

Minutes of a Regular Board Meeting held by the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York on Tuesday, April 2, 1991 at 7:30 p.m.

**Present:** Joseph F. Janoski, Supervisor  
Denise Civiletti, Councilwoman  
Victor Prusinowski, Councilman

**Also Present:** Irene J. Pendzick, Town Clerk  
Patricia Moore, Town Attorney

**Absent:** James Stark, Councilman

Supervisor Janoski called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited.

Supervisor Janoski: "Thank you. May I have a motion to approve the Regular Board Meeting of March 6th?"

Councilwoman Civiletti: "So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Prusinowski, yes; Civiletti, yes; Janoski, yes.  
3 Yes 1 Absent

Supervisor Janoski: "Thank you. Let's have the reports."

REPORTS:

TAX RECEIVER Collections as of April 1, 1991  
\$21,560,956.00

TOWN CLERK Monthly Report for March, 1991

BUILDING DEPT. For month of March, 1991

H2M Water Conservation Program

OPEN BID REPORT - WATER SERVICE MATERIALS/WATER DISTRICT  
Bid Date: 3-25-91

**NAME:** EASTERN WATER WORKS SUPPLY CORPORATION

**ADDRESS:** East Meadow, NY

**BID:** See bid form in file

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**NAME:** JOSEPH G. POLLARD CO., INC.

**ADDRESS:** New Hyde Park, NY

**BID:** See bid form in file  
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**NAME:** BRUCE SUPPLY CORP.

**ADDRESS:** Valley Stream, NY

**BID:** See bid form in file  
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**NAME:** AMITY PLUMBING & HEATING SUPPLY CORP.

**ADDRESS:** Amityville, NY

**BID:** See bid form in file  
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**NAME:** BLACKMAN MEDFORD CORP.

**ADDRESS:** Medford, NY

**BID:** See bid form in file  
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**OPEN BID REPORT - TRAFFIC PAINT/HIGHWAY DEPARTMENT**

**Date:** 4-1-91

One Bid received.

**NAME:** CAPITOL HIGHWAY MATERIALS

**ADDRESS:** Baldwin Place, NY

**BID:** See file for prices  
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**Supervisor Janoski:** "Thank you. Applications."

**APPLICATIONS:**

CARNIVAL PERMIT St. John the Evangelist Church for May  
15 to May 19, 1991

SITE PLAN Lebanon Chemical for prefab office

SITE PLAN Gold's Gym/ 75 East Main Street

SITE PLAN East End Commons (letter referring to  
site plan as alternative to original plan)

PARADE PERMIT Combined Veteran's Association

Supervisor Janoski: "Thank you. Correspondence."

CORRESPONDENCE:

SOUTHAMPTON TOWN Notice of Adoption of Local Law #2-1991

MERCHANTS ASSOC. Supports plans to improve Grangebelle  
Park and suggest clean up of river  
just east of Peconic Avenue

VAIL-LEAVITT Thanks Board for site plan approval and  
MUSIC HALL request waiver. Also, a reminder regard-  
ing sponsorship of brass chairs

ALLEN SMITH Suggests that requests regarding insurance  
be resolved

PATRICIA AND Asks town to proceed with purchase of  
JOHN COLE Shorewood Water Corp.

STEPHEN ANGEL Demands immediate action on pending  
application of Victor Pafundi

Supervisor Janoski: "Thank you. We have about four minutes  
before the first scheduled public hearing. I would recognize  
anyone who wishes to be heard."

Warren McKnight, Wading River: "I'd like to comment on the  
Supervisor's weekly address about the welfare problems in the  
Town of Riverhead which I heard on the radio today and what  
members of the community are doing and what Legislator Caracciolo  
is doing.

On March 25th at 2 P.M. Legislator Caracciolo and myself  
went to the Department of Social Services and we toured the area  
there and we spoke to a Mr. Paul Robertson. At that time, you can  
check with Mr. Caracciolo, but to paraphrase not to be misquoted,  
Mr. Robertson said, the staff was on demand and that they were  
backlogged with their caseload and the morale was low. Mr.  
Caracciolo wants to work with them to rectify the situation.  
Basically what that means is that it is hard to keep a handle on

this problem. What I did to find out to better the problem is I went out to visit the Community Action of Southold Town Inc. and also I visited James Macmannon, Director of Community Development of the Town of Southold. I received a copy of a letter sent to Michael Caracciolo from a James Bradberry who works for the Community Action, Town of Southold and they offered to help Riverhead implement a similar program. In other words, to bring together and this letter paraphrases some areas here; it works on finding proper housing for all people, not only proper housing, but make sure the proper atmosphere is conducted in these houses. I'll leave a copy of this letter with you and the most important thing it says in this letter is these funds are federally funded through EOC of Suffolk County. What this says here is that we will get extra money that we have already paid here in our Federal Taxes that is channeled through the County to come in here to help us do a better job and it won't cost the taxpayers anymore money."

Supervisor Janoski: "Thank you Warren. There are two or three minutes left. Is there anyone who wishes to address the Board on anything on the agenda or any matter at all? Yes Alice."

Alice Graff, Riverhead: "Trees are being cut down throughout the Town. I'm sure they are being cut because they are rotten, but isn't there anything that we can do? We are being deneutered of trees throughout the downtown area. I know that on Lincoln Street another one was cut down today. Who's responsible to replace these trees? And one other thing. Can't they be sprayed to be saved, because they take so long to be grown."

Supervisor Janoski: "Well I'm happy to tell you starting at the end that we have the trees sprayed on a yearly basis. They are fertilized and well taken care of. We contract to have that done. The decisions about trees that are being taken down is basically a Highway Department decision, because it is their responsibility. The Townscape people in conjunction with a number of people have been planting trees on Main Street and other areas of the Town. As a matter of fact they will be very shortly once again. They have an ongoing plan of tree plantings in the community."

Alice Graff: "I have seen, of course, on Sound Avenue etc., but I see an undue amount of trees being cut down right in the downtown area. Four on Lincoln Street within the last two weeks. No sign of any replacements. I know there are more than four on Lincoln Street alone and no replacements. We are going to be deneutered of trees in this area completely."

Supervisor Janoski: "Oh, I don't think so Alice."

Alice Graff: "You look some of these streets are pretty naked already."

Supervisor Janoski: "I think we replant more trees every year than are taken down."

Alice Graff: "I don't disagree on that score, but in certain areas whose responsibility it is."

Supervisor Janoski: "I'll certainly ask the Highway Superintendent about trees that might have been taken down in the Lincoln Street area."

Alice Graff: "And who is to replace them? Thank you."

Supervisor Janoski: "Let the record show that the hour of 7:41 P.M. has arrived and the Town Clerk will please read the notice of public hearing."

P U B L I C H E A R I N G 7:40 P.M.

Town Clerk, Irene J. Pendzick: "I have affidavits of publishing and posting of a Public Hearing to be held at Riverhead Town Hall at 7:40 P.M. on Tuesday, April 2, 1991 to hear all interested persons who wish to be heard regarding: AMENDMENTS TO SECTION 108-146 (A) OF THE TOWN CODE RE: CONDOMINIUM MAP APPROVAL."

Town Attorney, Patricia Moore: "Our Town Code presently requires that for a condominium approval that the developer is required to pay a \$2,000.00 per unit fee. That amount can be bonded for a period of two years. We are changing the language to allow for an extension of time if it is proven to the Town that the bond letter of credit remains in force."

Supervisor Janoski: "Quite simply we all know that these are difficult times. The Town Board in taking the action of putting a fee in place per lot or per unit was an attempt by the Board to generate revenue to offset costs that result out of development. When homes or lots are not being sold there is no money to be generated by the Town so it's a better idea that can with some assurances extend the bonding period. It is better to have the promise of something than to have a default on a bond. I would invite anyone who wishes to comment to do so now. Anyone interested? Mr. Schmelzer."

George Schmelzer, Calverton: "I'm not clear of what the purpose was on this extortion on each lot. What is the purpose of it really? To prevent building, prevent housing or-----"

Supervisor Janoski: "No. Mr. Schmelzer the State Law requires and I always get confused which one is which, but if it on a lot the two thousand dollars per lot can be generated and used for any purpose in the Town."

George Schmelzer: "You mean it is permitted or required by the State?"

Supervisor Janoski: "It is allowed by the State."

George Schmelzer: "You said required. That is misleading."

Supervisor Janoski: "No, we require the two thousand dollars."

Councilwoman Civiletti: "The State Law dictates what you can and can't do with it. I think that is what the Supervisor means. If you decide to impose this fee the State Law says what you can use it for."

Supervisor Janoski: "It's to be used for recreation purposes for example for improvement or acquisition of beaches or playgrounds or parks or that kind of thing. And certainly those are requirements that are the outgrowth of homes and condominiums being built. So the State allows this recognizing that those costs are there."

George Schmelzer: "Suppose the developer gives some land to the Town. That's different. You don't count that at all."

Supervisor Janoski: No we don't."

George Schmelzer: "Some system you've got. Getting more like Russia everyday!"

Supervisor Janoski: "In Russia I don't think that you can build a condominium."

George Schmelzer: "Extortion of two thousand dollars a lot. And you expect affordable housing? That's one way to get affordable housing."

Supervisor Janoski: "Is that your opinion George?"

George Schmelzer: "Yes it is. It might be yours too, but you want the money first."

Supervisor Janoski: "As I said before, these are times where the costs of providing services are escalating and the Town through the authority of the State, not only the Town of Riverhead, but many towns, have this fee in place so that we can pay for recreation endeavors."

George Schmelzer: "Maybe let some private companies furnish the recreation like they are doing with Splish Splash and private beaches. There was a private beach on the southside. There is one right now in Westhampton. The Swordfish Club. It pays taxes. It charges people to use it. They should some permit some along the Bay and along the Sound. Think of that and it wouldn't cost the taxpayers anything. They would gain by it."

Supervisor Janoski: "George, the subject of the hearing is the allowing of the individuals to have an extension on this bond. And you have to understand that they are supposed to pay two thousand dollars when the unit is sold or at the end of two years. Now units are not being sold and the two years is coming up or running out so it's the suggestion of the Board that we have the ability to extend that period. So what do you think about that?"

George Schmelzer: "It would be better if you cancelled it. It would be more fair and let private people put up some recreation around. You're no worse than Brookhaven though."

Supervisor Janoski: "Thank you George. Is there anyone else who wishes to comment on this proposal? Thank you and without objection I declare the hearing to be closed. Let the record show that the hour of 7:47 P.M. has arrived and the Town Clerk will please read the notice of Public Hearing."

P U B L I C   H E A R I N G   7:45 P.M.

