolutions before we go into the resolutions? If not, we're going into the resolutions."

Resolution #1100

Councilman Cardinale: "Resolution #1100, authorizes the Town Clerk to publish and post public hearing notice to consider the demolition of buildings owned by Glider Holding Corp. pursuant to

Chapter 54 of the code of the Town entitled Unsafe Buildings and Collapsed Structures. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "This property is at 705 Roanoke Avenue. I vote yes."

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

Resolution #1101

Councilman Kent: "Resolution 1101 authorizes the release of the performance bond for Knightland, Inc. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #1102

Councilman Lull: "Authorizes the release of performance bond for Main Road Associates. The Building Department has been satisfied that they have completed their construction, the CO has been issued, and I move the release of that bond."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1103

Councilman Cardinale: "Resolution 1103 amends the site plan of

the Riverhead Free Library. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "I'm going to abstain since I serve on the Board of the Library."

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

Councilman Lull: "I took out a book yesterday-- yes."

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

Resolution #1104

Councilman Kent: "Accepts the draft environmental impact statement of Traditional Links LLC. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "Yes. We have a recommendation from the Planning Department that this is complete, at least insofar as the scoping. So, therefore, I would vote yes."

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

Resolution #1105

Councilman Lull: "Approves the site of the Polish Town Civic Association pavilion with about 13 different conditions. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1106

Councilman Cardinale: "This resolution approves the site plan of 254 Route 58 Corp. (Cablevision parking lot expansion. So moved.)

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1107

Councilman Kent: "In light of the testimony that we heard during the public hearing regarding the information, the misrepresentative information provided to the Suffolk County Planning Commission, I'm going to move that we table Resolution 1107."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Is there a second? Okay. Moved and second to table."

The Vote: "Cardinale, yes, to table; Kent, yes; Lull, yes; Villella, yes. The resolution is tabled."

Resolution #1108

Councilman Lull: "1108 declares lead agency and determines significance of action zone change and special permit for the site plan of Island Water Park. And we're at that point where the DEC has decided that it is ours to be lead agency. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1109

Councilman Cardinale: "This resolution declares lead agency and determines the significance of action zone change of Northrup Grumman Corporation. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1110

Councilman Kent: "Resolution 1110 I'd like to offer that with certain amendments which I'm going to provide to the Clerk in written form, but I'll also put them on the record. The resolution should now be amended as follows: The third WHEREAS clause, and should be deleted and the word "now" should be added. The fourth and fifth WHEREAS clauses should be deleted. In the first RESOLVE clause, the term "one year" should be deleted and in its place should be added "60 days". So we're extending the special permit of William Hubbard for a period of 60 days from the date of this resolution. At the end of that first RESOLVE clause we add the word "and" and delete the words "subject to the following conditions". Delete all of the conditions and that's it and I will provide you with a written copy and I will also so move this resolution as amended."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "In regard to this resolution, this is an extension of a 10 year old permit and the proposed use for the 10 year old permit was condos, owner occupied whereas the proposed use presently is a different use for apartment, senior citizen. I was, therefore, very hesitant to extend this permit because of those circumstances. However, in view of the information placed on the record by Mr. Smith today, I believe the fundamental interests of justice to require an extension for 60 days and so I vote yes."

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

Councilman Kent: "In my early days as a practicing attorney, I did some legal work for Mr. Hubbard on his original application 10 years ago and so I abstain on this."

Councilman Lull: "I believe this allows Mr. Hubbard to handle the application and in sufficient time to do so. Yes."

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

Resolution #1111

Councilman Lull: "1111 rescinds the Resolution 152 of 1998. I'll move that resolution."

Supervisor Villella: "Is there a second?"

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Supervisor Villella: "Excuse me for one minute."

Councilman Lull: "I have a fundamental problem with this resolution and just to make it clear what the resolution is. The resolution rescinds a temporary sign permit for Riverhead Center LLC. We have a sign-- or there is a sign at the Riverhead Center location. That sign under other town codes and under the proposed code that we have and it is unclear in our present code, that sign is not necessarily the-- a sign that has to do specifically with what is being built there. A construction sign is a sign that's built for the construction company. Yes, it identifies what's coming but it basically is to identify the construction company, the architect, the engineer, the financial officer and so forth. That type of thing exists and can and must continue to exist as far as I'm concerned as long as there is an ongoing business. The question here is, is Riverhead Center an ongoing business? My point here is that it isn't Riverhead Center that's an ongoing business rather it is the Riverhead Center still has a contract with the construction company's engineers and architect who are advertised in this construction sign.

So until that construction-- until that contract with those construction companies are terminated, it is still an ongoing business and so, therefore, I would suggest that either we need to take a look-- more of a specific look at this code and how this relates to this code or simply vote it down or table it. I'm not in favor of doing this because we do not refer to them as construction signs. Most other towns do."

Supervisor Villella: "Jim, also some of those stores or businesses that he has on that sign are not coming to Riverhead."

Councilman Lull: "Then it would be incumbent upon Riverhead Center to take them off the sign. But the signs still exist for Riverhead Center, for East End properties and the architect and the engineer and so forth as long as they are under contract. That is my point about it. It has nothing to do with-- "

Supervisor Villella: "I don't see it that way."

Councilman Kent: "Is there time periods in the code for a temporary sign of this nature?"

Councilman Lull: "This one was granted for a year."

Councilman Kent: "How long has that sign been up?"

Supervisor Villella: "How long has it been up?"

Councilman Lull: "It went up last August."

Adam Grossman: "I'm not exactly sure of the date when it went up."

Councilman Lull: "August, I believe. I'm not sure. Somewhere around there."

Adam Grossman: "Before my time."

Supervisor Villella: "Are you getting old on us?"

Adam Grossman: "August of this year or last year?"

Councilman Lull: "I think it's August of this year."

Adam Grossman: "Then I was here. So then we're talking about it's only been up for four months."

Councilman Lull: "It may be more than that."

Councilman Kent: "No. I think it's been up longer than four months."

Supervisor Villella: "What's your feeling on it?"

Councilman Cardinale: "I don't have real strong feelings one way or the other. So why don't we table it."

Supervisor Villella: "Table it and talk to it next Tuesday. I know there's some businesses that aren't coming in that are on that sign."

Councilman Lull: "Oh, I realize that. I realize that. And that's incumbent upon-- I believe it's-- "

Councilman Kent: "March 3rd is the date of the approval of this sign."

Supervisor Villella: "March 3rd."

Councilman Lull: "Okay. I move to table it."

Barbara Grattan: "Is there a second?"

Councilman Cardinale: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes, to table; Kent, yes; Lull, yes; Villella, yes. The resolution is tabled."

Resolution #1112

Councilman Cardinale: "This authorizes the Town Clerk to publish and post a help wanted ad for part time assistant Town Attorney. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1113

Councilman Kent: "This accepts the resignation of Sean McGahy from the Street Lighting Department. So moved."

Councilman Lull: "Regretfully seconded. Sean has done a real good job for us. I hate to see him go. Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #1114

Councilman Lull: "1114 appoints Jennifer Seebeck as a provisional account clerk typist in the Accounting Department. So moved."

Councilman Cardinale: "This is seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "I just want to verify that the committee is-- "

Councilman Kent: "We discussed this."

Councilman Cardinale: "-- was discussed and are recommending this as a necessary hire. In light of that recommendation, I vote yes."

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

Resolution #1115

Councilman Kent: "On 1115, I'd like to move to table 1115 for further discussion at our next work session."

Councilman Lull: "So moved. I mean seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes, to table; Kent, yes; Lull, yes; Villella, yes. The resolution is tabled."

Resolution #1116

Councilman Kent: "This is the budget adjustment for the capital project at Edwards Avenue, road improvement. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #1117

Councilman Lull: "I am also going to move to table 1117 for our next work session."

Supervisor Villella: "Is there a second?"

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes, to table; Kent, yes; Lull, yes; Villella, yes. The resolution is tabled."

Resolution #1118

Councilman Cardinale: "Once again, I would move to table this rather than move it for a vote."

Supervisor Villella: "Is there a second?"

Councilman Kent: "Seconded."

Supervisor Villella: "All right. Moved and seconded."

The Vote: "Cardinale, yes."

Councilman Cardinale: "And I would note that all these promotions were tabled for further discussion at the work session on Tuesday."

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

Resolution #1119

Councilman Kent: "Yes, I move to table this to discuss it at our next work session."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #1120

Councilman Lull: "Promotes Walter O'Kula who is an automotive equipment operator in the Highway Department to the position of heavy equipment operator. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1121

Councilman Cardinale: "This resolution promotes an automotive equipment operator in the Highway Department to the position of heavy equipment operator, Edward Reeve. I believe these are all promotions that were discussed at the end of the year as merit increases and promotions. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1122

Councilman Kent: "This promotes John Schwarz from automotive equipment operator in the Highway Department to the position of heavy equipment operator. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #1123

Councilman Lull: "1123 extends the bid for work clothes. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent."

Councilman Kent: "We're granting this to Woods Men & Boys Wear. I vote yes."

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

Resolution #1124

Councilman Lull: "Awards bid for building materials. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1125

Councilman Cardinale: "This resolution awards a bid for a dump truck, an expensive dump truck, $29,496.00. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "Do we need this dump truck?"

Councilman Kent: "I think the Supervisor is going to be driving this one."

Councilman Cardinale: "No, he won't drive this, but-- "

Supervisor Villella: "No, I'm not going to-- yeah, this is-- that's the one-- which one was it, Highway Department that has a big problem, there's a big hole underneath the chassis."

Councilman Cardinale: "All right. Yes."

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

Resolution #1126

Councilman Kent: "Swezey's Development project budget adjustment from developer's fees to land acquisition, $89,000. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #1127

Councilman Kent: "Sewer District budget adjustment, $16,000. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #1128

Councilman Lull: "More end of the year budget adjustments, this one in the Water District. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1129

Councilman Cardinale: "This is a resolution, senior citizens day care center fund budget adjustment, $31,300 appropriated fund balance to services and non-uniform FICA. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1130

Councilman Kent: "This is a general fund budget adjustment $215,555 from our appropriated fund balance to a number of under-funded line items. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #1131

Councilman Cardinale: "This resolution appoints temporary mini bus driver for 90 days, Kathleen Long. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1132

Councilman Kent: "Okay, 1132 is the capital project budget adoption for the Reeve Farmland Preservation acquisition, it's $615,000 with $435,600 coming from New York State Ag & Markets. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #1133

Councilman Lull: "Another farm preservation capital district--capital project budget adoption $320 for the Warner Farm preservation. So moved."

Councilman Kent: "$320,000. Seconded."

Supervisor Villella: "Okay. Moved and seconded."

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

Supervisor Villella: "And this will be taking place this week, so, the 17th. So this is a marking a little history in the day of Riverhead. The first one. The Warners, too. They've been here long enough, too, right."

Resolution #1134

Councilman Lull: "A budget adjustment in the refuse and garbage district. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent."