Town Clerk, Irene J. Pendzick: "I have affidavits of publishing and posting of a public notice for a Public Hearing to be held at Riverhead Town Hall at 7:45 PM on Tuesday, April 2, 1991 to hear all interested persons who wish to be heard regarding: **AN AMENDMENT TO SECTION 108-3 OF THE TOWN CODE RE: DEFINITION OF NON-NUISANCE INDUSTRY.**"

Supervisor Janoski: "Let me point out because this is a circumstance. That this hearing has been called for the same night as the hearing on the Omni proposal. That there is absolutely no connection between this hearing and the Omni hearing which is taking place. The Town Board is not considering this for any reason of garbage or Omni or anything related to it. It is just something that happened to coincide. Had we recognized that we certainly wouldn't have had this hearing this evening."

Town Attorney, Patricia Moore: "Thank you. What we are proposing to do is the definition of a non-nuisance industry prohibits the open storage and outdoor processing of materials. The reason this came up is that we had contractors storage typically in industrial areas. Primarily Kroemer Avenue, which as most of you know, is a heavy industrial area. That prohibited the storage of materials. This definition was prior to our very extensive site plan review which we now apply and we are very careful to screen the material so we feel that the removal of that particular language from the non-nuisance industry definition can be mitigated by way of site plan controls."

Supervisor Janoski: "For example. The outside storage of sand is prohibited under our code. So those are the kinds of things that we are trying to address. Besides the site plan review process a non-nuisance industry requires a special permit. The Town Board in reviewing any special permit application can if

they decide to grant the special permit can set conditions regarding anything including the outside storage of materials or what is to take place outside in any business that wishes to come to town. But the law is so restrictive that the contractor cannot store sand outside which is perhaps in our opinion not very reasonable. George, you are shaking your head. Did you wish to address the Board?"

George Schmelzer: "To me it's nuttier than I thought it was. Nobody can store sand. The whole d\_\_n Long Island is made out of sand. Maybe you need a permit for that. For the Island to exist. What's the problem with sand storage?"

Supervisor Janoski: "Specifically the way the code is written, which we are trying to fix, it just blanket says that you can't have open storage yard outdoor processing of materials. So that means that a contractor or someone who deals in building materials cannot store those materials."

George Schmelzer: "Who thought that stuff up?"

Supervisor Janoski: "I don't know what the date of this is, but if you wish to know we can certainly find out."

Councilman Prusinowski: "Previous Town Boards."

George Schmelzer: "That's a good answer anyway. It lets you off the hook."

Supervisor Janoski: "Let me say this George. That the Town Board is going through a process of going through the Code Book and identifying these provisions which in current days do not make any sense and one by one, you know that because you have been coming to these meetings, I wish that you were a baseball or football fan, but that we are trying to clear them up. And this is an example of one of those things. Thank you George. Is there anyone else present wishing to address the Town Board on this suggested change in the code? That being the case and without objection I declare the hearing to be closed at the hour of 7:51 P.M.

Is there anyone wishing to address the Town Board on any matter? I have a four minute wait here. Yes."

Steve Haizlip: "I think if I didn't bring this to light I'd be derelict in my personal duty to the community. Long Island Lighting has put in for a raise hearing and that hearing was held today. Now the part that I don't like in here is where they are discriminating against disable persons who may require special accommodations, language etc. To make it short they want one weeks notice. This thing is dated Wednesday, March 27th and this paper doesn't hit until three o'clock in the afternoon. So therefore you've got Thursday and Friday. Now the commissions office or nothing is open. Then you don't have the time for the full week. This is here is saying in essence they don't want

those disabled and speech problem around to hinder them. Thank you very much."

Supervisor Janoski: "Thank you Steve."

George Schmelzer: "There has been considerable talk in the other places about the runways in Calverton except in Riverhead. Riverhead doesn't seem to care. I don't know why? Now we here on the news that maybe a couple of thousand Grumman employees may be laid off and Grumman is drying up slowly. There is no Cauliflower Block, there is no fishing, there is no ducks. What do we have? Maybe there are more lawyers in Town. The lawyers are doing good. I don't know what we've got to live off of. I suggest that the Town would do some pushing with the appropriate federal people and get something going and have some good usage out of that runway. So it would create some employment around here. Some allied business. I suppose that you are in a difficult spot. You live in Wading River and they would probably shoot at you when you go home. All these retired people down there that don't give a damn about anything except for themselves and their own places so they would probably oppose it. I don't oppose anything, even if it is my own backyard."

Supervisor Janoski: "Thank you George. You have very nicely used up those two minutes. Let the record show that the hour of 7:55 P.M. has arrived and the Town Clerk will please read the notice of public hearing."

P U B L I C H E A R I N G 7:55 P.M.

Town Clerk, Irene J. Pendzick: "I have affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall at 7:55 P.M. on Tuesday, April 2, 1991 to hear all interested persons who wish to be heard regarding: **THE SPECIAL PERMIT APPLICATION OF OMNI TECHNICAL SERVICES TO DEVELOP A NON-NUISANCE INDUSTRY IN AN INDUSTRIAL "B" AND BUSINESS "CR" ZONE USE LOCATED AT ROUTE 25, CALVERTON.**"

Supervisor Janoski: "Thank you. The representatives of Omni are going to make a short presentation."

Mark Wagner, Project Manager for Omni: "Good evening Supervisor and Members of the Board. Approximately a year and a half ago Omni Technical Services a solid waste management firm specializing in the recycling and composting of materials looked at the growing crisis of solid waste management in the region and started to develop an environmentally sound project to address the situation. We focused on Riverhead geographically. It serves the purpose for a regional facility. We came to the Town and were encourage to look for a suitable parcel. That led us into the special permit process for development of this intensive recycling composting facility.

A little background of where we are. The full Environmental Assessment Form was filed exactly a year ago, April 2nd, 1990.

The Town was declared lead agency on May 15th. The Determination of Significance was filed on May 24th. The Public Scoping Hearing was held on June 5th. A Draft Environmental Impact Statement was submitted in September 1990. A Public Hearing was held on November 19th. A Final Impact Statement was submitted in February 1991 and the Final Environmental Impact Statement was accepted in March of 1991. A Solid Waste Management Permit Application was submitted to the New York State D.E.C. in December of 1990.

The facility that we are proposing to develop can receive and process 500 tons a day of municipal solid waste. The facility can serve as a regional facility serving the five East End towns on Long Island. The design incorporates all functions waste receipt, processing and storage indoors over impermeable working surfaces.

The proposed facility, the site that we have selected, is on Middle Country Road on the southside at the intersection of Fresh Pond Avenue. The current zoning for the site, it's a 51 acre site, the rear 41 acres is zoned Industrial "B". The front 9 acres is zoned Business "CR".

The design on the front incorporates the restoration of an existing farm residence, a barn and a water tower and the construction of a new environmental education and research greenhouses. The facility will employ a minimum of sixty people and is currently estimated that will generate in excess of \$150,000.00 in taxes. The facility does not have any process discharges to the groundwater and all the structures are erected over impermeable working surfaces. The project will recover up to 70% of the incoming waste stream resulting in the reclamation of paper products, metal containers both ferrous and aluminum, glass containers and a class I compost product.

We intend to develop the project upon receiving appropriate State permits and is estimated 15 to 18 month construction time and we envision being on line sometime in the fall of 1992. At that point we will be able to start managing some of the region solid waste. Thank you."

Supervisor Janoski: "Is there anyone present who wishes to address the Board concerning the Omni proposal? Cathy."

Cathy Casey, Wading River: "I have a couple of questions. I would like to know where we stand with the State D.E.C., the County Health Department and I would also like to know what they are going to be doing with regard to hazardous waste?"

Supervisor Janoski: "Who's the 'we' you are talking about?"

Cathy Casey: "Omni."

Supervisor Janoski: "Mark, if you would."

Mark Wagner: "On the issue of hazardous waste; we do not anticipate being a generator of hazardous waste. The towns that will be utilizing our facility will be required to have in place a S.T.O.P. Program as required by the State. We do envision that

the S.T.O.P. Programs will not be 100% effective and that there will be some what we call household hazardous waste type materials coming into the facility. The facility design upwards of 60 people will see the waste in various stages before it goes into the solid waste. Household hazardous waste that is pulled off manually and mechanically during the process will be stored in a S.T.O.P. type facility on our site and materials will be hauled away by a licensed contractor. We envision this contractor coming to the site right now as often as once a week. It may be more frequently depending on the amount of materials that enter into the facility, but we would encourage the residents to participate in their S.T.O.P. Programs and not utilize the Omni Facility as their disposal location for household hazardous waste."

Cathy Casey: "What about hospital waste?"

Mark Wagner: "There is no hospital waste allowed at the facility. It's clear in the documents as to what materials that we will take. We will not be taking any construction demolition, household waste, sludge, bulk deliveries of tires. Those types. We are looking for household solid waste and organic materials such as farm residues.

The second part of your question was where do we stand with the State? The New York State D.E.C. is in charge of issuing Solid Waste Management Permits. They've had our permit application since December 14th. They have reviewed and are currently reviewing the permit application. They was going back and forth with technical questions that we have to respond to. I could not give you an estimate of the time. Permit procedures typically take longer than one expects. As far as Health Services goes. Health services is involved with the State. The State is sharing the information on the project with Health Services issuing of Solid Waste Management is not a Suffolk County Department of Health Services; it's not in their jurisdiction, however, they are looking at specific components of the facility design relative to making sure that there are no discharges to the ground water."

Supervisor Janoski: "Thank you Mark. Let me also say that the Town of Riverhead does have a S.T.O.P. facility. As time moves on we will be moving towards another system of garbage collection. Part of what we will require from those who pick up solid waste is the regular pickup of what we call household hazardous waste. Mark could you just give us some examples of what we're talking about as far as a number of household hazardous wastes? Because that sounds very omnibus."