Councilman Kent: "Question on this. I'm sorry, I don't really know about this resolution. Who-- this money is going to refuse and garbage district? I see it's all within the district but these personal services, telephone expenses."

Supervisor Villella: "Social security, hospitalization, transfer to general fund. Jack, could you-- "

Councilman Lull: "Plus our payment on the fines."

Councilman Kent: "Does this have to do with the landfill litigation?"

Supervisor Villella: "Yes, part of it-- $15,100. Could you come up here, Jack, and clarify this for the Board, please, and the people here? And the people watching. I know you don't like to be on TV. You've got that zoom lens for him?"

Councilman Lull: "A large percentage of that is just being transferred to general funds, right, Jack?"

Jack Hansen: "Which items are you asking about?"

Supervisor Villella: "The whole rundown."

Jack Hansen: "All these are items that are underfunded as far as the budget. For example, personal services, there was severance pay at the beginning of the year. Hospitalization, same thing. It's

all part and parcel of the operation then. I don't understand-- I'm missing the exact question."

Councilman Kent: "Well, I just wondered what services. When you say personal services-- "

Jack Hansen: "Salaries. That's severance pay."

Councilman Kent: "Oh, for someone who left the employ?"

Jack Hansen: "Right."

Councilman Kent: "Okay. I didn't know we had somebody that left. Okay. Thank you."

Supervisor Villella: "Thanks, Jack. So we have to vote."

Councilman Kent: "Did we vote yet or was it-- "

Barbara Grattan: "No. Is that a yes or a no, Mr. Kent?"

Councilman Kent: "I didn't know whether we had called the vote yes, okay. Yes."

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

Resolution #1135

Councilman Kent: "Okay, this resolution calls a public hearing for January 5-- boy, that's going to be a busy day-- "

Supervisor Villella: "It can't be 7:15. We've got everything 7:15."

Councilman Kent: "We have a lot at 7:15 on that day."

Supervisor Villella: "Make this 7:25."

Councilman Kent: "January 5th is the correct day. But that's our organizational meeting also. By the way, we already called a public hearing for that date. We set a public hearing on-- when we accepted the draft environmental impact statement for Traditional Links, I believe we failed to say-- I think we're also having a public

hearing on that date?"

Councilman Lull: "No, that's the 28th."

Supervisor Villella: "No, we're having-- the public hearing will be on a different day."

Councilman Kent: "Well, if you look at the back of that resolution-- on #1104, so then if this is supposed to be on a different day, I'd like it to be correct, because it says January 5th at 7:20, see here all interested parties to consider the DEIS."

Supervisor Villella: "I think-- we can't be doing it the same night as the organizational."

Councilman Lull: "You've got to be kidding."

Councilman Kent: "That's what's listed in the-- "

Councilman Lull: "I looked right over that, yes."

Supervisor Villella: "We have to have a different date on that like we've been doing-- like with the Maidstone, afternoon one again. It's already been published. Okay."

Councilman Kent: "We have to go with the Traditional Links?"

Supervisor Villella: "Yes. It's already published."

Councilman Kent: "I would suggest that we put the-- "

Supervisor Villella: "We'll leave it as it is and then we can always change it if we have to. See how it goes. What do you want to do with this one? Do you want to change-- "

Councilman Lull: "This one's not going to take any time."

Councilman Kent: "Okay. So we'll just leave this one as is. It's a public hearing for January 20-- for January 5th, excuse me, at 7:25-- or did we already publish this one?"

Barbara Grattan: "No. 7:15."

Supervisor Villella:; "We already got 15-- "

Councilman Kent: "Okay. The other one is 7:20."

Barbara Grattan: "This one is for 7:15. So we're going to leave this one?"

Councilman Kent: "Correct. And it's to consider a budget amendment to the Riverhead Town Code relative to sewer fees. So moved."

Councilman Lull: "I'll second it. It's got to be a grammatical change on there, but just take a look at it."

Councilman Kent: "The text of the-- "

Councilman Lull: "No. Just the word of."

Supervisor Villella: "Moved and seconded."

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

Resolution #1136

Councilman Cardinale: "This is a joint scavenger waste district adjustment from appropriated fund balance to other line items. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1137

Councilman Kent: "This is a budget adjustment for the municipal gargage fund from contractual expenses to overtime. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

The resolution is adopted."

Resolution #1138

Councilman Kent: "This is a general fund debt service budget adjustment from appropriated fund balance. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #1139

Councilman Lull: "Water district debt service budget adjustment. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Lull, yes; Villella, yes. The resolution I adopted."

Resolution #1140

Councilman Cardinale: "This is a public parking debt service budget adjustment in the amount of $350. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolutiojn #1141

Councilman Kent: "Street lighting district budget adjustment. So moved."

Councilman Lull: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1142

Councilman Lull: "1142 accepts the offer of sale of development rights from Richard N. Reeve for 60 acres of real property north of Sound Avenue. The development rights to be purchased at a cost of $8,500 per acre."

Supervisor Villella: "Is that correct? Or is it $7,500?"

Councilman Lull: "I think the seven five is the next one."

Councilman Kent: "No, 8,500 is correct on this one."

Supervisor Villella: "It says 7,500 in writing."

Councilman Kent: "Oh, you're right."

Supervisor Villella: "This is 85. Okay. Just make the 7,000, 8,000."

Councilman Kent: "This is the one that's 8,500, I believe."

Supervisor Villella: "Yes, it was."

Councilman Kent: "Because I believe the appraised value of this piece was 9,300."

Supervisor Villella: "Okay. So it's 85."

Councilman Lull: "So moved."

Supervisor Villella: "Okay. Moved and seconded."

Barbara Grattan: "Change the seven to eight?"

Councilman Kent: "Maybe we should have Rick confirm that?"

Barbara Grattan: "Yes."

Councilman Cardinale: "Rick, could you come up for a second?"

Supervisor Villella: "On the resolution for Richard Reeve-- "

Councilman Kent: "This is Richard N. Reeve."

Supervisor Villella: "Richard N. Reeve, it says 8,500 per acre but it's written out 7,500."

Councilman Lull: "Last line on the first page, Rick."

Supervisor Villella: "Where it says Resolved, the last line."

Richard Hanley: "That's a typo. It's incorrect. It's 85."

Supervisor Villella: "Okay, good, that's what we thought. Thanks. Okay, it was moved and seconded. Take a vote."

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

Resolution #1143

Councilman Cardinale: "This resolution accepts an offer of sale of development rights again, from Richard L.-- this time-- Reeve, apparently the son, and I show 8,500 an acre on this."

Councilman Kent: "No. This is 7500."

Councilman Cardinale: "Well, then the contract attached needs some work because it should conform to the resolution at 7,500 per acre. So, I move the resolution calling for the purchase at 7,500 per acre. So moved."

Councilman Kent: "Well, I think we might want to table this because the contract provides 8,500. So either the contract is incorrect or the resolution is."

Supervisor Villella: "I'm not signing the contract until I know which one is right."

Councilman Cardinale: "Yes-- "

Supervisor Villella: "All right. Let's table it."

Councilman Kent: "Rick, on the second Reeve piece, Richard L. Reeve, this is the smaller piece?"

Councilman Lull: "Six and a half acre piece, right."

Councilman Kent: "Are we paying $8,500 per acre for this one also?"

Rick Hanley: "They're both 85."

Councilman Kent: "So we should amend the resolution to be-- "

Councilman Cardinale: I'd still prefer to amend it to 75."

Rick Hanley: "Well, at least we're consistent on mistakes."

Councilman Cardinale: "Any contradiction should be resolved to the benefit of us."

Councilman Kent: "Actually good work in trying to get it for 75."

Rick Hanley: "Well, it was appraised at higher than 85."

Councilman Kent: "It was appraised at 9,300."

Supervisor Villella: "93."

Rick Hanley: "So it's a bargain sale."

Councilman Lull: "Exactly."

Barbara Grattan: "85."

Supervisor Villella: "85. Okay. So we can go with that then."

Councilman Kent: "And I'll second it with the amendment."

Supervisor Villella: "Okay. Moved and seconded."

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

Resolution #1144

Councilman Kent: "I will move to table resolution 1144 for further discussion at our work session. This is extending the contract with Arthur J. Gallagher & Co. who provides liability and worker's comp insurance to the town. So I will move to table."

Councilman Cardinale: "Seconded on the table. Okay."

Supervisor Villella: "Moved and seconded to table."

The Vote: "Cardinale, yes, to table for further discussion; Kent, yes; Lull, yes; Villella, yes. The resolution is tabled."

Resolution #1145

Councilman Lull: "1145 approves a leave of absence for Mark Roberts of the police department. Officer Roberts has military orders assigning him for training outside of New York State. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1146

Councilman Cardinale: "This resolution authorizes the Town Clerk to publish and post notice of public hearing regarding a special permit application of Joseph Tomashefsky. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1147

Councilman Kent: "Resolution 1147 authorizes the Town Clerk to publish and post notice of public hearing for the special permit application of Katherine Tokar and it's for January 5th at 7:10."

Councilman Lull: "The last two we did were for January 5th again."

Councilman Kent: "The other one was at 7:30."

Councilman Lull: "Yeah, I realize that but the point is that we're-- "

Barbara Grattan: "I think there's six public hearings for January 5th."

Councilman Lull: "Including the Traditional Links."

Councilman Kent: "Okay. Because that's also the organizational meeting. Okay. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #1148

Councilman Lull: "Approves the application of ASAP Promotions to do balloons, red and white, and blue pennants for the Office Max store. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella; "Moved and seconded."

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

Resolution #1149

Councilman Cardinale: "This resolution appoints a school crossing guard to the police department as per request of the police chief. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1150

Councilman Lull: "This is a budget adjustment for senior citizen site council. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1151

Councilman Cardinale: "This resolution authorizes publication of notice to amend Community Development Block Grant program. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1152

Councilman Kent: "This authorizes the Supervisor to execute an agreement with Gary Abrahamsen, soccer referee. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #1153

Councilman Lull: "1153 authorizes the Supervisor to execute an agreement with Jean Claude Hubbard, a soccer referee. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1154

Councilman Cardinale: "This resolution establishes the Town of Riverhead Code Revision Committee in the person of Patricia Tormey, Chairperson, Stephen Palmer, Dick Roberts and Al Shields and anyone else who would like to join. We encourage you to speak with Town Attorney, Adam Grossman. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1155

Councilman Kent: "This resolution appoints the law firm of Sinnrech, Wasserman & Grubin LLP as special counsel and the town shall pay $150 per hour for services by a partner, $125 for the services of an associate, $65 per hour for the services of a paralegal."

Supervisor Villella: "How much did you knock that down to?"

Adam Grossman: "Well, I actually-- what ended up happening was earlier this year I had changed the hourly rates-- we, as a Board, changed the hourly rates of law firms that do outside counsel work for the Town of Riverhead. However, I thought I had taken care of Mr. Sinnrech but I hadn't. So this is just following up because I hadn't caught his office in terms of changing the hourly wage."

Councilman Kent: "Yes, this amends the fees downward modification of fees schedule."

Adam Grossman: "That's correct."