Mark Wagner: "Household hazardous waste is typically anything that you find underneath the kitchen sink. Clorox, spot removers, a lot of your cleansers are considered household hazardous waste. You move into your garage it's paint, it's thinners, it's fertilizers, it's pesticides. There's a lot of those types of materials in everybodys home. And it is very

- 2/19 PUBLIC HEARING - SPECIAL PERMIT APPLICATION OF PARVIZ FARAHZAD  
TO ALLOW UP TO 100% BUILDING AREA LOCATED WITHIN  
BUSINESS "D" ZONE USE DISTRICT 54 - 56
- Speakers: Parvis Varahzad Audrey Austin  
Steve Haizlip
- PUBLIC HEARING - INCREASE AND IMPROVEMENT TO THE RIVERHEAD  
SEWER DISTRICT, JET VAC TRUCK 56 - 57
- Speakers: See Sewer Minutes (Page 13)
- PUBLIC HEARINGS - EXTENSION 32W TO THE RIVERHEAD WATER DISTRICT  
AND ALSO WATER EXTENSION 44  
See Water Minutes ( Page 42-44)
- 3/6 Emmerson Hasbrook - Requesting information on the National  
Estuary Program 89
- Dick Benedict - Asking about the signs at Waldbaums Shopping  
Center 89 - 90
- Steve Haizlip - Informing Town Board Members of a hole in  
blacktop entry to Caldor Shopping Center 90
- Sherry Johnson - Questions as to whether Mr. Breslin has complied  
with SEQRA stipulations 90 - 91
- Supervisor Janoski - Read resolution of condolence to Councilman  
John Lombardi's family 91
- Councilman Stark - Read resolution #172 - Protests the Issuance  
of Temporary Rooming House Permit by Suffolk  
Co. Dept. of Health Services to the Bayview  
Hotel, South Jamesport 92 - 93
- Councilwoman Civiletti - Spoke in regard to Res. #172 above 93
- 3/19 PUBLIC HEARING - AN AMENDMENT TO SECTION 108-97B 14C REGARDING  
MAJOR SUBDIVISIONS 97 - 98
- Speakers: Town Attorney, Patricia Moore
- PUBLIC HEARING - AMENDMENTS TO VARIOUS SECTIONS OF CHAPTER 41  
OF THE TOWN CODE 98 - 100
- Speakers: Town Attorney, Patricia Moore  
Councilman Stark Alice Graff  
Supervisor Janoski Warren McKnight  
Councilman Prusinowski
- PUBLIC HEARING - AMENDMENTS TO VARIOUS SECTIONS OF CHAPTER 100  
OF THE TOWN CODE 100 - 102
- Speakers: Town Attorney, Patricia Moore  
Councilman Stark Gordon Hygam  
Police Chief Grattan Wm. Kasperovich  
Supervisor Janoski

convenient to dispose of those aerosol cans to dispose of those materials with your normal trash, but as your recycling programs come into place, you should be taking those materials down to your S.T.O.P. Programs that also include used motor oil, batteries, typically your car batteries are recycled by the people that bring them back to and you get a deposit on your case. But they are all out of materials that we would prefer not to be dealing with at the facility because of the potential of the contamination of the compost product. If you had a lot of those materials coming in, the potential is there so we encourage those people to take those materials out. Again we have extensive visual, manual and mechanical opportunities to take that material out prior to it getting into the compost."

**Supervisor Janoski:** "Thank you Mark. You know we who are involved in this, and have been for many years say these things like S.T.O.P. and we believe that everybody knows what we are talking about. So let me just say that S.T.O.P. means Stop Throwing Out Pollutants and that's what the letters stand for. So the S.T.O.P. Program that the Town has in place is already making the attempt to remove those materials from the waste stream. These words that we know are just second nature to us now. It's good to explain what we are talking about. The gentlemen behind Mr. Schmelzer. Sir you have to stand up to the microphone, state your name and address."

**Ed Smith, Aquebogue:** "I've got just one short question. First, do you intend to take things like furniture, refrigerators, washing machines, tires and if not, what's going to happen to them?"

**Mark Wagner:** "The process is not designed to process those items. We envision the occasional tire coming in and the tire will be pulled out and disposed of. We anticipate, to give an idea, of every ten pounds of material that comes to the facility, we end up with about three pounds of what we call nonprocessibles or reject items. Thirty percent of what comes through the facility we can't process that. That 30% will be made up of the couch that comes in, the tire, the toaster oven, the TV Set, the things that people throw out. We will have provisions to take and move from the site. If a white good, a white good meaning a household appliance comes in, we can move that to a recycler of those items. Yet we don't want to receive bulk loads of white goods and bulk loads of tires. We handle a lot of things, but we are not the end all to the solid waste crisis. There are still a lot of the components of the waste stream that we are not prepared to handle. We can handle them and remove them from the site safely and economically, but they will not go through the equipment train. We have to try to keep it three pounds and less if the people and the service agreement will specify what materials that we take and if we start getting a lot of stuff that is off spec it begins to hurt us financially because the three pounds gross, to four pounds gross to five pounds. We begin to get hurt. The economics of the facility. So we are going to be

very strict. We envision a break-in period where people who are municipal collectors bringing the stuff in are not exactly sure what we can handle. But it will be clear when those items get loaded back on their truck that those are things that we do not want coming to the facility on a regular basis. If it comes in occasionally we are prepared and expecting those types of materials."

**Supervisor Janoski:** "Thank you Mark. The entire question is one that is troubling every municipality because this is a material that everyone finds in some vacant lot. Truckloads of them. Much research is being done. There are some people who are developing recycling businesses with tires. There is the technology to take a tire apart and remove the metal components and I don't know if I can call them rubber anymore, but to use the rubber to make it into pellets. There are experiments going on with using it in road beds. It's burned in some localities. It's one of the solid waste questions which is unresolved, but there are approved disposal sites and that's why you pay that extra couple of dollars to change your tires. As far as the white goods, the appliances. The Town will probably continue to have its regular spring and fall cleanups and we will make arrangements as we have in the past to have those materials taken away. That's, of course, through taxes."

**Councilwoman Civiletti:** "We also have a contract with a recycling company that we are dealing with at present that when you bring refrigerators, washing machines and things like that to the landfill and place those things in the designated area or when the spring cleanup happens and they put them there, we have a recycler who takes them away and recycles them."

**Supervisor Janoski:** "Let's have a follow up. This is a new experience. You have been watching the Iran things too much."

**Ed Smith:** "The reason I asked the question to begin with was because my travels take me down into Brookhaven, Patchogue, Ridge and any road that you go on has tires, refrigerators, washing machines, couches, carpets, you name it, it's there. You go down the Sunrise Highway there is a truckload of tires that has been dumped there from a service road. I would hate like hell to see Riverhead wind up like that, because there is no plan in place to accept all of this stuff to get rid of it once Omni comes into being. I'm not against Omni and I would like to see the Town really get together with Omni and push this thing through so it can be built and begotten underway, but at the same time to be careful about not having Riverhead Town turn into what Brookhaven Town is and that's a public dump the whole damn Town is."

**Councilman Prusinowski:** "Well in Brookhaven one of the things that they did which we are going to do in Riverhead is to create garbage districts that take away the incentive to throw the garbage all over town. Second of all on the white goods, I

believe in the garbage districts in Brookhaven, once a month they have a contractor that comes around and picks up the appliances. We are investigating that too as part of creating our garbage districts."

Ed Smith: "It's not working."

Councilman Prusinowski: "Well, it's not working because what you are see is years of people throwing garbage all over town. It is a big town and it's hard to clean it up. We are having somewhat that problem in Riverhead, but we feel confident that once we create the garbage districts and have an orderly collection system in Riverhead taking away the economic incentive to through the garbage all over town that will correct that."

Councilwoman Civiletti: "The other thing is, I think one of the problems that they had there that we have experienced here already is people coming from out of town and dumping illegally. For some of these haulers it's a lot cheaper to pull up somewhere at night and dump something in the woods or in a farm field then it is to go and pay the cost of disposing of those things. Because it does get expensive. I don't think it's a problem caused by home owners who don't have anyplace to bring their used refrigerator."

Supervisor Janoski: "Thank you. Let me get George done here for this hearing."

George Schmelzer: "It seems that you are restricted to only newspaper, bottles and cans. Outside of that you don't want anything. Is that so?"

Mark Wagner: "Looking at ones waste stream is anywhere from twenty to forty different components. We envision getting the majority of those things. The household waste, yard waste clippings, grass, soiled papers, regular paper, packaging, plastics, glass, food wastes. We envision probably getting from the town maybe 90 or 100 tons a day of that type of material awhile there is still that other portion of the waste stream. The construction and demolition debris that the bricks, the mortars, the tires, the large metals. Those things that are currently going to the landfill. We don't envision those materials coming to us."

George Schmelzer: "How about metal or iron pieces?"

Mark Wagner: "If it is disposed of in, collected on a municipal route we are going to have to deal with it. But we don't want to see an old car hulk 2000 pounds of metal in one shot coming into the facility."

George Schmelzer: "How about an old steel drum?"

Supervisor Janoski: "George, I really think it's nice that you are having this conversation. Could you ask your questions and allow Mark to answer."

George Schmelzer: "Do you consider hair bleach hazardous waste?"

Mark Wagner: "That would be considered household hazardous waste."

George Schmelzer: "That's good to know. Any ladies that bleach their hair I'm going to tell them that now."

Supervisor Janoski: "Thank you George. Ladies and gentlemen I think that we can actually sell tickets to our Town Board Meetings. Yes sir in the back."

Scott Hoggin, Baiting Hollow: "I think we are here tonight because Omni is going for a special permit for a non-nuisance industry. Two questions. First of all I believe that it reads a non-nuisance industry is an industry which is not detrimental to the environment by the emissions of smoke, odor, smell, glare, heat, fire hazard, etc., traffic conditions. Now what actually is detrimental to the environment. Does that mean that if it does produce an odor, which Omni claims it will not, do I have the right to say there is an odor problem and do you have the right to say it's a non-nuisance because it is not detrimental to the environment. Am I part of that environment? Or does it have to kill animals or trees or at what point?"

Supervisor Janoski: "Your part of the environment."

Gordon Hygom: "So if we have noise problems or if there is an odor problem that's a legit beef?"

Supervisor Janoski: "Yes, but those questions that you raise right now and they are legitimate as far as the special permit hearing have been addressed quite thoroughly in the SEQRA, State Environmental Quality Review Act process which generated the Environmental Impact Statement which is a very large document. Questions of traffic, odor and the others that you raised were addressed in there. But I will allow Mark to address those odor and traffic things that have been raised here."

Mark Wagner: "Odor, traffic, noise, heat, glare, etc., etc. With any solid waste management facility I think everybody's concern is noise, traffic and odors. I think we adequately addressed those, but for those who did not have an opportunity to review the documents. We had to hire a special consultant relative to the noise that went out to a similar facility operating in the Town of Islip. Take noise measurements. They then came to the facility of the proposed site, took noise measurements in the surrounding community, I'm going to say that it is the Timber Park area that the closest receptors of any

noise that would be generated at the facility. And the study showed, and the study is part of the Final Environmental Impact Statement, that the facility will not be creating noises above levels already experienced in the area.

Relative to traffic. We had to address the traffic impacts relative to other proposed developments, Lizem and Simac in particular, for proposed industrial subdivisions. Nelson and Pope traffic consultants again another part of the Draft Environmental Impact Statement looked at the problem. We envision 90 to 100 trucks a day coming to the facility. That amount of traffic on Middle Country Road does not pose a significant traffic problem. To give you an example Lizem and Simac those projects generate upwards of two to three thousand generations of vehicles a day relative to our proposed project. We had to also address if there were alternate developments of the site such as it is an Industrial "B" site, such as industrial subdivision or supermarket or a business on the front nine acres. All of those scenarios generated significantly more vehicle trips per day than the proposed use of the intensive recycling composting facility.

Relative to odor we had to hire odor consultants. One of the reasons that we are taking great pains to be a good neighbor is that we are doing everything in an enclosed environment. We have approximately a six acre processing building. All receipt of the waste is indoors. All processing of the waste is indoors. The storage of the materials that we are removing from the waste stream is conducted indoors. We also incorporate a forty thousand square foot bio-filter that all the building air will have to go through this bio-filter prior to being discharged through the atmosphere. So we feel that we have covered those three which we feel are the greatest potential impacts. The other issues such as light and glare we're taking great pains to visually screen the site. The building itself is located about eight to nine hundred feet off Middle Country Road. There are going to be extensive berms and landscaping so that the building does not create a visual; we want it to blend aesthetically into the community. We picked the site. It is bordered on the west and to the south by Grumman Aerospace which is, as far as we are concerned, a very good buffer region. We don't envision residential build up on the south and to the west. To the east of us at this present time is vacant farm land. So that we feel that we will have the least impact at that site as opposed to, we looked at a total of 18 sites within the Town. None of the other 17 sites were as well suited to the proposed process that we wanted to do than this particular site. So we feel that we did our homework and selected the best site that caused the least amount of impact on the Towns residents."

**Gordon Hygom:** "One other question? Seeing that this is a private enterprise and not a municipality that is putting this structure up has the Town given any thought that if they don't get the tonnage, they don't make it; what are we left with? If this gets locked up into a lawsuit or a trial and they have to shut down is there anything in the stipulation where they have to maintain this while the company may be in a Chapter 11 position in order that the Town doesn't have to take care of it?"

Supervisor Janoski: "You maintain the property?"

Gordon Hygom: "You've got garbage in here and now they are out. They are gone. Now we have a problem. We've got a building sitting there and nobody's keeping these bio-filters running, nobody's maintaining it awhile it is in litigation, awhile it is in court. What happens to the property then? Where does the Town come in on that particular thing."

Mark Wagner: "A couple of scenarios. This proposed project if we did not get the guaranteed tonnage, guaranteed meaning municipal contracts for the waste, the project doesn't get built. It's not that we are looking and hoping that we build it and the waste falls out of the sky. If we do not have long term fifteen to twenty year commitments for the waste at the tonnage that we feel the facility is economically viable, we do not develop the project."

The second part of the question is one of the things that the DEC requires. We are going to have to post a Surety so that if we do go Chapter 11, that there is means for the State to go in there and take care of the site. That would mean removing the materials, if there were any materials left in the facility. There would be a Performance Bond that could be pulled in to have that waste removed and the facility properly secured. So there are catches to this and I can tell you again from the private sector this facility costs a significant amount of money. Nobody is giving us any money to put this facility up so before we invest a large financial undertaking we're going to make sure that we have those commitments for the waste. We do not want to see this thing go down, because I don't have a house to live in and many other people in the firm are going to be in a lot of trouble. So there are certain things that have to take place. We are not doing this on a lark. There is a big investment involved in this project."

Supervisor Janoski: "Thank you. Let me just tell you before I forget that the Environmental Impact Statement, the document, is available in the Town Clerk's Office and I have a copy if you promise to bring it back which you can borrow. Dick."

Dick Benedict, Riverhead: "I just have a couple of quick questions. I want to know if he has any other facilities like this that are being run right now? And the people that he said, I believe that 60 were mentioned; are any of those going to be Riverhead residents? Has he applied for any grant money? Is there any grant money coming from the Town of Riverhead?"

Supervisor Janoski: "What grant money?"

Dick Benedict: "That's what I'm asking? Is there any grant money involved in this?"

Mark Wagner: "The question regarding employment envisions a minimum of sixty people. It can so significantly higher. There is

a certain seasonality to the waste stream. There is less waste in the wintertime and there is more waste in the summertime. So that number may fluctuate throughout the year. I will say that of the sixty people there are different categories of expertise, but I would say that three quarters of the positions are not highly technical and there would be opportunities for people that do not have higher learning degrees for employment and there will be certain positions that will require extensive schooling and or experience especially in the composting process. We envision, Omni, does not have a staff that could staff that facility now so we would envision opening it up certainly on a local level for employment.

The other part of the question was facilities of similar design. Omni recently completed for the Town of Islip, at this point and time it is the largest recycling materials recovery facility in the United States at 500 tons in a ten hour shift that is located on Lincoln Avenue. That opened up in December. I will say that the composting portion of this Omni has been involved in two sludge composting projects. This will be our first composting of solid waste. Solid waste composting in the United States is in its relative infancy and is approximately ten facilities in operation now and about sixty to seventy in different phases of procurement and design. So the industry perse is it's on the upswing. We do not have a solid waste composting facility that I can say that Omni currently operates."

Supervisor Janoski: "Thank you. Way in the back with the white paper in your hand."

Gordon Hygom, Baiting Hollow: "I have a couple of reasons why I am opposed to this. I don't think it should be classed as a non-nuisance industry. Many of the things that we are going to allow to happen in a non-nuisance industry will happen here. All the studies they do are great. But when I was younger and working we worked with a great fiber that was fantastic and wound up calling it asbestos. Today it's a horror and I have very much doubts about what they have to say. And I can't believe the siting that you are doing here. I have said this since the start. You're putting a "garbage dump" across from two restaurants, a turkey farm and within a couple of months you are going to be asked to site a nursing home next to a dump. It's already been brought up in the Town. Why are we doing this? Why are we taking the dumps into people and putting the old people by the dumps."

Supervisor Janoski: "You are referring to our landfill right? Okay I understand."

Gordon Hygom: "That's all."

Mark Wagner: "I will clarify that that is not a disposal facility. The five hundred tons that comes into the facility, a good portion we have trucks leaving with recyclables and compost materials. Although it is a large facility it will be filled up with processing materials. It is not one of those that goes in

the front door and is never seen again. In the old days you would dig a hole on that fifty acre site and you would have twenty years of disposal. Even as big as those buildings are we have maximum on some of the recyclables, materials that are going to be moving out of there in no longer than a week. Although we do have some as a result of comments from the review of the environmental impact statement we do have a storage facility that doesn't show on the rendering where we have capabilities of storing compost product up to 90 days because the product does not sell. That also cycles throughout the year. But by no stretch of the imagination is it a disposal facility."

Supervisor Janoski: "Thank you. Steve."

Steve Haizlip, Calverton: "What I would like to as is Mark said that he has got these things in operation. Now at the present landfill that we have we have an awful lot of company of seagulls. I would like to know how do the seagulls like this particular facility since it's garbage and it's in the trucks and before it gets into the place there has to be some odor transmitted. How is the seagull population?"

Mark Wagner: "I think with all the landfills closing the seagull population might be in jeopardy. We do not want to attract birds. The neighbor that we mentioned to the west and south, Grumman Aerospace flies very expensive airplanes and they have the capabilities of dropping. And I saw some of those intelligence bombs in the last couple months. We have gone through great lengths. We've incorporated a truck turnaround lane, a monitoring booth. If a truck comes in and it does not have a tarp on it or a cover, the truck will be turned or directed to leave the facility without going across the scales. This rendering does not reflect that. This was done early on. As I said all the materials are dumped indoors. We are looking at passive curtains. The doors will be open when the trucks are dumping so the potential, the birds themselves can get used to something. We do not want the birds thinking that they can land and then jump inside for a meal and then jump out. So we are looking at passive curtains so the truck would have to pass through a material thus shutting it again so that the birds would not be getting a free lunch so to speak. There are other measures that have been employed at other facilities that we are prepared to take, but we believe with proper housekeeping and having the requirement of the trucks that come in either self-contained vehicles or covered with a tarp that we will minimize the attraction of the birds. Birds are attracted to landfills because the material is dumped, it's open, it's spread around with loading devices and these dumps have been there for a long time and it becomes part of the birds' lives. We are going to try to make this facility as annoying as possible for them to keep the attractability to a minimum."

Steve Haizlip: "Sounds like you've got your plan well set. Second question. If you have many trucks coming into the

facility. Now five o'clock comes around. Are these trucks going to be permitted to sit outside and maybe the odor being emitted to the atmosphere that the mice, and the rats and the opossums, raccoons, etc. would smell and try to get into the place. Because I know in the landfill we are bothered with that problem. If it doesn't get covered up, the mice and the rats are there. I imagine you are planning to have something along this line. I would like to hear it."

**Mark Wagner:** "We know a little bit about garbage collection and the bulk of the collection activities take place in the early morning hours. We envision ten hour operating day. We would like to have and we would like to have all the waste delivered to the facility no later than 2 P.M. in the afternoon so that by 6 o'clock when the workers go home the tipping floor is cleaned. All the material has been processed. The occasional, I'm going to say an emergency type, somebody has to come in and they've got a truck and they broke down on the road and they are coming in; as long as we know that they are coming in we would wait to receive that material and process it. If it was not an emergency that vehicle would have to go back to his yard wherever he came from and come back the next day. We are going to try to be as accommodating to the municipalities as possible, but yet not cause a problem and certainly we can't have sixty employees standing around waiting for a garbage truck coming in at five o'clock. So we envision that once everybody gets used to the operations that by midday the bulk of the waste has been delivered and by five or six o'clock the tip floor has been cleared and the material has been processed and everybody goes home and then some of the equipment can be maintained during the off hours."

**Dorothy Jermusyk, Calverton:** "About a month ago I was down in Florida. And one evening we went to a golf driving range which was located out in the boom docks. And when I got out of the car I said, 'Gee there is a funny smell here'. It smelled like burnt cherry pies or something like that. But as you stood there, you found that it was a chemical smell. I thought gee this is odd. There was a lot of marsh land around and I thought that maybe they had been spraying for mosquitoes or something like that. So when we were leaving I said to the manager there, 'What's that peculiar odor I smell here?' He said, 'See that plant across the street, that's a composting plant'. And I said, 'Oh my, they are considering one in my area.' He laughed and he said, 'I hope it's not to close' and I said, 'Yes it is.' I'm concerned. Will there be this chemical odor? Are you familiar with the one down in Port St. Lucie West? It's right off I95."

**Mark Wagner:** "No I am not."

**Dorothy Jermusyk:** "I also want to know this. If we find, I mean they paint a very pretty picture; I'm very concerned with our neighborhood and I feel that it is going to devalue our homes there. If there is an odor, if we find a problem with traffic, who are we going to complain to? You or Omni?"

Supervisor Janoski: "Probably both. "

Dorothy Jermusyk: "Both. I would rather there be some jurisdiction with the Town that we could complain to and not run into the problem we have with for instance Grummans. You call over there and you talk to Joe, he transfers you to Jim, Harry and you get no place. Here we have a Town Board. I'd like to know that we could complain to them."

Supervisor Janoski: "Well we issue the special permit."

Dorothy Jermusyk: "Fine. Are there any covenants or restrictions?"

Supervisor Janoski: "I'm sure that the special permit will address all of these concerns as we draft it to address the questions that have come up tonight as well as any other that may evolve around this proposal. But why don't you give Mark an opportunity to-----"

Councilman Prusinowski: "Dottie, that was a composting plant you said in Port St. Lucie?"