Councilman Kent: "Not to be too technical."

Adam Grossman: "Normally he was going to be as high as $185 an hour, so it's going down to a max of $150."

Supervisor Villella: "Okay, good."

Councilman Kent: "So moved."

Councilman Lull: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1156

Councilman Kent: "This authorizes the Town Clerk to publish and post notice of the next meeting of the Riverhead Town Code Revision Committee. The meeting is scheduled for Wednesday, January 6, 1999 it should read, not 1998-- 1999 at 7:00 p.m. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #1157

Councilman Lull: "1157 is a resolution calling for a public hearing in the matter of the increase and improvement of the facilities of the Riverhead Sewer District in the Town of Riverhead, Suffolk County, New York and this is a-- where is it-- January 5th, again, at 7:10. I know we have."

Councilman Kent: "Okay, don't worry about it."

Supervisor Villella: "Make it-- "

Councilman Kent: "Get it right."

Councilman Cardinale: "It's a long story."

Supervisor Villella: "Put it 7:25."

Councilman Kent: "No. Leave it."

Councilman Lull: "As long as we've gotten to the point, then it doesn't make any difference."

Councilman Lull: "So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1158

Councilman Kent: "This is the estoppel resolution for claiming that the permissive referendum time period has elapsed for the authorization of the issuance of $57,000 of serial bonds for the Town of Riverhead to pay the cost of the purchase and installation of a replacement generator in the police station building. So moved."

Councilman Lull: "I'll second it."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "I have a question. Is this-- I know this is authorizing the bond. Do we get to vote again before the money is spent?"

Supervisor Villella: "Oh yeah. There's a lot of them in here."

Councilman Cardinale: "That is that whole sequence from 1158 to 1163."

Supervisor Villella: "We don't have to go through with these.

This is just to authorize the money."

Councilman Cardinale: "All right. Because I recall this had-- whether we spent this money I think had something to do with whether or not we got a grant on this particular item. So, I would vote yes on the understanding that this is not the final vote."

Councilman Kent: "Well, why don't we find that out? Why don't we get that put on the record by our-- "

Councilman Cardinale: "Do you know, Jack, what the story is on this?"

Councilman Kent: "We have a bunch of them here. We have, I think, four resolutions."

Jack Hansen: "The four resolutions that you have tonight are for the notice of estoppel like Chris said the end of the permissive referendum period. It just authorizes those bonds to be sold. They aren't going to be sold until you adopt a budget and (inaudible) and also authorize-- "

Councilman Cardinale: "Okay. So we'll see another resolution -- "

Jack Hansen: "The resolution is strictly the top number to be expended for that purpose."

Councilman Cardinale: "All right. And you indicated four-- is that 1158, 59, 60 and 61?"

Jack Hansen: "And 62."

Councilman Cardinale: "And 62. So there's five."

Jack Hansen: "Five."

Councilman Cardinale: "Okay, very good, thank you. All right. So I vote yes."

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

Resolution #1159

Councilman Lull: "Is a resolution authorizing the issuance of $190,000 in serial bonds of the Town of Riverhead, Suffolk County, to pay for the cost of reconstruction of Town Hall on Howell Avenue in said town."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Councilman Lull: "I'm going to vote no on this one. I understand the fact that there still has to be more in terms of budget created and so forth. However, when we talked about bond issues I really have kind of a priority issue and I usually deal with first priority being health and safety, second being economic generator type things, and third being convenience. The first one, obviously, I believe the police department generator, I believe is a safety issue. This, I believe, is a convenience issue and I'm not in favor of going forward with the project. So I'll vote no on that."

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

Resolution #1160

Councilman Cardinale: "This resolution authorizes the issuance of $78,000 serial bonds of the Town of Riverhead to pay the cost of reconstruction of the parking lot at Town Hall on Howell Avenue in and for said town. So moved."

Councilman Lull: "I'll second."

Supervisor Villella: "Moved and seconded."

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

Councilman Lull: "For the same reasons as before, no."

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

Supervisor Villella: "I guess you could vote no on that or whatever. It's just that-- "

Councilman Lull: "I understand what that is."

Supervisor Villella: "Okay. When the project comes in front of us, that's the fact to really look into it. Yes."

Councilman Lull: "But there is an expense of putting together the project itself and I don't want that expense either."

Resolution #1161

Councilman Lull: "The resolution authorizing the issuance of $75,000 in serial bonds to pay for the cost of reconstruction of the roof of the highway barn and administrative office on Osborne Avenue. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Councilman Lull: "It's economically feasible to keep safety of our very expensive equipment up there and that-- so I vote yes on that."

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

Resolution #1162

Councilman Cardinale: "This resolution authorizes the issuance of $170,000 serial bonds of the Town of Riverhead to pay the cost of the reconstruction of a new parking lot on town owned parcel of land contiguous with the Town Hall on Howell Avenue in and for said town. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "Yes, again, on all of these, I am voting yes because I'd like to see further detail before determining.

Accordingly, I vote yes on this as well."

The Vote (Cont'd.): "Kent, yes; Lull, no; Villella, yes. The resolution is adopted."

Resolution #1163

Councilman Kent: "1163 authorizes the Supervisor to enter into an agreement with the New York State Armory for the use of said building by the Riverhead Recreation Department. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "Yes. I had a question. I know the NTSB is paying us a lot of rent, but we seem to be paying the New York State Armory a lot of rent, too. Is this a renewal of a lease that existed and it's simply the same amount? So we can't do any better, huh?"

Supervisor Villella: "Same amount."

Councilman Lull: "They are expensive. I tried to get one for our fundraiser for the dogs and I didn't-- for the same price."

Supervisor Villella: "The tradeoff is they have what they call (inaudible) guard and they are going to be doing projects for the town free of cost. So that's-- we're working together. Partnership. I love partnerships."

Councilman Cardinale: "It's a renewal of a lease at the same price and we tried."

Councilman Kent: "We're paying about $1250 a month."

Councilman Cardinale: "Yes. So in that case, I would vote yes."

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

Resolution #1164

Councilman Lull: "1164 approves the site plan of the East-- the Inn at East Wind. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Kent."

Councilman Kent: "Excuse me. Are you calling me first on this one?"

Barbara Grattan: "Yes, I'm going to call you first."

Councilman Kent: "Okay, I'll vote yes."

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

Resolution #1165

Councilman Kent: "This extends the term of the temporary mini bus driver. Is this a very little bus driver or is this-- "

Supervisor Villella: "No. Actually, the guy's big."

Councilman Kent: "Jason Hubbard. His term is extended from 60 to 90 days. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote "Cardinale, yes; Kent, yes; Lull, yes; Villella, yes. The resolution is adopted."

Resolution #1166

Barbara Grattan: "Resolution to pay bills, 1166."

Councilman Kent: "I think Phil should move that."

Supervisor Villella: "Yeah, Phil, you like these bills."

Councilman Cardinale: "Yes. I would move that we pay the bills. I've spoken to the-- Mr. Hansen and he assures me that there were no irregularities in the requirement of prior approval for these bills. Accordingly, I vote yes, but I'll move it for a vote first."

Councilman Kent: "I'll second it."

Councilman Lull: "I'll second it."

Supervisor Villella: "Moved and seconded."

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

Councilman Lull: "I have to abstain. I signed one of them."

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

Barbara Grattan: "Bills are paid."

Supervisor Villella: "Thank you. Now we go into public comment. George Conklin left. Sid Bail left. Next one is Rolph. Mr. Kestling."

Rolph Kestling: "Rolph Kestling, Wading River. The other day out of favorite paper, the News Review, I cut out this article and I wanted to ask a few questions. Instead of reading the whole article I underlined some things. And this has to do with TPFL-- "

Councilman Kent: "The Place for Learning."

Supervisor Villella: "Oh, the Place for Learning. Yes."

Councilman Kent: "It's not the Place for Learning anymore. It's now called the Science Center."

Rolph Kestling: "They wanted a $250,000 loan."

Supervisor Villella: "So do I."

Rolph Kestling: "They got a $50,000 grant. Now a grant doesn't have to be repaid. Is that correct?"

Supervisor Villella: "Yes, that's correct. It has to be matched."

Rolph Kestling: "It has to be matched by some-- now, a little further down it says this group which today has been unable to get financing is trying to get the Town Board to help them along. Now if you apply to a bank for financing, they investigate you, see what your assets are and how reliable you are. I guess everything must have been negative because they won't give you any money. So now they're coming to the Town Board and they want money. What are we leading up to another Okeanos disaster here? That doesn't sound right. No. Then it says the (inaudible) Larry Oxman revised his request from a grant to a loan. Now what is it? A grant or a loan?"

Councilman Cardinale: "Let me see if I can clarify this for you. First off, the-- we didn't do anything."

Supervisor Villella: "Right. That's number one. We haven't done anything."

Councilman Cardinale: "All we did was discuss this at a work session and that's the report you're reading."

Supervisor Villella: "We haven't done a resolution on it yet."

Councilman Cardinale: "For the last couple of years, before we were here, the Center for Learning, the Science Center now, has been looking for the town to give them some portion of the Tanger mitigation money. Recently they suggested well, instead of alloting us a portion of that money as they requested, why don't you start a bank with what is left of that money and loan it out to worthy causes and get it back. We listened to it-- to that appeal and we were hesitant at that work session although we haven't made a final decision, to get the town into the lending business because as you have pointed out so eloquently, we haven't been doing real well when we've borrowed money in paying it back ourselves in the issue of the aquarium, so we probably would not be very good bankers as we are not very good realtors. So we discussed if we're going to give them a grant as a worthy program which would have to be matched by them, then what range grant would be considered and the Supervisor indicated we would consider up to $50,000 if you showed your credibility by going out in the next month or so-- or two, and producing $50,000 from other sources. That's basically what occurred at the work session."

Rolph Kestling: "Okay. In other words, if they go belly up, the town loses everything."

Councilman Cardinale: "Yeah, and so do-- that' true. Any time you're giving a grant, if they go belly up, you've lost the grant."

Rolph Kestling: "Now, I remember in the Town of Brookhaven-- "

Councilman Kent: "No. It's limited to $50,000."

Rolph Kestling: "-- they had a problem of lending equipment to employees but in the whole thing there's a state law that says that the town cannot lend money to an individual or anything like that. Now, you seem to agree with it. So now you're trying to pass a law to circumvent that. In other words, to get around it. To allow such a thing as a loan."

Supervisor Villella: "No. That money was earmarked for a downtown project. It's the Tanger mitigation money."

Councilman Kent: "This is mitigation money."

Rolph Kestling: "Okay. When that check was given to the town."

Councilman Kent: "CDA I believe it was given to."

Rolph Kestling: "It was given to-- what did that check read? The Town of Riverhead or the CDA?"

Councilman Cardinale: "CDA."

Rolph Kestling: "It was CDA."

Supervisor Villella: "Oh yeah."

Rolph Kestling: "Otherwise it would be Riverhead money."

Councilman Cardinale: "That's correct."

Supervisor Villella: "Absolutely, Jack would (inaudible) so quick and put it in the fund. That's the reason why it's earmarked. They did the right thing back then."

Rolph Kestling: "Then I'm reading-- this is from Mr. Oxman--

says-- this gives us credibility when we go to other financial institutions. It says the town is backing us. The town is backing this project?"

Councilman Cardinale: "No. Again, what was discussed-- what he means is that if he goes to get money from major corporations which is what he's about to do, he should be doing that this month, he can say if you give me five, the town will give me five. If you give me $50,000, if you put your faith in this operation, the Science Museum of Long Island, we have the town saying that if we can prove credibility, we'll come back to them and they will consider us for that mitigation money. That's what he meant. That he would be given the possibility of going to these corporations and saying, we have convinced the town that we are worthy as long as we can prove our worthiness by having the private sector contribute."

Rolph Kestling: "It doesn't take much to convince the town."

Councilman Cardinale: "Well, we do have to-- this money is earmarked for the purpose."

Supervisor Villella: "Don't we have property that's coming to us from this as a guarantee?"

Councilman Cardinale: "This is an empty building incidentally that we'd like to see filled. We have plenty of those on Main Street."

Councilman Lull: "Rolph, to go back many years. I mean really many years. Abraham Lincoln once had a problem with his brother who was a-- his brother-in-law, sorry-- who was a spendthrift and when he kept getting letter after letter from his spendthrift brother-in-law for money, he finally wrote him a letter and said, look, I'm not going to give you anything anymore. But I will give you the kind of backing that you can do something, you can see that when you collect-- when you make $5.00, when you make $10.00, when you make $15.00, it doesn't look like very much. But I'll match it and the idea here is to give a certain confidence to this organization, which is a good organization and which would have the best interests of downtown at heart. To give them the confidence to go and start to try and collect money. If they fail at it, they fail at it. But at least we're giving them the kind of support that we have promised the downtown merchants that we would try to give worthwhile activities. And that's really all it boils down to. Is it a little bit of a gamble? Sure."

Rolph Kestling: "It's a lot of gamble. Okay. Another question. This Learning Center Mr. Oxman here, who are the principals of it? This is a private company in business for themselves? I know they say they're not-for-profit, but, you know, the American Red Cross is non-profit, too, but they pay their president $200,000 a year or whatever."

Councilman Cardinale: "It's a not-for-profit in that there are no salaried employees, no salaried officers."

Rolph Kestling: "Okay. Now, this Mr. Oxman, he's not even a resident of Riverhead. He lives in Southampton. How come we're giving somebody in Southampton money?"

Councilman Kent: "We're not giving him any money. We're giving it to the Science Center which is a not-for-profit corporation."

Rolph Kestling: "And it's registered here in Riverhead, it's part of Riverhead, I mean, the corporation."

Councilman Lull: "They're looking to have an address in Riverhead."

Rolph Kestling: "They will have an address in Riverhead."

Councilman Kent: "This would be their location."

Rolph Kestling: "Okay. You know, you people, you spend-- lots of trouble-- you spend money like it isn't your own. That's the problem. It isn't. It's the taxpayers of Riverhead. I mean, you're bonding everything right and left. You hear some of these things--"

Supervisor Villella: "We're bonding, Rolph, but we're not going through the process. We have to see at the time if the money is there. Believe me. Don't worry."

Rolph Kestling: "I'd rather have some tightwads up there, believe me. One more thing, this is not on the same subject. The Chamber of Commerce of Riverhead they issue that book, 1998, a little pamphlet and I happened to thumb through it today. Will you please inform them that the road from the duck ponds, Wading River, in the state park, is North Wading River Road. It's not Wading River Road. They've got it down on the map as Wading River Road. And also inform them that Wading River has a fire department. When they list the fire

departments, they list Jamesport, Calverton, Riverhead."

Councilman Cardinale: "You know, you were sitting right next to the president of the Chamber of Commerce, Allen Smith, who was here all day. You should have told him."

Rolph Kestling: "He must have known I was coming up."

Councilman Lull: "They didn't list Manorville either, Rolph."

Rolph Kestling: "But let them straighten this, a little proofreading or something. Thank you."

Councilman Cardinale: "Thank you."

Supervisor Villella: "Dorothy Pennell. I think she's left. George, would you like to speak? No. George Richmond."

Councilman Lull: "Not you, George."

Supervisor Villella: "George Schmelzer. No. George Richmond."

Councilman Lull: "The mike comes off the stand, George."

Supervisor Villella: "You want the mike? No, he's got a strong voice."

George Richmond: "My name is George Richmond, a land baron from Jamesport. The reason why I say land baron, I've never had a piece of property over 60 by 100 when I lived in Nassau and I just bought a house out in Jamesport. I'm very happy out there on my quarter of an acre and my wife has to run from window to window to find out where I am out in the back yard now because a quarter of an acre for us is a lot of land."

Supervisor Villella: "She's keeping tabs on you."

George Richmond: "I feel like a land baron. I've been watching your meetings on TV, I don't come down at night too much because I'm on medication-- to drive while on medication, most of the times my wife will drive me. But there was a couple of meetings that you had, a couple of things came up that didn't set too well with me and I figured I'd just come in and voice my opinion. And I'm voicing my opinion from two or three different angles, either as a taxpayer, a

parent, or a former government employee for 35 years as commissioner of one of the larger townships in a list.

Recently you had a good display of students come here and learn the democratic process of presenting something before the Board and I have to really say they conducted themselves in a very nice manner. I thought they handled themselves well, they presented their proposal well to you. I thought they did a good job. But then I listened to some of the residents. I had to agree with one resident that got up and said if you watch Channel 5 and come on at 10:00, do you know where your kids are? We've got a big sign up on the circle, MADD, Mothers Against Drunk Drivers. We've got signs on our police cars, DARE, not to use drugs. I honestly don't think as a parent, and I know I did it and my wife will vouch for me, she's in the back, my curfew for my children was 11:00 and I told them the motel sign went out at 11:00. My oldest son tried me one time, he was in college, he came home at quarter after 11, banged on the front door, and I was watching TV and I went to the door. I said yes, can I help you? Yeah, I want to come in. I said motel sign's out, stay out. Sleep wherever you've got to sleep. Closed the door. My wife didn't talk to me for about five weeks. She thought I was the worst person in the world. Started raining, my son curled up on the porch take himself from the rain, he got a good bath, it was summertime, I wasn't worried about him freezing to death, and in the morning I opened the door. I said, motel is open for breakfast. He was never late again after that. I had to set the trend for the other four that had to follow him.

To move a group of kids that want to congregate and I know what it is. They like to get together and bat the breeze and do what kids will do, things change as life changes, but I really can't see a contract that they're talking about with you, the chief of police, that they're going to do all of these good things that they say they're going to do and nobody is going to create a problem there.

Now, I've only been in Jamesport for a month, but I think that's a beautiful community. It reminds me of Roslyn when Roslyn was that way. I wouldn't want to see that change. I went down to that beach the following day and I looked around. I just said to myself, why come way out here to Jamesport? Come all the way from Riverhead out to Jamesport. Why don't they pick on some other places? A gentleman that was just up here mentioned Wading River pond. That's a municipal parking lot. I'm sure he wouldn't want them up there either. Before you were talking about doing a contract with the Armory, use indoor

for recreation. But kids want to congregate outside, chain link fence all around that place. Why can't they congregate inside that chain link fence up at the Armory? Then everybody knows where the kids are instead of a few here and a few there and everywhere and anywhere.

There is no guarantee that all of these students that came up here, although they go to Riverhead High School, are going to worry about Jamesport or what us people in Jamesport are going to have to put up with. And while I'm on that subject, we were talking about noise decibels before. I don't think there's anybody in this room that can say to me that they haven't been out walking or in their car when out of nowhere six, eight, blocks behind them or six or eight blocks in front of them, you can hear these kicker boxes coming down the road, boom, boom, boom, boom, boom, boom, until your car actually vibrates off the road. Or until you pull off the road to let the idiot go by.

Now, I know there's a VTL law on the noise decibel. I'm not looking to have Chief Grattan start going out and buying a bunch of these things like geiger counters to go measure the decibel noise, but I'm in earnest when I say to you that a police officer with good common sense can pretty well gauge whether that noise is disturbing. I happen to live in Jamesport very, very close to the Main Road. And I can actually watch the figurines in my wife's cabinet dance along the shelf when those kicker boxes go by. I think they're really outrageous. I would like to see Riverhead either through the VTL law, through the police department enforcing it or Riverhead when you have your code revisions and everything else put a new code in and let's tone them kicker boxes down."

Supervisor Villella: "I think-- George, I'd just like to-- how many can you figure Chief, I know you've got quite a few summonses on these boom boxes. I know you did-- it was about 25 downtown. Do you know if there's anymore throughout the town you've been getting them or-- "

Chief Grattan: "Do you want me to come up?"

Supervisor Villella: "Yes, please. I know it's something you've been after, so."

Chief Grattan: "We actively enforce that law. It is in the town code so we are using town code summonses to enforce this and it goes before the judges and the judges of course have been very cooperative

with us. I do not believe that we've been in trial on any one yet. The fines I feel are steep and the advantage of doing that is by using the town code we get (inaudible)."

Supervisor Villella: "Thanks, Chief."

George Richmond: "I want to thank you, Chief, because I wasn't aware of that and that gives me the feeling that something is being done on that end of the kicker box noise anyway. I know the Motor Vehicle Bureau is working very hard now with the road rage, trying to figure out how they're going to put that into a law to stop some of the road rage accidents that were happening.

I wrote this fast before I left home because I didn't want to miss this wonderful meeting. But I'm against the curfew of 1:00, I'll be very honest with you in Jamesport. I'm against any curfew of 1:00 to have a bunch of kids congregate anywhere until 1:00 in the morning. What can you do at 1:00 that you can't do at 10:00? I'm asking a key question. What can you do? Because we all know what we can do. Even our Chief Executive in Washington knows what he can do and he didn't even go beyond 11:00. The bottom line is, let's really be honest with ourselves, gentlemen, we're looking for a problem at 1:00 setting a curfew, setting a precedent. And where do you stop that precedent? If it's all going to be Riverhead children, that's fine. What about the kids coming in from the other towns? When eventually this pact breaks or this contract or this treaty or whatever they're doing, falls about, we're left with the aftermath. So I hope that when you vote on that, if you haven't voted on it yet, you'll look at that 1:00 curfew and you'll vote from your heart and put yourself close to the beach in Jamesport."

Councilman Lull: "George, if I can just take a second to talk about that. I appreciate your words about the kids who came in here. And you're very right. They did learn democracy in action. And having spent as many years as I've had in the classroom, I believe very strongly that there is no option for us, that it is not an option for us to say no to them. That really is not an option. On the other hand, I don't necessarily believe it's an option for us to say yes to what's been proposed. I do know that Councilman Kwasna's been in conversation with the Suffolk County Police Department and their-- the person who handles this kind of activity for the Suffolk County Police at various parks and so forth, and they are working on putting together something and, hopefully, we can get together, not to turn off the kids because they have shown an interest in their own welfare

and not to turn them off but rather to find a direction for that impetus and to help them to understand that what they have done by coming in front of us is beginning a process, the process if involves government, it always involves compromise and there always can be an answer. And so, therefore, that I think is the direction that we've been thinking along here. We have not made any decision whatsoever and we have to have a good deal more discussion before we do make a decision. And you make some very good points."