Dorothy Jermusyk: "Yes."

Mark Wagner: "I'm not familiar with the facility. Not to say that it doesn't happen. Our background in addition to solid waste; we are very strong in waste water treatment. I can bring people to waste water treatment plants that smell very inoffensive and I can find waste water treatment plants that are very offensive. Even with compost, when you say a compost facility I can take you to a yard waste compost facility which is just leaves and grass which to us seems very innocuous and it would knock you socks off. I hope nobody here is from the Town of Islip. They have had problems with an outdoor operation of yard waste. The facility that you are talking about; it could be a yard waste composting operation, it could be a sludge composting. I don't think it's a solid waste composting project because we are fairly up to speed on it. Regardless of what it is if it is run improperly it can generate odors. If it's outdoors and if you are in an outdoor environment and subject to rain, snow, wind, cold, warm. You are much more at the mercy of Mother Nature than when you are in a controlled environment. So to summarize there are good plants, there are good operations and there are probably very bad operations also. Regardless of what material is being processed. We envision being good neighbors. We are making a large capital expense to do everything in an indoor environment where we have as much control as possible on the parameters that we have to with the just and that is air rates, temperature and moisture control and when you are indoors you have a much better opportunity to control those parameters than if you're outside. But getting back to the question. There are facilities, waste water composting that can be bad neighbors."

Supervisor Janoski: "Mark, is it possible that you can, being in the industry, contact Port St. Lucie and find out what kind of a operation they are running there? If they are processing sludge, for example. Why don't we tell everybody what sludge is? It sounds so harmless."

Mark Wagner: "Sludge is the residuals or by-products of waste water treatment."

Supervisor Janoski: "See you are covering it up. Tell them what it is? It's the dry product of sewage treatment."

Mark Wagner: "Sewage treatment. It's the residual."

Councilwoman Civiletti: "I just want to ask you a question related to what Mrs. Jermusyk just asked. You pointed out that there different kinds of facilities that compost different kinds of materials. Some places do sludge, some places do yard waste and there are these mixed waste facilities like you are proposing. Is it also true that there are different kinds of equipment in use? There are different kinds of systems in use. There are all kinds of odor control equipment in use. Do you talk a little bit about what you will be using there for that?"

Mark Wagner: "Composting in the general sense it occurs naturally. People can successfully do it in their own back yards. The problem in the industry is when you try to do something Mother Nature does and you try to compact it in a very short time frame. Composting in the forest or in your garden or your pile in your yard may take six months, nine months or it may take over a year for that material to take on a humus like or a soil like appearance. When you take large quantities of materials and stack them outside and hope that Mother Nature breaks the things down for you, you are going to have to wait a year or more if you do not do anything active if you employ a low type of technology. So what has developed in the industry is how do we duplicate Mother Nature and get products in a shorter time frame. What we are proposing to do in this facility about three quarters of that building there, we have a very expensive turning device and the compost, as we said before the ten pounds of material that comes in the front door, approximately 4 1/2 to 5 pounds enters into the compost system. The system that we are proposing there are two concrete bunkers approximately 76 feet in width and 600 feet in length and the material gets piled in the front of the trough and we have a very expensive turning device that moves the material from the front of the trough to the back of the trough. It takes about 70 days for the material to exit the back of the trough. In the meantime we are pulling air down through those troughs. We want to keep a five to fifteen per cent oxygen concentration. You want to keep a compost temperature of above 131 degrees. We like to keep between 131 and 160 degrees and we want to keep a proper moisture content about 45% moisture and 55% solids. By controlling those three parameters at the end of 70 days there would probably be more at the end of 30 days that

material will be fairly stable. We've gone the extra, I'm going to say the extra mile, we've incorporated a 70 day cycle. The New York State D.E.C. requires that you have a minimum of a 50 day cycle. We have 70 days indoors. We then screen the material and we can either sell it at that point or we can store it. We have 90 days of storage. But getting back to Miss Civiletti's question. There are different technologies. And for the most part it goes back to Europe, because Europe has been composting solid waste for a significantly longer period of time than we have. I will say that getting back to garbage and sludge we have over 150 sludge composting operations here in the United States. Ten years ago there was about six. So sludge composting is becoming a very favorable way of managing sludge. As the landfills close everybody is focusing in on the garbage situation. The sludge is right behind the garbage. If anybody reads the papers, counties to the west, Nassau County, Westchester, New York City; they are dumping sludge 106 miles out into the ocean. They are forced to get out of the ocean there. Many of the communities are looking at composting because it is an environmentally safe way of managing sludge. But again there are many, many technologies. If you incorporate or attempt to do a low technology, you run the risk of generating nuisance conditions. Because if you let the material sit there you're at the mercy of Mother Nature, and you are not going to get a satisfactory product in the short period of time. Low technology can be applied in those instances where you do not have critical masses. You do not have a lot of material. There are communities composting with low technology sludge in outdoor environments, very well controlled, not creating odors, but again I'm going to use the Town of Islip, has had problems with a low technology on the yard waste where they have basically upwards of fifty acres totally covered by composting leaf and grass materials. Trying to let Mother Nature do it and you've got fifty acres of organic material decomposing. You can have the degeneration of nuisance conditions. And they're now looking to bring their composting operation indoors and using a more sophisticated technology to handle that waste. So you are going to see in large quantities more sophistication in low quantities. I think the Town is composting grass and leaves at the landfill using a very low technology."

Councilwoman Civiletti: "Just leaves which is why it doesn't smell."

Mark Wagner: "And it's working. Well I can bring you the leaf operations that smell also. You have to fit the application and the technology to this specific project that you are developing."

Supervisor Janoski:. "Thank you Mark. Bill Nohejl."

Bill Nohejl, Aquebogue: "I would like to ask a question. Over the 70 day period. Where do you store the odors?"

Mark Wagner: "We're not capable of storing odors. During the seventy days the air, there is processed air being pulled down the compost, that's approximately 20,000 cubic feet a minute of processed air. And the compost haul itself will be about 200,000 CSFM. We have to exchange the air inside that compost hole a minimum of three times per hour so there is a constant flow of air through the 40,000 square foot bio-filter."

Bill Nohejl: "And where does the air go to?"

Mark Wagner: "It goes to the atmosphere after it passes through the bio-filter."

Bill Nohejl: "And there will be no smell?"

Mark Wagner: "There will be no smell."

Bill Nohejl: "It is hard to believe. Garbage is garbage and garbage stinks."

Mark Wagner: "Raw garbage has a much greater potential of generating odors than the compost process itself. For that reason we feel the greatest potential of generating odors is not in the compost haul, but in the tip floor where the raw waste is being delivered to the site coming right off the back of the garbage trucks. For that reason the air in the tip haul gets pulled back as part of the processed air into the compost haul. So there is what we call in the industry a negative pressure on the tipping area so that when the doors are open you still have a constant air flow to the rear of the facility that has to go first through the compost pile and then get exhausted through the bio-filter."

Bill Nohejl: "Another question. What is the use of the final material?"

Mark Wagner: "The final product we're anticipating a Class I Compost per New York State D.E.C. requirements. We are spending a significant amount of money conducting research on the product on the front of the facility. What is a greater concern to us is not the ability to meet New York State criteria for compost quality, but it is in the industry if you kill plants you do not make compost. So our biggest concern of course is meeting regulatory requirements, but we have a more stringent requirement of producing a compost product that is not vitaltoxic or kills vegetation. To that end we have a twenty year agreement with a compost marketing firm for the research and the marketing of up to 95% of all compost products. They will be paying Omni for that material."

Bill Nohejl: "In other words it would be something like Morganite that material that you can buy today? Humus, it comes from sewage."

Mark Wagner: "Morganite is a sewage based product that is classified as a fertilizer because it has a high nitrogen content. This material will have a nitrogen content of between .5 and 1.5. So it cannot be sold as a fertilizer. It can be marketed as a soil amendment. The material for the most part graded in 95% will be sold in a bulk form. We are not targeting the average resident."

Bill Nohejl: "How about farms, golf courses?"

Mark Wagner: "Farms, golf courses, sod farms etc."

Bill Nohejl: "I'd like to ask you a question on that. A garbage truck comes in loaded. There is lye. There is acid. How do you separate that lye and acid from the rest of the garbage and not have it go into the material that you are processing?"

Mark Wagner: "You mean that the acid is mixed in with the garbage?"

Bill Nohejl: "How do you separate it from the rest of the garbage? How do you detect it? You know if I brought in a whole garbage load into your place and unknowingly to me there is acid in that load, there is lye, and it spreads through the whole load and is contaminated and goes into the rest of your garbage and it is contaminated. How do you eliminate that?"

Mark Wagner: "There are going to be different scenarios of materials coming in. We envision, I'm not sure exactly of the scenario that he is talking about whether it is a container that breaks. It's crushed and gets spilled over the entire content. The material that is coming in for the most part. The biology of the system can accept a certain contamination of waste and that can be the soiled papers where somebody used them to clean. If a ten yard or a twenty yard load of material came in and it had five gallons of lye. Spread lye is a caustic sodium hydroxide PH of 10 or greater when it is incorporated into the mass of material going into composting it would not cause a significant problem. If a hundred tons or five hundred tons came in coated with lye, we would have to make a PH adjustment in the system. The proper PH for composting, you like it as close to neutral as possible. But if the material came in and was soaked throughout and it could not physically removed, or the other scenario is if the carter knew that there was a waste problem; says hey I picked up a container and it is saturated and its throughout this whole twenty yard load, we are removing 30% of the incoming waste through permitted sanitary landfills and resource recovery plants. We have contracts with those landfills. If we know a load has been contaminated, either when it's dumped on the floor or the driver alerts us that something has happened to the load we can isolate that on the tip floor, pick it up, put it in the container and go through sanitary landfill and not enter into the process. If you didn't know it, and I'm assuming that we didn't know it because it wasn't generating a specific smell or didn't

look or I think the scenario that you are talking about somebody would know, possibly not, if it went through the system and was not noticed by anyone, I think that that twenty yard would not have the capability of contaminating the entire product."

Bill Nohejl: "What I'm concerned I was a former farmer, a sod farmer and a vegetable farmer. And farmers won't use it if it is going to be contaminated. And if it is contaminated who would pay the farmer for his damages."

Mark Wagner: "Part of the 360 permit we cannot market material until it has been proven that it meets State requirements. Again the farmers requirement I don't think is in addition to the State requirement. He wants to know does this stuff kill plants. What we're doing with on a daily basis the material that is discharged from the compost troughs, it goes up to the research greenhouse where we do germination tests. Those tests are about three to four day tests where we use Watercrest Seeds. If the product affects the germination rate of those seeds, it does not get marketed. So we have a time lag after the 70 days when it goes into storage before it gets marketed to conduct agronomic testing. If it kills or inhibits the growth of these sprouts that material either gets rejected and goes to a landfill or depending on why it inhibited the growth. If it inhibited because there was tannic acids there we can put it back into the system and let it go through another 70 days again. But that is an operational decision."