George Richmond: "Councilman, I thank you for that comment because I'm not looking to put a frosting on this and say, well, no, freeze them. I'm looking at the 1:00 sign. If there can be some compromise of logic here of a decent hour for kids to be walking around, I'm hoping that you're taking that in good conscience. It sounds like you are and I'm ahead of it-- I'm well, I'd rather be ahead of it but I'm sure you fellows are on top of it or you wouldn't be sitting up where you're sitting.

I also came here today to stress one other thing that I know that you people probably won't agree with me on, but it did also fall under me for about 30 years in my department in North Hempstead and that was dog control. I realize that there has been some problems that grew very rapidly over a lot of people that meant well, good natured people that want to rescue everything and anything. I have another name for those people aside from volunteers and concerned citizens, but I won't use it because it's a little insulting but sometimes they can be a little insulting also when they're talking to municipal workers.

Under the Agriculture and Markets chapter 7, Section 114, and I'm sure Mr. Grossman will agree with me, lists the duties of a municipality and its dog control officer. Suffolk County followed Nassau and Nassau County has a Civil Service Commissioner that puts out the test. Now I fought with Adele Leonard (phonetic) for 30 years before she retired. When she retired I went out and I bought her a drink. I got rid of her and I got rid of the word animal control officer. And it's not an animal control officer; it's a dog control officer. Each municipality must have one by law dog control officer. It doesn't say you must have a shelter, it doesn't say you must have a pound, it doesn't say you must have anything. But you must have an animal officer.

Now to just give you a few highlights. I don't know whether you had them here or not, maybe you have, maybe somebody can enlighten me because some of them are very funny. We had a cattle truck overturn

on 495 one day. Old Westbury police called me and they wanted all my wardens down there to round up all these steers and, of course, all through the town vehicles with the two-way radios we heard go get them cowboys, yipee, yipee-i-a, home on the range. Bring me a steak. It was comical. But my men were not trained to bring in cattle. We did the best we could; we captured one. When we brought it back, we didn't know what to do with it. What do you feed it? What do you give it? Well, we gave it a pan of water. That's the best thing to do until we found out somebody who would take it the following day and hold it for us on their farm until somebody claimed the thing.

Another time we had an ocelot, a pet ocelot. A pet ocelot was in a house, its owner died, it was locked up in the house for four or five days. It fed off its owner. When the stench finally moved itself outside to where the pedestrians and everything smelled the odor and the police were called in and they were met with this ocelot, the doors closed very quickly. And they called my men again. Well, come on down, we need your animal wardens. We got down there, my animal-- my dog warden called me. He said Commissioner, you may want to come over here for a minute. I went over there. He says, are you ordering me in to catch that thing in there? I said, what thing? I said if it's a dog, go get it. He said it's an ocelot. I said, what's an ocelot? He says it's like a little baby leopard. He said, but it's meaner. We called emergency services for Nassau County police department. They didn't even know how to handle it. They tried tranquilizing it with four different darts. I said, we've wasted enough time. I took my 45 out and I shot the thing right there. That was it. Case closed. It wasn't supposed to be in our municipality. That's an endangered animal. It's supposed to be in a zoo or in its own wildlife.

Now I'll leave you with one last one. We were called one day, our animal control officers to take a 15 foot king cobra out of a florist shop where it had just taken a delivery of about 20 rubber tree plants. And when this king cobra sat up and let his fan go out, who do you think you'd want to see from a distance? There's a song, from a distance. They called me again. Commissioner, you may want to come over and see what we got here. I did have one man that was in World War III and wasn't afraid of snakes but not when it came to that king cobra. We had an 18 foot extension pole. We caught the thing around the head, we had it, what were we going to do with it? When we got it to the door, ironically the door shut on the thing's head and the thing expired getting caught in the door. I'll leave it at that.

We were brought up on charges by an animal activist group in North Hempstead for being cruel and sadistic (inaudible) these other types of animals. North Hampstead went on record at that time, that they would do everything to look into changing things. Within about three years we were number one in the State of New York for about 15 years as the leading shelter-- to pave the way of showing other shelters how to operate.

Nobody likes the word pound. I have to agree with the one woman that came here that night, she said when you call it a dog pound it sounds like police department impounding a car. I don't like the word pound either. I like the word shelter, it's nice, dog shelter. That's all a man is supposed to be handling is dogs. He's not supposed to be handling cats either. So if anybody finds a cat and they bring it up to your dog shelter, he can refuse to take the cat or he could take the cat and just tell them we're going to have to euthanize the cat right away because we don't handle cats.

If you take the majority of people and I really don't know how many taxpayers you have in Riverhead, can you give me a rough figure?"

Supervisor Villella: "Well, no, that's the population. There's 17,900 and something parcels of property in the Town of Riverhead."

George Richmond: "Okay. And you were saying how many residents?"

Councilman Lull: "About 24,000."

George Richmond: "About 24,000. And we had 246,000. Everytime the budget came up, I had this one lady that would get up every year and ask me to dissect my animal control unit. And I would tell her every year I don't have an animal control unit. She says well, what is this in the budget? I says that's our dog shelter. So the bottom line is I would like you to look into changing the title to-- and start changing some of the signs because they're misleading the public."

Supervisor Villella: "Tom, could you-- dog warden and also dog shelter."

George Richmond: "And, also, while Adam is looking up Chapter-- Section 114 of Chapter 7, I saw in the News Review where your dog officer now if putting up dead deer carcass that are hit by cars on

the highway. That's illegal. New York State mandates that the Highway Department picks up any dead animals on the highway. So that's the Highway Department. They won't like it when you tell them."

Supervisor Villella: "No. But they've been using the machinery to pick it up."

George Richmond: "But a dog warden is not allowed to touch anything that's out on that highway. So before you have your dog warden hurt and you are slapped with Workman's Compensation and possibly other kinds of suits, I'm just trying to head you off a little bit, help you a little bit."

Supervisor Villella: "Appreciate it, George."

George Richmond: "My main reason for coming here today is to wish everybody a happy holiday, a very Merry Christmas and a happy and healthy New Year because I probably won't see any of you until after the first of the year. I would like to thank the people on behalf of myself and Charlie (inaudible) my co-chairman for the Handicap Advisory Committee. We have been struggling now for three years and we've got it 99% ready. And I have to say we had a breath of fresh air this year. Speaking to you at the beginning of the year, we laid it on the table and told you just like it was. We didn't pull no punches from you. You were kind of taken back by me, I think, saying it like it is."

Supervisor Villella: "That's the way it should be."

George Richmond: "But you said you would give us your total cooperation and the following day I don't know what you did, but everything was fixed right here in front of Town Hall and I says, God couldn't part waters that fast. How did you do this? But you did it and we were very, very thankful that we could get our wheelchairs over those bumps because we couldn't before. With that, we got Councilman Kent who came on, a breath of fresh air, he's got a little bit of wit, a little bit of humor, and doesn't like a lot of things that we proposed but we negotiate. We realize he's a lawyer, we can't beat him. But he's pretty good. And, of course, we've got the town attorney who comes to all our meetings and who has a very open mind and has sent out a lot of letters to the violators of all these properties that these stores are built on and he's waiting for some of them to come before the Justice Department now and, of course, we have

Mark Kwasna, and last but not least I have to thank one person in particular and that is the beautiful, charming, lovely, wonderful, witty-- but the bottom line is the Town Clerk who always puts up with all our nonsense, records, and she has been very good to us and I'd like to thank everybody on the Handicap Advisory Committee because we are making a lot of headway with people in town, not just those of us that sit in wheelchairs, but the senior citizens that have arthritis, rheumatism, those with disabilities. And whatever we can do to make life a little bit easier for everybody in this town we are going to keep fighting to do it. So, Adam, I thank you. Chris, I thank you. Vinny, I thank you. And, Barbara, thank you very much."

Barbara Grattan: "Thank you."

Supervisor Villella: "Thank you, George. Same to you. And the reason why I let George speak as long as he did, I know there's a five minute limit, because he hasn't been coming to the Town Board meetings and I thought this was very important for him to speak and I appreciate that, George, thank you. And Ruth. Good holidays. The next one, Terry, Terry left. Steve. Steve left. Do you want to read that for Steve? That's what he wanted to know."

Councilman Kent: "Oh, yes. Steve had given me something. He couldn't stay and he asked if I would read this for the people at home and for everyone in attendance, all 13 of you I think I counted out there. He wanted me to announce the Golden Donor Blood Drive that's going to be Monday, January 4, 1999 from 8:30 a.m. to 2:00 p.m. and it's going to be at three locations. The one in Riverhead is going to be at the Ramada East End ballroom on Route 25. And there's going to be drawings and special prizes. So come on out and give blood."

Supervisor Villella: "Okay, great. Henry Danowski."

Henry Danowski: "Thank you, sir. What I want to talk about is the beach."

Supervisor Villella: "And thank you for staying the whole meeting."

Councilman Kent: "He got up on three different occasions."

Supervisor Villella: "I know."

Henry Danowski: "It's frustrating to see how money we spent on

Reeves Beach and the way it is deteriorating like the devil. I don't know, Mr. Supervisor, if you've been down there lately and see what it looks like."

Supervisor Villella: "Well, we have. As a matter of fact, Ken Testa, the Town Engineer, has been down there and you're talking about the side where it's starting to come down?"

Henry Danowski: "Yes."

Supervisor Villella: "We're going-- there's going to be some special material put up. We're going to try and hold the banks from coming down."

Henry Danowski: "That is terrible."

Supervisor Villella: "It is."

Henry Danowski: "The other thing I want to talk about, Vinny, is you know you have six light poles there. Only one has a lightbulb in it. All right. I don't know what you call that-- the globe that's above the lightbulb, but there's four of them that have no globe there to hold the lightbulb in and there is three that has no stick in it-- in other words the socket-- it's completely gone. And-- "

Supervisor Villella: "Can we make a note on that? Tom, can you please do that?"

Henry Danowski: "And you know the steps where you go down from the (inaudible) eight sided-- "

Supervisor Villella: "The gazebo that's there."

Henry Danowski: "The gazebo, that's what I want to say. Right at the bottom of the steps there, there's one platform like. It's covered three quarters with sand and people are, you know, walking up on it and children and so on and somebody could just fall down there and get hurt. And that there, everytime it rained, you know, we'd get the land filled onto the parking area. Now nobody would go down there now, it's filled and it looks like-- it's a big mess. When people come there from out of town they look at it and it's really a shame to see all that money we spent and it's just, you know, eroding. I would suggest to put some kind of vegetation in there, like (inaudible) Olive or something like that with a lot of where a lot of-- it has an

awful lot of root system to it."

Supervisor Villella: "What you're saying-- I don't know what plants they're going to use, but I know they're trying to do something on the banks there."

Councilman Kent: "This is the Rec Dept. or Ken Testa-- "

Supervisor Villella: "No, I know, but the Engineer Department but I didn't know if the Rec Dept.-- "

Councilman Kent: "No we haven't discussed it."

Supervisor Villella: "We'll bring this up to him."

Henry Danowski: "It has a deep root system and it's strictly planted for that reason for erosion."

Supervisor Villella: "It's a Russian Olive?"

Henry Danowski: "Yeah, they call it that. And it's not a pretty looking plant but it does the job."

Supervisor Villella: "It doesn't have to look pretty as long as it does the job, yes."

Henry Danowski: "And the other thing I'd like to talk about, Vinny, is we have no boat ramps on the Sound anymore. They're completely gone. They're depleted. I mean we spent an awful lot of money on Iron Pier which was just like a waste. It was really a waste, all we put there. This is before you became-- and the panel's been on here. I've been down there-- three times I came to the Town Hall and told them. You know they had a dock, a floating dock of all things on the Sound. They spent $40,000 for that floating dock and I have to laugh. I says, how are you going to get your car on-- I mean a pickup or a boat to get in the water? I mean, you had it-- like something like 35 foot or 30 foot from the water. Now, what good is it?"

Supervisor Villella: "Henry, as you're speaking on that, Ken Testa just got-- I think we're waiting for one more bid to come in. Iron Pier will be taken care of this spring and early summer for-- not with the jetties, no. There's a special plan that the DEC came out to meet with us and it's going to be done-- it has to be done a certain

way. The DEC is only going to approve it one way and that's the way we're going to do it. It's going to be done. Wading River, we can't do anything now because of the lawsuit but we are making-- I met with KeySpan so it looks like there might be something coming with that. So we have to meet with the Wading River civic group there on that and Reeves Beach we were thinking about doing something there but if we are going to be taking care of Iron Pier and the Reeves Beach I think might be done through recreation fees, we don't know yet."

Councilman Kent: "There was never a ramp there."

Supervisor Villella: "No. But this is something to go down to the east-- "

Councilman Kent: "Just for access. Onto the beach."

Supervisor Villella: "-- and to the west. But Iron Pier will be taken care of and we can't do the beach though. We don't have time to do that, we'll do that after the summer. In September. So we already have a game plan. As a matter of fact if you have time you should come to Town Hall and speak to our town engineer. Give him a call, make an appointment, and he'll tell you-- he'll show you the plans of what's going on. As a matter of fact, maybe Tuesday at the work session he'll be talking-- if we have that extra bid in, we'll be talking about it on Tuesday."

Henry Danowski: "At what time, Vinny?"

Supervisor Villella: "Usually starts at 11:00."

Henry Danowski: "Okay."

Supervisor Villella: "But give a call in the office first and ask if that's going to be on the work session. If it is, I would advise you to come in here."

Henry Danowski: "I will."

Supervisor Villella: "Yes. We're trying to do what's best. I know the people are upset out there what's happening on the Sound and we will have one area by next summer."

Henry Danowski: "The other thing is-- I'd like to talk about is-- "

Supervisor Villella: "Henry, I'll give you a couple more minutes, all right, because I know you're new at this, too, and usually we have five minutes."

Henry Danowski: "Well, it's upsetting to see what's happening. You know-- I saw a license plate that's New Jersey, the people came down here. They came to Iron-- to Reeves Beach, I'm sorry, and they went to the west. When they walked on the beach they went by the wrecks. We call it the wrecks, you know-- "

Supervisor Villella: "Yes. Right down by-- "

Henry Danowski: "They seemed to have a picnic there or something or other because when they left, it was just terrible. There was just cans, bottles, there was paper, there was everything left. See. And these were from New Jersey. And I just had to say something, you know, but then I don't know if they had property here and they-- "

Supervisor Villella: "It doesn't make any difference. Henry, if anything like that happens, you call up the police and they'll come and take care of that problem. They'll send the bay constable or code enforcer or anyone. That shouldn't be done on our beaches."

Henry Danowski: "Yeah. Okay, that's just what I wanted to tell you-- "

Supervisor Villella: "We should police our own areas. Call up. Wherever you see something that's wrong, believe me."

Henry Danowski: "Okay. Thank you very much."

Supervisor Villella: "Okay, thank you, Henry. Jim-- Jim Flood."

James Flood: "Jim Flood, Aquebogue. Just a quick one. When you brought up the kids that-- I was away that week, I wanted to show up but I was away on business. The kids that came to that meeting are kids that, believe it or not-- "

Supervisor Villella: "Cream of the crop."

Jim Flood: "-- the people in Jamesport have babies and they

grow up just like (inaudible) boys did and I'm sure that he went down to that beach. Those kids are all in the top 25-30% of the class. They're in the Key Club; they're in every club you can possibly imagine. One of them was over my house yesterday and I was printing out her application for Yale. I mean the kids are great kids. You've got to give them a shot at this. I know it's a little late. My daughter-- she has to be home before that, but I think you really have to give them a pretty decent shot at policing themselves. Because the kids live in the town and sure they live in a place with a beach and would you rather go behind the armory or do you want to go and listen to the water? You know. They all have fishing rods, they can stay down there all night."

Supervisor Villella: "I think we all went to-- we went to Reeves-- Iron Pier."

Councilman Kent: "Well the problem is they're hanging out down by the traffic circle and at 7-11 and stuff. I would rather them be at the beach, too."

Jim Flood: "Absolutely. I mean I think they're going to try. I think the kids that cause the problems are some of these older kids that are lost, you know, they're the 22, 23 year old kids that-- "

Supervisor Villella: "You get a few bad apples that's going to ruin it for them, yeah."

Jim Flood: "I don't think you are going to see the kids from the high school causing that much trouble down there. You know, they're going to make a little noise, all kids to. But, you know, I asked Liz, my daughter, you know, what's the story with the radios and she said well, they try to keep the noise down but, you know, I'm sure that they'll try their best. I mean, there's never going to be a perfect, you know, a perfect world, but those kids are really, really nice kids. We have some great kids in this town."

Supervisor Villella: "Absolutely."

Jim Flood: "Second, I have a couple questions. The soccer field. What are you going to do with-- this year it was another dust bowl. It was horrible, absolutely horrible. You're there, Chris. I mean, I ended up-- "

Councilman Kent: "Well, the one field was beautiful."

Jim Flood: "I think it was some kind of commie plot that I had all my games on the dusty field, so-- "

Councilman Kent: "You could say thank you Tim Hubbard. Even when you played Tim's team you were on the dusty field?"

Jim Flood: "No. I ended up on the grass on those days. You figure it out."

Supervisor Villella: "Do you have a recommendation for him on that soccer field? Is there something going on?"

Councilman Kent: Yes, I think that's-- "

Supervisor Villella: "That's in the process."

Jim Flood: "You know, if you're going to do it, I mean, it's real cold now. Unfortunately-- "

Supervisor Villella: "No, you can't do it-- no, this is something that-- "

Councilman Kent: "I think it was planned to be done in the spring based on our Advisory Committee meeting."

Jim Flood: "If they do it in the spring, they've got to roll that field because otherwise it's going to get mushy and you are going to have problems with the field settling if you want to use it for that next soccer season. We had a tremendous soccer season this year. The kids had a ball."

Councilman Kent: "Yes, it was great."

Jim Flood: "You see it down there all the time. It's just a lot of fun."

Supervisor Villella: "Great programs for the kids."

Jim Flood: "It really is a nice deal down there. I have a couple questions about the contracts in the office, Vinny. When Lynn McDonald worked here, she was hired under a contract?"

Supervisor Villella: "Yes."

Jim Flood: "Okay. And the contract was signed by you and that was a personal contract-- that was like a personal contract?"

Councilman Kent: "I don't know if we can discuss personnel. I don't know if we have to discuss-- "

Jim Flood: "Well, it's public record. A contract, I'm sure, is a public record."

Supervisor Villella: "I'm not worried about that. No, just to discuss personnel. But, go ahead."

Jim Flood: "She was hired under a contract through your office. Is that correct?"

Supervisor Villella: "That's correct."

Jim Flood: "When she resigned, she was given severance pay. Is that correct?"

Supervisor Villella: "Did she get severance-- he's saying yes."

Jim Flood: "I'd like to know-- you know, you can even give me this answer later on."

Supervisor Villella: "No, no. Jack's saying yes."

Jim Flood: "Okay. And was that severance pay prorated to the time that she actually worked? Did she get paid for unpaid sick leave and unpaid vacation days?"

Supervisor Villella: "You mean like every other person in this Town Hall with their contracts that they have? Is that what you're saying?"

Jim Flood: "I'm asking specifically about Lynn McDonald's contract."

Supervisor Villella: "Well, maybe if you want you can ask Jack. I have nothing to do with making up the contracts anymore. As a matter of fact, we're going to be-- we're taking some things away from

contracts."

Jim Flood: "You're not going to do any personal contracts anymore?"

Supervisor Villella: "Oh, yeah, we're going to be doing personal, but not as long as, you know, timeframe, like one to three-- three year contracts or something like that."

Jim Flood: "Okay. When Kim-- when Kim Lucas was hired and Edna was hired this year, it was under Town Board resolution. Is that correct?"

Supervisor Villella: "Correct."

Jim Flood: "Since that time, have either one of those employees entered into another kind of a contract?"

Supervisor Villella: "Okay. And who authorized that contract?"

Supervisor Villella: "It comes right from my office. They work for me."

Jim Flood: "And what I'd like to know is, what resolution allows you to enter into a private-- enter into a contract for employment?"

Supervisor Villella: "Isn't that what we voted on up here? Jack, can you answer that question?"

Jim Flood: "I can't see anything-- and I could be wrong-- there's a lot of stuff in this Town-- there's a lot of paper. But I can't see anything in the Town that authorized you enter into another contract with Kim Lucas or Edna this year. Not criticizing what they do. I think other than-- "

Supervisor Villella: "Jack, would you like to come up?"

Councilman Kent: "Does Edna have a contract?"

Supervisor Villella: "I'm sorry."

Jack Hansen: "A resolution earlier this year authorized the

Supervisor to enter into addendums to contracts. I don't remember if we prepared a resolution for the Town Board to consider Kim or Edna's contracts. If that's the case, I apologize. It's something that I missed and we'll have a resolution before the year end to (inaudible) that."

Supervisor Villella: "All right. He mentioned we had resolutions. I didn't know which ones he was talking about."

Jim Flood: "It was a resolution earlier in the year-- "

Supervisor Villella: "Oh earlier. I thought you meant recently with Kim and-- "

Jim Flood: "Well, there was a resolution earlier in the year allowing you to amend contracts, existing contracts. But there's nothing in the Town resolutions this year that allows you to enter into any contract with any employee other than amending an existing contract. I just wanted to bring that to your attention."

Supervisor Villella: "Okay. Thank you."