Bill Nohejl: "I would like to make another statement. Last Friday I was down in Pinelawn to my mother's grave and all along through the cemetery grounds were strewn papers and garbage from garbage trucks where the incinerator is near by. It's a disgrace. I wish this doesn't happen in our town. Thank you."

Supervisor Janoski: "Thank you Bill. Sherry."

Sherry Johnson, representing the North Fork Environmental Council: "It's good that the D.E.I.S. did such a thorough job of addressing all of the concerns, but in reality as we have heard those things don't happen. I'm sure Islip didn't plan for their grass clippings to smell so bad. The North Fork Environmental has decided not to oppose the Omni Special Permit, but in true Riverhead spirit to state all of our concerns for the record. Actually there are three issues that concern us regarding the Omni proposal. And they are as follows.

The project location in hydrologic Zone 3 which is the deep water recharge area and immediately adjacent to the Pine Barrens zone.

The second is the fact that there is so little knowledge available about the procedure of turning garbage into compost and about what can safely be done with the end product.

And the third is the amount of garbage that is going to come from other towns to make up the 500 tons a day that the plant will process. The fact that so much of the garbage will be coming

in from out of town is a concern. For years I have been following the regional ashfill controversy going on in Yaphank and it just seems to me that if it turns out that there is no market for the compost, because it doesn't live up to expectations, that it could end up in Riverhead's landfill and then wouldn't we have inadvertently created a regional landfill. I hope that you will put a provision in the permit, should you decide to grant one, that would prevent that from happening and I also realize that if we are no longer landfilling at that point it will become the fact that you are considering deleting sections of the Town Code on outside processing and storage in a non-nuisance industry definition is also a concern. Omni has stated that they will operate in an enclosed setting. If the code is changed, there is no way for your to enforce this unless you also make it a provision of the special permit.

Finally according to the code you can specify a period of duration for the special permit and I would ask that you consider a time limit so their performance can be reviewed. Thank you."

Supervisor Janoski: "Thank you Sherry. Is there anyone else present wishing to address the Board who has not yet spoken? Sir."

Mark Block, Calverton: "If the project goes through I be a neighbor to this. I understand that at one time that this was supposed to be all vacant farmland. Well my house happens to sit right in this very corner between this plant and Grumman's. I've only been there two years. I pay a mortgage, it's my house and in case this thing does take a dive what about my house, my property? I have a two year old son. Now we are talking ninety trucks a day. You're talking one every ten minutes, fifteen minutes out of a nine or ten hour day. Are they dump trucks, tractor trailers, basically what are we talking about? And smell. I can't believe that there is going to be absolutely no smell at all. I'm one hundred feet off the road. You're eight hundred feet. We are seven hundred feet apart. I think it is going to be noticeable. As far as noise level. I've seen people on 25 taking readings out there. But what about in my backyard, there is a parking lot probably 25 feet from my house. I don't understand that. I think there should be some sort of an allowance or what kind of provisions are going to be made from noise at my house?"

Mark Wagner: "There is nothing that I can say that this individual is the closest receptor to the proposed site. Regarding the parking that he sees proposed; that would be for the environmental education center and that would be tours, school groups. There are no facility employees that would be coming in that particular road so the traffic seen there would be during the normal business hours of nine to five. There is parking on the other side adjacent to the farm residence that is going to be part of the administration building. There will probably be anywhere from five to ten people employed and working out of that residence. Regarding the volume of trucks, we envision a worse case scenario of about 90 to 100 trucks carrying

small payloads. Those trucks are the packer, the rear packing trucks that carry about eight to ten tons per vehicle. In reality we believe that once the facility if it becomes reality those communities wishing to access the facility from Southold, Easthampton, Southampton would probably employ transfer vehicles which would be a longer bodied truck, but would be carrying probably an 18 to 20 ton payload. In essence it would be cutting down that 90 trucks. It would not be cost effective to send rear packing vehicles from great distances. They would probably go to a transfer facility located at their landfill, which may be open or may be closed, put it onto a larger bodied vehicle and we would see larger vehicles coming to the facility, but therefore you would see a reduction in the number of vehicles. Getting back to the hours of when those vehicles would be coming to the facility, we envision the bulk of those loads probably coming in between eight o'clock in the morning and two o'clock in the afternoon. With the majority of the peaks being prior to the lunch hour. So I don't think you will be impacted by vehicles during the night time. I'm sure your concern would be at all hours of the day, but we are going to try to confine the truck traffic to the nine to five or nine to six and the people again we will have approximately sixty people on a split shift. Some of those people leaving at three or three-thirty and the rest leaving at probably six o'clock. So you will see that kind of traffic. Again in the morning you will see thirty employees coming in early and another thirty employees coming in a few hours later. They would be going the same road as the commercial vehicles and parking in the back adjacent to the large processing building. So I think the bulk of the cars and the truck traffic is as far away from your residence as the site development allows. But there is no question that you are the nearest person to this facility and it's basically vacant now so this facility being developed you will perceive that as an increase of nuisance as proposed to what you have now. I am not going to try to debate that."

**Councilwoman Civiletti:** "I would like to say something in response with regard to your question about odor. The tipping floor of your garbage trucks or whatever type of trucks come in and dump garbage on the floor and these folks move it around and put it in their windrows and such and garbage stinks. Mr. Nohejl asked the question, 'How do you store the odor?' Mark was talking about this negative pressure system that they use. I haven't been in a composting facility that has a system like that, but I've been in an incinerator facility that has a system like that and in the tipping floor, a tipping floor is a tipping floor whether the garbage is taken off and burned or whether it is taken off to be composted. A tipping floor is a tipping floor where the garbage sits. Vic and I went to a relatively new incinerator in Hempstead and I don't know their incinerators are a little bit closer to get to, but I don't know what their systems are like in Islip and Babylon. Islip's is a little older so it's a trek to go to Hempstead. But if this were the threshold where the trucks pull in, there are large openings in this huge building and it's

right here and I'm standing here. I couldn't smell any garbage. It took two steps and walked inside that huge building and the first breath I took almost knocked me over. It stunk that badly inside there. That day they told us as well, we've had this tour of this facility and we went to this site up on the third floor where some guy was looking down through a window operates this large fork, picks the garbage up and dumps it in a chute. We went up there to look down and there were like three stories worth of garbage piled up. They had more garbage piled up that day than they normally do so that there was even more garbage there than there usually was. When you walked through the door it really smelled, but a foot outside the door you couldn't smell anything. That's the kind of system that these folks have proposed. We don't know anymore than what I've just tried to explain. We don't know the mechanics of it and such. We received the money from the applicant, George, they had to pay for it and we hired an independent engineer to review the environmental impact statement and review the systems that they said that they were going to build to contain odor, contain dust, etc., etc. That engineer reviewed it and made comments and some changes, I believe, I'm not sure about the odor, but the dust control system, he suggested some changes that you incorporated. He suggested some changes regarding your capacity to store compost product. He suggested changes that they did in /incorporating the Final Impact Statement. I can only tell you that when somebody like me who does not know how these things work goes to a place and stands a foot outside the door and I'm talking about a huge bay door and you can't smell anything and you walk inside and it makes you want to vomit frankly."

Councilman Prusinowski: "They didn't have any flap curtains or anything. In fact I was shocked because you walk in and I would say it was fifty foot high or a hundred foot high. It was gigantic opening into the tipping floor of the Hempstead Resource Recovery Plant and Denise was right. You walk through like an invisible wall of air and then you smell the odor as you walk inside. I did it several times and it's open to the public. You can call American Refuse at the plant. Say you are from Riverhead and use our names. You can take a tour of the plant and you can find out for yourself how this tipping floor system works. It's amazing."

John Cameron, President of Omni: "As a point of clarification I just wanted to point out that Hempstead Plant is actually five times the size of this plant in the way of capacity of handling waste. In addition that facility has a storage pit which can handle many days of storage wastes-----excuse me."

Councilman Prusinowski: "Thirty days at twenty five hundred tons a day."

John Cameron: "A tremendous amount of waste is being stored on a daily basis. Our facility does not store incoming waste on a daily basis. All material which comes in on a daily basis is

being moved out so the capacity for generation of odors is even greatly exacerbated, if you will, compared to our facility of that size as compared to our facility."

Councilman Prusinowski: "Also we took a tour of one of our recycling contractors where they store some of their recyclable materials which I know you will be pulling out of the waste stream. The odor problem was negligent. I was through the entire thing."

Mark Block: "I am not opposed to it. It's just that plain and simple I am going to be the only resident and I don't think it's fair. There is a restaurant right across the street and I don't know how he feels about it. There is a restaurant down the road. However, they feel about it that's their prerogative. But I have a family, like I said before if it takes a dive there goes my house too. I just don't feel that it is fair. Thank you."

Supervisor Janoski: "Thank you. Yes sir."

Ken Tuthill, Calverton: "I'm also going to be a neighbor of Omni as many other Timber Park residents who obviously didn't make a great showing here tonight. One question I have is I would like to know how this site was chosen over any other site for example where the existing Town Dump is? My second question is tax concessions. As the property values of our property and residences do drop will there be tax concessions that will be shown to the residents of the Calverton area and Timber Park area reflecting us trying to sell our property in that area and having a composting site or a dump site next to our properties? The third question where does Mark live? Also John. I met John at the Calverton Commons. I think if they want to be good neighbors in the area, I think the gentlemen that is a neighbor and owns property right on the corner of their site, if they want to be a good neighbor they should purchase his property being he is on their site. Second of all I think they should use it all as one of their residences to show us the fact that they are a good neighbor and not scared of living right next to the site."

Mark Wagner: "I think I can respond to three out of four of those. The first question, I believe, was tax abatement. I would defer that to the Town Board and try to stay away from that. Regarding purchasing the property, I can't tell you all the private things, but we discussed that internally and I think that's a real possibility. We realize that there is one individual more impacted than anybody else."

Regarding the selection of the site. We looked at eighteen sites within the Town of Riverhead and there were specific things that we had to have as part of the criteria. It could not be located in the Pine Barrens Zone. It cannot be located in the Peconic Scenic Corridor. We looked at land adjacent to the Town Dump. We felt that that site, again, had to be the proper zoning. We were informed that the majority of the land north of Middle Country Road had the potential to being zoned into Residential

from Industrial "A". We were also informed that there were parcels of land being considered in the Farm Preservation Area that we preferred to stay away from. We wanted to impact, I know that the people in Timber Park are impacted. We wanted to impact the least amount of people at this site and we felt that some of those sites of the eighteen that we looked at involved going through, directly driving through existing residential areas, and we felt that this site does not go directly through any residential areas. We had to have a site that was a minimum of thirty acres in size to provide adequate buffer and construction facilities. We selected this site. It was the only parcel of the eighteen and had Industrial "B" Zoning which is the least restrictive zoning. It was a parcel that was larger than we needed, however, it had a lot of aesthetic qualities to it. The nine acres Zoned "CR". We are developing into an administration and research which I think it will be aesthetically pleasing and will retain the character of the site to as much degree as possible. And I think those are my responses."

Ken Tuthill: "Well, I don't want to go on record that I'm against Omni. Omni I think is a project that should be done for the time. Recycling is in and the composting is a problem that has to be addressed in the area. I do feel a better site could have been chosen. You say that there were other restrictive sites because of their zoning that would have been a little bit more work to apply for and to get. I feel that could have been handled a lot better, because if it is for the good of the Town, it's going to serve the Town. The zoning changes could have been made on any of those other sites that you found as restrictive. This project, if Grumman goes to a cargo port and then to a passenger port the question is mute. Because it is going to affect all the houses in that area anyhow. But this project, looking at it in today's eyes belongs in a different spot. It belongs more up where the Town Dump is. You're going to have Middle Country Road, we address this question at the Calverton Commons, and they said that they were making the garbage trucks absolutely water tight and they were non-leaking. I have not seen one designed like that and I have spoken to people who own different carting companies in the area. If they get it like that from the factory. If it is leak proof, it will be that way for approximately a month or two before it starts leaking. You are going to create a problem up on Middle Country Road that is going to have to be dealt with and the upkeep, somebody's going to have to put out the expenses to deal with it and I don't think it should be the Town. I think if there is a mess made on Middle Road, lost garbage that Omni should have some kind of a fund that we can go into to clean up the area.

The other thing is you originally mentioned that a covered vehicle, if it is not covered with a tarp or something and pulls into your facility that you're now going to turn him back on the road. One of the ideas of the tarp is to contain the product or garbage that this person is bringing to your site. Now you have a person who probably lost garbage all the way up Middle Country Road to get to the site. Now he is going to be turned away and lose garbage all the way back home. It just doesn't make sense.

You're going to have a problem up on Route 58 and I think it should be addressed."

**Supervisor Janoski:** "If I could the question that you raised about the assessments, the property taxes and I guess assessments is the answer. That whatever the house is assessed at based on, we have assessors in the room and if I make a mistake I'm sure they will correct me, based on a record of similar sales in the community determine whether your property is increase, decrease or stay about the same. So that information is done on a yearly basis by the State of New York and if you experience, through those kinds of records, a drop in property values then your property taxes will also."

**Ken Tuthill:** "Okay. Just an account to what I was saying originally. I was in business thirty years in the Calverton area. As a business person I feel that the decision should be made and addressed before this project is to go on site at least to give that gentlemen who owns the house on site some type of compensation. It would be an ideal business investment for these people. It's not going to affect their project to the point where it's going to be the difference between the project going on line or not. I think that should really be given a consideration. Thank you."

**Mark Wagner:** "There are a couple of things that I think I should respond to. The issue of garbage trucks being untarped. It's a State Law that these vehicles are tarped. He or she or that firm is subject to fines if there is litter blowing out of his vehicle. It should be tarped as a normal procedure. What we are doing by turning those untarped vehicles around is discouraging those people in the garbage industry like most other industries time is money. If this person gets turned around and has to drive back a half an hour or an hour to put a tarp back on and come back, they've lost money. I think the issue of untarped vehicles is something that is going to take care of itself in a very, very short period of time. Strictly from the economics of these guys being asked to leave. If there is litter blowing from these vehicles, I can assure you that the State Department of Environmental Conservation will have people on that road looking for these types of violations. I've seen these people at landfill sites and they love nothing better than to ticket leaky vehicles as well as vehicles that have litter blowing out."

And a follow-up to this site selection. There were two or three other sites that were suitable. One of the overriding factors is that you have to find a landowner that is willing to sell you the piece of property. Some of the sites that we conducted negotiations with; there are a considerable amount of leeway that we needed at the site relative to getting permits, getting financing, getting a lot of things in order. And a lot of the owners that we spoke to really wanted money within a three month period of time and we were not in a position to negotiate with those owners to close the property in a three month period of time. So some of the other parcels that would have been

suitable, but we don't feel as good as this particular site. We were unable to come to terms with the owner and you can't force somebody to sell his property if he doesn't want to sell it."

John Cameron: "I would just like to address the issue. Before a shovel is put into the ground here I can assure Mr. Block that we will make a fair offer on his property."

Martin Simonson, Defense Logistics Agency,: "We were formerly the Navy, now we are the Defense Logistics Agency. We've reviewed the E.I.S. Basically I'm here not to oppose Omni, just to restate our concerns. We have posted a letter to the Town Board on this. The E.I.S has addressed a lot of our concerns. We are concerned about the attraction of birds and basically what we are looking for is to be involved in the process of permitting. We are concerned with housekeeping and we would like to make sure that the housekeeping is maintained. So when permits are issued, we would like to be part of that in the form of, I guess surveillance. Whatever it takes to maintain good housekeeping and to insure the maintenance of good housekeeping."

Councilman Vic Prusinowski: "You're talking about possibly your input into designing our special permit resolution which would bind the applicant on the project."

Martin Simonson: "Yes sir."

Councilman Prusinowski: "It would be stated in specific terms. Thank you very much. Is there anyone else wishing to address the Town Board who has not spoken yet on the application?"

Ed Smith, Aquebogue: "I keep looking at this picture here and I don't see any stack that would vent the tipping floor or the compost. I don't see how you can compost this much material without generating a tremendous amount of methane gas. I haven't heard anything yet that says what is going to be done with the methane. I go past the old dump, garbage mountain, on Sunrise Highway and that's been capped. But if you catch the wind just right the odor from that methane is enough, even with the car sealed up it's very strong." (interrupted)

Councilman Prusinowski: "And at that landfill they are venting some of the methane. That's what you are smelling."

Ed Smith: "There is another thing. You said that the two of you had been to an incinerator."

Councilman Prusinowski: "Right. Hempstead."

Ed Smith: "An incinerator by its very nature draws air in and not pushes it out. The garbage is burned and the fumes go out the stack." (interrupted)

Councilman Prusinowski: "After extensive scrubbing and infiltration."

Ed Smith: "Don't stand next to the door to see if it stinks. Go about a mile down wind from it and see if it stinks. I see no scrubbers here at all. I don't know if they're in the plans or if they are not in the plans. But they certainly should be."

Councilwoman Civiletti: "The odor that I was talking about is not what smells coming out of the stack and in fact whether or not what comes out of the stack of an incinerator smells is irrelevant to how good or bad it is for you. Because a lot of the things that come out of the stack of an incinerator don't smell at all, but can kill you. What I was talking about was the smell on the tipping floor that this huge place that is a huge empty hall where they dump garbage. As far as I know at least that has nothing to do with the air system that blows the smoke and such out of the stack after its burnt. This is just a very large empty space that because of the filtration system and this negative pressure system that these folks are going to employ detains the odor of the garbage on the tipping floor inside the tipping floor."

Ed Smith: "The very nature of the incinerator would draw the air from the outside in and up through the stack so that the smell that is there instead of going out the door would be going up the stack. But here there is no stack and what I'm asking is will there be scrubbers on this thing so that the methane will be scrubbed out of the air before it is released into the atmosphere. If not, we are going to have a big problem."

Mark Wagner: "Methane gas is generated by the anerobic decomposition or the decomposition of organic material in the absence of oxygen. Landfills generate methane gas. Digesters at sewage treatment plants generate methane gas. Composting is an airobic process where air is constantly, as I stated before, we have to keep a minimum of 5% oxygen. More than likely it is going to be in the range of 15 to 18% oxygen. Methane gas is not generated in airobic processing. So that issue that what happens to the methane is not an issue relative to this particular project."

On the issue of scrubbers. The odor control system that we are using, bio-filters, as I stated earlier, forty thousand square feet. We have large blowers. The blowers are pulling back the air from the tipping hall through the compost hall and then blowing up the air through these fields of bio-filters. That is the scrubbing device. It is forty thousand square foot. There is no stack. The scrubbers are approximately four and a half to five and a half foot in height with a media in there that the gas gets vented up through. The bio-filter is actually a living community of organisms not unlike the compost bacteria that does the degradation of the organic material. So the advantage is there is no stack or a point source discharge from this facility."

Supervisor Janoski: "I'm glad that you know what you are talking about. I recognize this gentlemen right here."

Gordon Hygom, Baiting Hollow: "The question of traffic to this plant. Now the theory right now is to take everything from the East End. I took the liberty today of calling the five East End towns and talking to their sanitation people. Riverhead claims that they generate 120 ton. Now whether that is all garbage or building trash I don't know. They didn't tell me. Southold generates 43 ton a day of garbage. The rest is building materials. They at this point plan to put in a double lined landfill. That means that they are not coming here."

Supervisor Janoski: "I think that they are in for a big surprise."

Gordon Hygom: "Okay. But this is what they were talking about today. Shelter Island, 6 ton. In the summer it's more. In the summer everybody out here has more. Easthampton approximately a hundred ton a day. They were noncommittal as to whether they would come to Omni or what they were going to do. Southampton, we all know there landfill is still going for a couple of years. Now until all these landfills and these couple years are taken up where is this garbage coming from."

Supervisor Janoski: "I would dispute the tonnage that you gave from Southold, because Southold's population is very similar to Riverheads."

Gordon Hygom: "Exactly. He mentioned this and he disputed the fact that you had 120 tons of raw garbage."

Supervisor Janoski: "But we have something that they don't have. A scale. That camera is there so I'm not going to discuss this any further. Is there anyone else who wishes to address the Town Board? Yes sir."

Allen Bireaud, Baiting Hollow: "The question I'm concerned with is it is a rather large project. Are you entertaining the thought of it being built by union contractors?"

Mark Wagner: "I think due to the large size of the facility that there will more than likely it will be an attractant as opposed to attracting seagulls, I think it will be attracting union people of various trades. I don't think that we are at that point and time. We haven't selected a general contractor. There are many more steps that have to take place. But the general contractor that gets the job will have to abide by whatever rules, I'm assuming that there are certain provisions, that you have to hire or pay prevailing rates. That is a headache that will be thrust onto the general contractor as opposed to being thrust on Omni. We have a contract with the general contractor for a price to construct this facility. How he gets that done and who he employs to do that is really a situation that that person

or firm will have to deal with at that time. I think again due to the size of the project, I think it will be certainly, if not all of it will be union."

Supervisor Janoski: "The one thing that I can safely say is that if we built it, the Town government, or any government it would cost three times as much. Is it time for George now? George you've got the microphone."

George Schmelzer, Calverton: "First the fellow that owns the house on the corner will be lucky. He doesn't have to pay any d\_n broker to sell his house now. He can do it on his own. Is this deal going to be a tax abatement deal too?"

Supervisor Janoski: "Yes sir."