Jim Flood: "Last but not least because I have a concert-- do we have a concert tonight? Is there a concert tonight."

Supervisor Villella: "We've got three more. Go ahead, Jim. I'll let you go over the five minutes."

Jim Flood: "Thank you very much. I appreciate that. It just kind of upsets me, I mean, you know that I have friends in this town that have just recently been-- have lost their jobs and I don't understand, you know, when you first became Town Supervisor this year, I think you had absolute perfect opportunity to take advantage of the knowledge and the spirit of the people that were working in that office and to go forward running. And this year we've given over 30 merit raises and 24 promotions. Over the last two years before that, there had been no merit raises and in '97 and '96 there were only nine promotions. I mean-- "

Supervisor Villella: "That's exactly right."

Jim Flood: "And I think that was fairly sound managerial practice. I mean there's a ton to me it seems like we spent a ton of

money upgrading people-- now if a person gets their CDL, I can understand that. But between merit raises and other things, I don't understand why we couldn't keep the people that were, you know, that were just let go. And what I want to know is, let's say in the Recreation Department right now, we're losing the head of recreation. Is there someone that's going to be taking his place?"

Supervisor Villella: "No. That's not what the report-- "

Jim Flood: "Okay. That's the question I have. Because I don't know. You know. Now-- "

Supervisor Villella: "We're going to be asking for another position."

Jim Flood: "And what's that position going to be?"

Supervisor Villella: "What position are we looking for, Jack? What's the name? Senior Analyst? Senior Management Analyst."

Jim Flood: "And what's the difference between a Senior Management Analyst job and Russell's job right now?"

Supervisor Villella: "There's a big difference but I don't know if I can-- I don't know if there's going to be a lawsuit-- I don't know if I should be talking about this, but there's a big difference, believe me."

Jim Flood: "So you're actually going to hire somebody else, you know, and-- "

Supervisor Villella: "No, no, no. Anyone can-- "

Councilman Cardinale: "I think one of the things that you seem to be presuming is that what the Supervisor wants is what the Town Board does. His desire to create a new position may not meet with the approval of two of the four remaining members on the Board. So it's kind of conjecture when you ask, you know, he thinks in conjunction apparently with the Accounting Department that a Budget Analyst-- Senior Budget Analyst-- is that what it is-- might be a useful addition to the Town. My attitude is that I think that many of the people in the Town, that their positions are not necessary and I encourage the Supervisor to give promotions for merit-- to give merit

raises and promotions to those that are here and doing a good job. I think good management requires you to look hard at each line and determine what lines are necessary and what lines aren't necessary and to reward those that are working hard on the lines that are necessary. So I, for one, are not going to be anxious to create any new lines unless they're absolutely essential.

And if your point is that this job may not be essential, you may well be right. You're asking the Supervisor's opinion and I feel lost up here and so does Chris because the Supervisor's opinion is one out of five."

Jim Flood: "When I look at the degrees that these people hold and some are in accounting and some are in auditing and some are in, you know, they are very impressive degrees and I was wondering why, you know-- "

Councilman Cardinale: "Who are you talking about?"

Jim Flood: "Well, Russell, in particular. He has a degree in, I believe, in accounting."

Councilman Cardinale: "Russell has a college degree as I understand it and Russell is a very competent individual. But that position was not required. The same thing with Lori. That was the decision of the Town Board, right or wrong, that that position wasn't required and I think your point is a valid one that if a position wasn't required, I'm in no rush to hire someone to fill a similar or any other position like it. My position is those two positions weren't required and, therefore, they were stricken. I believe that there are other positions within the town that would meet that-- would fail to meet the test of necessary.

There was someone up here earlier saying that he wanted a few tightwads up here. I understand from my constitutents who I talked to at the break that you all got your tax bills today. And if you're not angry, you should be. We have a tax increase in the school board of 7.4% when there is a cap of 2.5%. That was tough to do, but they did that. We gave you an increase of 4.3%, it should have been 2%. And it would have been-- it's the contract that gave across the board increases of-- to employees was less sparingly approved and more promotions and merit increases were given to those who truly deserved them.

And, finally, the county gave you a 72% increase."

Councilman Kent: "You understand the reason for that, don't you?"

Councilman Cardinale: "Yes."

Councilman Kent: "It's based on prior assessment."

Councilman Cardinale: "Based on prior assessments in the previous administration."

Supervisor Villella: "'89, '90, '91, '92."

Councilman Cardinale: "Which we're not-- which we didn't pay up and this year we insisted that we pay off what was due because those assessments were incorrect and we were-- "

Supervisor Villella: "3% interest every year."

Councilman Cardinale: "We were billed that from the county for those assessments. So I think whatever Vinny's opinion, I just wanted to put in my two cents that does not necessarily mean that it's the opinion of the Board."

Supervisor Villella: "Your two cents was well worth it. Thank you."

Councilman Kent: "Mine aren't even worth two cents."

Jim Flood: "Well, I just want to wish everybody a Merry Christmas."

Supervisor Villella: "Okay, thank you. Same to you, Jim. Okay, thank you very much. Mason."

Mason Haas: "Gentlemen, and before-- I just want to say thank you to myself and the rest of the members of the Riverhead Volunteer Ambulance Corps. It was with your help and the understanding that the needs of this valuable department were recognized and addressed and resolved. With the open door policy of this Board, we were able to obtain the equipment and other things necessary to help these volunteers to improve their service and to answer the approximately

1,800 calls they received this year from the residents of this town.

You gentlemen have heard a lot of criticism over the past year and not much praise. Being a volunteer officer for the past four years, I have become familiar with some of the policies and systems that you gentlemen have to work with and it's not an easy one but you manage to do the best that you could.

As some of you know, this is my last month as chief and after this I'll relax, maybe wash all of the gray out of my hair but seriously I thank you-- "

Supervisor Villella: "I could give you some."

Mason Hass: "-- for all that you have done and I consider it an honor of serving under you as chief of the ambulance corps.

I also would like to thank Chief Grattan and the police department for their assistance that they give to the (inaudible) in helping us with the (inaudible) cases that we answer in this town. Again, I'd like to say thank you and it has been a pleasure."

Supervisor Villella: "You were a great chief and we thank you, too, Mason."

Mason Haas: "And as far as I know, (inaudible)."

Supervisor Villella: "You remember that."

Mason Hass: "I remember. See you guys all at the installation dinner."

Supervisor Villella: "Thank you very much."

Councilman Cardinale: "Thank you."

Supervisor Villella: "Trish."

Tricia Green: "I'm going to keep this very brief. It's been a very long day as all of us know. I just want to speak on the kids that came up here for the Jamesport beach. I live in Aquebogue. I run the St. John's Youth Group and the kids that are my kids in the youth group are brothers and sisters of the kids that came up to speak

with you. I'm also speaking as a sibling. My brother is 19, the same age as Phil's son and I'm kind of speaking on behalf of him. He's away at college right now. He has been going there for years and I know it makes my parents feel 100% better that they don't have to attach him to a beeper to know where he is. They know exactly where he is. All his friends go there and I think it's a great thing only because I know when I was in high school six years ago, we did the same thing but we went to the landing down in Riverhead. And I just-- I really hope you guys consider that the 1:00 thing, I know, that's a late time for the kids-- they should be home before that. I know they won't stay out that late. So I really think that you guys should just really consider this because I think it's a good thing for the kids and also I think it would be a safety issue, too, because you're not worrying about all these kids driving around because you know that's what they're going to do is drive from beach to beach to beach to beach. I did it. I know.

And I think it would be a lot safer for them to be in one place and for them to be monitored and I know if the police know where they are they're going to go down and they are going to check on them to make sure that everything's okay. And as far as the music goes, my brother drives around in a loud car, my music's loud. I mean it's just-- it's something that's going to be done. And I really hope you guys, you know, just think about it and maybe work with the kids because I know that they're all really good kids. And I really hope it works out. I know my brother would be happy. Thank you."

(Councilman Lull left the meeting at 5:50 p.m.)

Supervisor Villella: "Thanks a lot, Trish."

Councilman Kent: "Thanks a lot. This is it?"

Supervisor Villella: "The last card, but then we can ask--"

Councilman Kent: "You hold in your hand the last card?"

Supervisor Villella: "Wait a minute, wait a minute. George Schmelzer."

George Schmelzer: "South of the river there's a sign-- I've seen it-- I haven't looked the last couple days, that says Flanders Fire Department."

Supervisor Villella: "Yes. I saw that on the road by going towards-- they go all the way up to there, Flanders Fire Department."

George Schmelzer: "Well, south of the river there is Riverhead Fire Department around Wildwood Lake."

Supervisor Villella: "Oh, no. It's not Flanders Fire Department. It's Flanders Ambulance District."

George Schmelzer: "What?"

Supervisor Villella: "Flanders Ambulance District. I'm pretty sure that's what-- I remember seeing that red and white sign on there. It says Flanders."

George Schmelzer: "Well, it says Fire Department. Anyway-- "

Supervisor Villella: "Whatever George."

George Schmelzer: "South of the river, the Riverhead Fire Department is in Calverton but the ambulance service there is from Brookhaven Manorville, South Street west of Wading River Road. So that's several miles away if it's south of the river in Calverton, Riverhead Fire Department-- why don't you make it Riverhead Ambulance also? It would be safer and easier and get the revenue from there."

Supervisor Villella: "I don't know how the districts are drawn. They do it amongst themselves."

George Schmelzer: "Nobody seems to know."

Supervisor Villella: "No. The fire commissioners, they have their own districts. It's on the map."

George Schmelzer: "I know where the fire district is. The ambulance should come from Riverhead also-- it's safer instead of South Street. At one time, the Manorville Fire Department had an area as big as Riverhead town, but they couldn't possibly take care of it. That's the way it goes.

And, now this school tax business, nothing's ever been done. Like where the kids from the Riverhead school come from Riverhead, Brookhaven or Southampton-- Southampton, Calverton, Brookhaven's

burden is 30% of the cost of the student, Riverhead, Southampton side pays 80%, we pay 115 to make up for it. When is that going to change?"

Supervisor Villella: "There's only two ways to change it. Either you annex all those people into the Town of Riverhead-- "

George Schmelzer: "No."

Supervisor Villella: "Well, I'm just telling you. That's the way it can be changed. This way they're all under the same assessed valuation. Everybody has-- "

George Schmelzer: "Let them go have their own school."

Supervisor Villella: "That's the other-- "

George Schmelzer: "I say when it comes up to a vote for a new school here, people should vote it down. Keep voting it down until they do something. I hope they vote it down."

Councilman Cardinale: "I think that's an important issue, George. In fact, I had-- previous Supervisor Smith had worked on that and I have been talking with him."

George Schmelzer: "Who?"

Councilman Cardinale: "Mr. Smith had previously done a lot of research on that issue."

George Schmelzer: "Allen Smith?"

Councilman Cardinale: "Nothing happened on it but he does know a great deal about it and I asked him to share that information."

George Schmelzer: "You mean Allen Smith?"

Councilman Cardinale: "Allen Smith, yes. He knows a lot about it and I've asked him to share that with us because I do believe that's an important issue. It's a big number."

George Schmelzer: "This boat ramp business when Stark was Supervisor, I found (inaudible) they had reinforcing mats, three-

eighths inch round bar welded together about the size of a door, you could tie them together with cable clamps, just put them on the beach. Wouldn't need the DEC. They follow the contour and would take any storm and would last for years."

Supervisor Villella: "They had that at Iron Pier but the problem was they didn't take care of them and they broke up."

George Schmelzer: "Well, how-- what was the size of the rods?"

Supervisor Villella: "George, I really wouldn't know. But I know they had this-- "

George Schmelzer: "This is three-eighths rods, quite strong, see, welded together. Anyway, that's a thought, I can tell you about that."

Supervisor Villella: "Thank you."

George Schmelzer: "Yeah, this zoning Mr. Cardinale you spoke about the Supreme Court created the zoning in '22. I thought it was 1926."

Councilman Cardinale: "It may have been that long before they got the Supreme Court decision."

George Schmelzer: "Because I think it (inaudible) had some problems with their neighbors so they voted for it, they should have abstained from voting but they did not. So, anyway, before the turn of the century the Supreme Court said that segregated schools are legal but then in the Eisenhower administration the court said they're not legal. So the court can change, too. So I hope they would."

Supervisor Villella: "Do you want to defer some of your time to Bill?"

George Schmelzer: "Huh? No. I've got 15 minutes because somebody else had 15 minutes."

Supervisor Villella: "Oh, George, come on."

George Schmelzer: "You didn't exempt anybody else."

Supervisor Villella: "George, you come here every week-- every two weeks. George Richmond, first time he's been here. That's why I allowed him have that time."

George Schmelzer: "What are you doing to bring the LIE to 105? Doing anything about it? The expressway to 105?"

Supervisor Villella: "Yes. Well, (inaudible) left. We have-- the committee is set up. I have five members and they're going to be starting in January on this new committee."

George Schmelzer: "Very good."

Supervisor Villella: "We have to appoint them on the meeting of the 29th. We have to do a resolution."

George Schmelzer: "Yeah, that's way overdue-- way of getting rid of the problems on 58. Yeah."

Supervisor Villella: "One way or the other."

George Schmelzer: "Yeah. What's this-- "

Supervisor Villella: "Bill has to speak."

George Schmelzer: "What's this $190,000 for Riverhead Town Hall for? What's wrong here, you need $190,000. Is it falling apart already?"

Supervisor Villella: "Well, I don't know. You always say it's the worst thing-- "

George Schmelzer: "Resolution 1159 here."

Supervisor Villella: "That's for the parking lots and everything."

George Schmelzer: "Oh, it doesn't say parking-- it says Town Hall. You have the second one for the parking lot."

Councilman Cardinale: "That is for improvements to Town Hall and I think probably Jack Hansen could tell you precisely what. I have seen them but I share your concern and the concern indicated

earlier with Lull that a lot of these are not going to actually be funded. But I appreciate what you're saying."

George Schmelzer: "Thank you. Because it said Town Hall. The other resolution said parking lot.

How are you making out with that-- cleaning out that pipe down the road there?"

Supervisor Villella: "You mean the State?"

George Schmelzer: "Yeah."

Supervisor Villella: "It has nothing to do with the Town of Riverhead but we've been calling them."

George Schmelzer: "It affects the town and have any success with them?"

Supervisor Villella: "You were in my office. Next time you're in let's-- "

George Schmelzer: "(inaudible) raise hell-- did somebody from the (inaudible) family come in here and complain? Gee whiz."

Supervisor Villella: "Not at the Town Board meeting. They might have came-- "

George Schmelzer: "No, not at the Town Board meeting. I mean in the office."

Supervisor Villella: "Maybe Ken's office, but I don't think it was in mine. I would have known that."

George Schmelzer: "They're not going to do anything, huh? Unless you push them, the DOT, the Department of Transportation."

Supervisor Villella: "That's why I asked you. Next time you're in my office, we'll call them up again. Because they lied to us the first time, you know that."

George Schmelzer: "Yeah. How are you making out with Joe Janoski's case against this Town?"

Supervisor Villella: "These are the same questions. I don't know. It's in the court. I can't do anything. We fought it and it's up to the courts."

George Schmelzer: "How long is it going to stay in the court? Nobody knows, huh?"

Supervisor Villella: "No. They haven't given us a decision on it yet, George."

George Schmelzer: "Oh, well, my position is to go home now. Thank you."

Supervisor Villella: "Thank you. Bill."

William Kasperovich: "Very quickly. William Kasperovich from Wading River. Years ago we used to have this process and it seems to have been (inaudible) of leaf pickup. After the bags and the piles were accommodated we used to go down the side of the road with the vacuum cleaner and pick up where the empty lots or the leaves had accumulated along the curb, along the edge of the road. And I think we should do that."

Supervisor Villella: "Well, I don't know, Bill, where you're talking. I know they went back again-- "

William Kasperovich: "We have a vacuum-- "

Supervisor Villella: "They've been using it."

Councilman Kent: "They've been using it. It's been out. I've seen it on the road."

William Kasperovich: "They've been using it to take care of the piles of leaves."

Supervisor Villella: "That's what it's supposed to do."

William Kasperovich: "They have not been using it to go along the edge of the road where leaves have accumulated and obviously nobody is going to bag it."

Councilman Kent: "Okay. We'll have to contact Charlie Bloss

and see if he will go back out and make sure that he's cleaning these leaves up off the side of the road. I have seen the truck out. So."

William Kasperovich: "Yes. But they've been using it to pick up the piles."

Councilman Kent: "Unfortunately-- isn't that the Highway Department?"

Supervisor Villella: "Yes."

Councilman Kent: "Unfortunately that's done by the Highway Department and he's an elected official and we can't always tell Charlie what to do. He makes his own rules. We only have very limited control over Charlie and they're only budgetary."

William Kasperovich: "And how much do you think the average citizen has over him?"

Supervisor Villella: "No. I know he's been out there."

Councilman Kent: "Less than we do."

Supervisor Villella: "No. I know he's been out there. No, the vacuum has been out there, Bill."

William Kasperovich: "You people have not attempted to better the township."

Supervisor Villella: "Bill, him and Tim Benton-- Charlie and Tim have been-- as a matter of fact, they came by because we had some complaints in Wading River because they picked up early in Wading River and half the leaves were still on the trees. The guy that wrote that article in the paper was 100% correct. So we sent him back and they've been back in Baiting Hollow, Calverton and Wading River picking up wherever they see leaves, as long as they were raked up. You're talking about-- I know what you're saying. But on-- "

William Kasperovich: "But you run that end of that hose along the road-- "

Supervisor Villella: "North Edwards-- "

William Kasperovich: "-- you pick it up and you just pick it up where the leaves are."

Supervisor Villella: "Right in front of your road I saw them picking up on that road on the street. Not just leave piles, but on the street. I've seen them. I ride by there every other day."

William Kasperovich: "I didn't see them do it (inaudible)."

Supervisor Villella: "No, no, not on the side road. I'm talking about the main road, North Edwards Avenue going down to-- I mean Hulse Landing, they've been doing it. I've seen them."

William Kasperovich: "Well, maybe-- "

Supervisor Villella: "They were back in today? Today. Okay. Because Tom took care of that problem. We had a few people call up and Tom has been on top of it. He called up Charlie and Tim and they've been taking care of it, Bill. I know that."

William Kasperovich: "Well, I haven't seen it being done-- "

Supervisor Villella: "No. The trucks have been-- as a matter of fact the truck was even out today."

William Kasperovich: "Yes. He was on 19th Street but he was just taking the piles. They come to the pile, the vehicle stops and they vacuum up the pile."

Supervisor Villella: "Right."

William Kasperovich: "What I'm talking about is along the side of the road a lot of leaves accumulate and-- empty lot or for some reason or other nobody takes responsibility."

Supervisor Villella: "I see what you're saying, wherever, if it wasn't raked, they left it."

William Kasperovich: "Exactly."

Supervisor Villella: "Do people live at these places?"

William Kasperovich: "(inaudible) in our area where houses are

closer together, what I'm concerned with is dry areas that they can catch fire. At this time of the year, a cigarette or a match can start a real disaster. And I thought I'd bring that up-- "

Supervisor Villella: "No, it's good that you did."

William Kasperovich: "I'm not getting anyplace with the Highway Department. I thought maybe you people will try."

Supervisor Villella: "No, no. They've been doing it. No, they've been listening. As a matter of fact they've been doing a very good job. They went back out again. If you have any complaints, if you see any piles on the road that weren't picked up, they'll go out and get it."

William Kasperovich: "The piles, yes. But the side of the road, no. All right."

Supervisor Villella: "I don't think we have enough people to do it."

William Kasperovich: "We did it in years past, I don't know why-- "

Supervisor Villella: "That's all they did was leaves in the years past. Now they do a lot of things."

William Kasperovich: "Well, I'm not here to differ with you. Another thing I wanted to bring up before the Town Board is the Building Department is not enforcing the display of building permit sign."

Supervisor Villella: "The one on Hulse Landing-- I know."

William Kasperovich: "Wherever. (Inaudible) they're all over town (inaudible) the permit signs are not displayed. And this I think you shouldn't overlook."

Supervisor Villella: "You're absolutely correct."

William Kasperovich: "Okay. That's the two items I wanted to go on record."

Supervisor Villella: "Are we going to take care of this problem? Are we going to tell Leroy? Okay."

Adam Grossman: "I will."

Councilman Cardinale: "Thank you, Bill."

William Kasperovich: "I hate to hear you gentlemen talk about personnel because in a small township like this I thought that you five people would know every individual that's on the payroll and what they do and for decades the Town Board has not been doing this."

Councilman Kent: "I thought it was horrible to discuss personnel at this session."

Supervisor Villella: "It shouldn't have been brought up."

William Kasperovich: "(inaudible) but I think it should be noted that in a small town you five people should know every man on the payroll and what he does and whether he's doing a decent job."

Supervisor Villella: "Well, that's my job."

William Kasperovich: "This has not been done in the past and-- "

Supervisor Villella: "That's why it took me 11 months to do what I had to do, Bill, for that reason. I had to document-- I can't just go there and say, hey, you're not doing your job. I have to have documentation. And that's what I have. I'm happy with what I have. You know."

William Kasperovich: "But I still think you don't know what every person is doing."

Supervisor Villella: "Oh, I know. You're absolutely right."

William Kasperovich: "I think this should be. You've been here a year. You gentlemen should know-- "

Supervisor Villella: "I know what they do but I don't know-- it's 400-- 300 and some odd people, Bill. It's pretty hard."

William Kasperovich: "I had 300 people on one construction site and I knew every man on the site."

Supervisor Villella: "Yeah, but they were there on the site. This is all over town these people."

William Kasperovich: "Our township is-- "

Supervisor Villella: "Bill, thank you. Meeting is over."

Meeting adjourned: 6:45 p.m.

Barbara Guattan
Town Clerk