George Schmelzer: "That's good. I think the people in Timber Park have nothing to worry about odors because the prevailing wind is from the west and northwest and so they won't get any smell at all even if they are looking for it. If there is any odor the northwest wind will bring it down to River Road where I live and I grew up with the duck odors and sometimes I'm homesick for an organic odor. So I won't mind it at all. What else?"

Councilman Prusinowski: "George I know what you mean. I grew up on a duck farm too."

George Schmelzer: "Don't you get homesick for that odor sometimes Vic?"

Councilman Prusinowski: "Well I still get it because where I live in Aquebogue occasionally we still have the present duck farm."

George Schmelzer: "I don't have that opportunity to get rid of my homesickness that way."

Supervisor Janoski: "That's why we save George for last. Thank you. I think that everyone would agree that we deserve time to relax so we are going to take a small recess until ten minutes of ten. If there is no one else who wishes to speak we will without objection declare this hearing to be closed at the hour of 9:40 P.M. Thank you for coming."

#### R E C E S S

Supervisor Janoski: "Ladies and gentlemen we are going to call the meeting back to order. Let the record show that it is now 9:55 P.M. and the Town Clerk will please read the notice of both public hearings."

P U B L I C H E A R I N G S 8:05 & 8:15 P.M.

Town Clerk, Irene J. Pendzick: "I have affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall at 8:05 and at 8:15 P.M. on Tuesday, April 2, 1991 to hear all interested persons regarding **THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE RIVERHEAD WATER DISTRICT AND THE ESTABLISHMENT OF EXTENSION #32X IN EAST AQUEBOGUE TO THE RIVERHEAD WATER DISTRICT.**

I do have a correspondence that I have been asked to include on the record and it's a copy of a letter from the Suffolk County Health Services to a Mr. R. G. Findley, dated February 2, 1991. In its content is a reference to an analysis of water supply at Colonial Drive detected concentration of aldicarbs exceeding the 7 parts per billion drinking water limit by 3 parts per billion, and explaining options open to property owner."

Supervisor Janoski: "Thank you. Mr. Scheiner."

Bob Scheiner, H2M Engineers, Principal: "Members of the Town Board. There are two maps. One the large map which depicts the entire Riverhead Water District of which the area in yellow green is the proposed Extension 32X. So people can see where in East Aquebogue it relates. And the larger map to my left is the blown up version of Extension 32X. The proposed 32X Extension also known as East Aquebogue Water Extension is being proposed based on a petitions submitted to the Town from local residents and property owners in the East Aquebogue area. This proposed extension will serve 137 potential services. It is expected to use between 70,000 gallons per day and a peak need of about 150,000 gallons a day. The assessed valuation of Extension 32X is approximately ten million dollars based on 1990 data supplied by the Town of Riverhead Assessors Office. H2M's estimate of the project cost for this Extension is approximately \$500,000.00. This includes installation of approximately 18,500 feet of water mains and appurtenances. It includes engineering fees, construction of administration, observation of the construction, legal fees and a contingency budget. The extension will tie into the existing Riverhead Water District. The annual debt service costs for this extension ranges from \$32,400.00 in the last 21st. year to \$60,000.00 in the second year. This results in a projected tax rate of per thousand dollars of assessed valuation ranging from \$2.49 per thousand in the first year to \$5.88 in the second year. This is an ad valorem district in that the property owners within the boundaries of the district pay for this extension based on their existing assessed valuation.

Have we combined both hearings, Mr. Supervisor?

Supervisor Janoski: "Yes we have."

Bob Scheiner: "What is commonly done with the Riverhead Water District that and since the establishment of extensions within the Riverhead Water District provides an overall benefit to the entire district through better fire flows, parallel water supply in various areas. Extension costs, previous extension

costs are partially paid for in some cases by the Riverhead Water District. For example. When an extension like this would require an eighty inch water main to service it, the Riverhead Water District may decide to require a twelve inch main to be put in so it will allow for further extension to the district. That difference in cost the eight inch to the twelve inch which amounts to about seven dollars per foot and is paid for by the Riverhead Water District as a district charge to all the people in the district. In this case, of the 18,500 feet of pipe within Extension 32X approximately 13,000 feet is this eight inch, 12 inch situation which accounts for approximately twenty per cent of the overall construction costs of this project. Based on these facts it is reasonable that the Riverhead Water District will assume at least twenty per cent of the Extension 32X. H2M recommends that the Town Board authorize the extension at an estimated cost of \$500,000.00 and that the Riverhead Water District will assume the responsibility for up to twenty per cent of the cost of this district for up to one hundred thousand dollars. The associated district wide tax rate would increase by approximately 2¢ over the existing rate. Are there any questions?"

Supervisor Janoski: "Thank you Mr. Scheiner. Is there anyone present wishing to address the Town Board on the matter of Extension #32X? Yes sir."

Mark Tooker, Aqueboque: "Back several years ago when we had the Temik problem and I'm not sure who it was from the class action law suit, but we were offered an option of getting hooked up to town water or getting a filter put in. Is there some provision in that now to get us some assistance in hooking up to town water if we elect to do that now? At that time we had no choice since we didn't have town water. We had to take the filter. I don't know who to speak to about that."

Water Superintendent, Gary Pendzick: "It hasn't changed much over the last few years. The deal was that if you had Temik more than seven parts per billion you were offered the option of \$500.00 toward hooking up to city water if it was available or having a filter installed at Union Carbides expense and maintained at their expense indefinitely until the problem went away. However, once you received the filter you lost the five hundred dollar option towards getting hooked up to city water. That has not changed. This was a program initiated and dealt with by the Suffolk County Health Department. Any further information I would probably direct the both the Board and the residents to deal with them."

Supervisor Janoski: "Thank you Gary. Alice."

Alice Graff: "I wanted to know the reason. Please explain more fully about the change why the Town has to be taxed the additional."

Supervisor Janoski: "It is not the Town."

Alice Graff: "Well the Water District. That's us. That's the Town. Our taxes will be increased because of an extension size. I'm not certain why that is necessary. Thank you."

Bob Scheiner, H2M: "The Water District determines whether or not, the Riverhead Water District determines whether or not through its Master Plan it wants to expand further beyond the boundaries of this current district or the existing configuration of the Riverhead Water District. And it is the district that determines whether or not the mains should be sized larger than is necessary for this extension. The cost to upsize the mains to permit additional extensions in the future is paid for by the Riverhead Water District in this case it is a two cent increase and that has been done for many, many years."

Supervisor Janoski: "John you had your hand up."

John Anderson, Jamesport: "I have a couple of questions. One you said the people petition. Now it says that 187 people are going to be served. Half of them asked for this?"

Supervisor Janoski: "It is done by assessed value."

John Anderson: "No, 187 people."

Bob Scheiner: "137."

John Anderson: "137. Alright my assessed valuation is \$113,000.00 at \$5.00. Is that correct Bob?"

Bob Scheiner: "In the worst case, yes. In the worst year it would be \$5.88. It is a sliding scale, it goes down. The first year and the second year it is about \$5.88. It goes down gradually to about \$2.49 in the last year of the bond issue. It's a bond issue so it slides down."

John Anderson: "How many years?"

Bob Scheiner: "Twenty."

John Anderson: "Twenty. Oh. So that will cost me \$500.00. Do I understand that correctly?"

Supervisor Janoski: "I trust your math."

John Anderson: "I don't have bad water."

Supervisor Janoski: "Well I very often try to explain and perhaps Bob could add to it. There is somewhat of a wash if you will. Because you will now have fire hydrants. And a Commissioner of the famous Jamesport----- (interrupted)"

John Anderson: "You don't make money on fire hydrants."

Supervisor Janoski: "We do. You will enjoy a better rating with your insurance company and you should experience a reduction in your insurance. Should you decide that you want to hook up to public water because it is very dependable. It is guaranteed as far as quality and if a hurricane comes you're not going to be without water for any of those reasons. Then the cost of maintaining your pump, getting a new one someday or the electricity over a period of a year run into quite a few dollars. So that \$500.00 that you are spending which is tax deductible and the savings that you are going to experience somewhat balance out."

John Anderson: "Alright I've got a farm \$113,000.00. I pay on the whole-----"

Supervisor Janoski: "Oh, okay. Is your farm in any one of the commitment districts?"

John Anderson: "No."

Supervisor Janoski: "Oh then forget I asked. Who's got the answer to that? LeRoy."

Chairman of the Board of Assessors, LeRoy Barnes: "No. He is in the eight year individual commitment program. But he is not in an ag district. If he was in an ag district, he would be precluded from that. If he set back only five hundred feet into the district, he'll only pay a percentage also."

John Anderson: "Thank you I guess. I don't know."

Supervisor Janoski: "Always happy to help out John. Is there anyone else present wishing to address the Town Board on the matter of this extension? Do you live there George?"

George Schmelzer: "It's strange that when the Town puts something up everybody has to pay. I never heard of the Lighting Company when they put up poles sending a light bill to an empty lot. See the difference? It's not fair. If a private water company did that they wouldn't be allowed to do that would they. Send a water bill to an empty lot like you're doing."

Supervisor Janoski: "They don't operate under the same districts and ad valorem taxes."

George Schmelzer: "Fair to one, fair to another. I heard rumor that you're going to put public water in Calverton. Is that correct?"

Supervisor Janoski: "Everywhere except where you live. George it is our hope that we will reach everybody in all populated areas in the Town eventually."

George Schmelzer: "Oh yea. Well the trailer park on River Road wanted it there. Guess he was too cheap to put the pipes in for himself and he didn't get it. Is that the story?"

Supervisor Janoski: "I really don't know. Is there anyone else wishing to address the Town Board in the matter of the improvements and Extension #32X? That being the case and without objection I declare the hearing to be closed at the hour of 10:10 P.M. We now take up the resolutions."

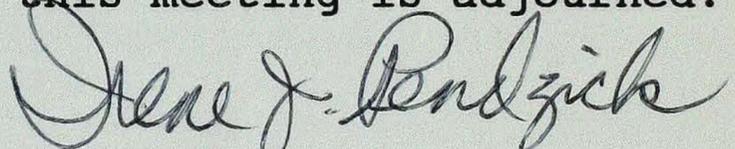
RESOLUTION #222- ADOPTS LOCAL LAW ESTABLISHING BUSINESS IMPROVEMENT DISTRICT

Introduced by Councilman Prusinowski and seconded by Councilwoman Civiletti.

Councilman Vic Prusinowski: "I know that there is some concern just for the record. Some of the local businesses inside the district. However, I think it is a very important step for the Town of Riverhead to create this Business Improvement District and in the long run it will be something that will be looked upon as a major achievement. I vote. yes."

THE VOTE: Prusinowski, yes; Civiletti, yes; Janoski, yes.  
3 YES 1 ABSENT

Supervisor Janoski: Please let the record show that the hour is 10:17 P.M. Without objection this meeting is adjourned.



Irene J. Pendzick  
Town Clerk

IJP:ch