

Minutes of a Regular Board Meeting held by the Town Board of the Town of Riverhead, held in the Town Hall, Howell Avenue, Riverhead, New York, on Tuesday, March 5, 1996, at 7:00 p.m.

Present:

James R. Stark,	Supervisor
Mark A. Kwasna,	Councilman
James B. Lull,	Councilman
Otto Wittmeier,	Councilman
Victor Prusinowski,	Councilman

Also Present:

Barbara Grattan,	Town Clerk
Robert Kozakiewicz, Esq.,	Town Attorney

Supervisor Stark called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

Supervisor Stark: "If you would please remain standing. As recently as last Thursday, we had a young girl who attends school at Riverhead who has turned up missing. I would ask a moment of silence of prayer that she is safely returned to her parents and continues her life.

Thank you.

If the Board would join me down front. Wayne-- is Wayne around? This is Wayne (inaudible) who is here tonight to represent the American Red Cross of which I had the privilege of meeting, I believe, the head of the American Red Cross this past Saturday, Elizabeth Dole. It certainly is an organization that through its tenure has many cases all over the world aided people in need and distress and we only have to go back as recently as our wildfires over in the Pine Barrens. So it's with great honor I'd like to present to the American Red Cross this proclamation which declares the month of March American Red Cross month in the Town of Riverhead.

Wayne (inaudible): "Thank you. I'd just like to thank the Town of Riverhead, the Town Board, Supervisor Stark, the citizens, for

supporting the Red Cross. As Supervisor Stark has said, that until recently the Red Cross has not been involved in any disasters locally. We came close unfortunately with the Sunrise fires but throughout the world the Red Cross is there when everyone needs them. Again, I'd like to say thank you very much and we appreciate it very much."

Supervisor Stark: "Thank you, Wayne.

Again, we have what I feel is one of the greatest honors that we of the Town Board and management can bestow. We have the Labor/Management Committee and I believe two of those members are here with us tonight as well. Otto is already up here. Is Diane here? Diane Stuke, our Tax Receiver, and Lt. Foote. We have a Labor/Management Committee which consists of people who are in labor so to speak, and the management end of it over here that meet, and discuss various problems that we have throughout the operation of Town Hall. We discuss safety, any numerous amount of things.

Quarterly each year we always pick an Employee of the Month-- of the Quarter, excuse me-- . Then at the end of the year, everybody gets together and they actually pick out the Employee of the Year. This particular individual who is receiving it tonight I have worked very closely with for the last three, four years. He's the kind of individual that I would like to have 200 of, because when you ask him to do a job, he gets the job done. No matter what time of day, there on the job. If you come around during the blizzards, you will hear him on the radio. Snowstorm, baseball field-- I think Shea Stadium wanted to hire him after we sponsored the-- played host to the New York State Moose Little League World Championship, or Allstar Championship. We have some of the finest fields.

If you go to our facility at Stotzky Park, you'll see one of the finest recreational parks on Long Island, if not in the state. It's not all up to him, but certainly his crew, with men who support him, are what makes this gentleman's job easier. They have gained a great deal of respect for him. He only need ask them and they do whatever he wants to be done.

So, without further ado, I would like to ask Danny Ruthinowski if you would come forward as our Employee of the Year. Susan, if you would come up and if any members of the Buildings & Grounds would like to come up and join us. I know Charlie Brown would, Lawyer Jackson,

anybody else would like to come up, I'm sure that they would certainly like to have a couple of words that they might want to say about this. Danny, it's with extreme pleasure as Supervisor, a guy who has come to learn to respect you quite a bit, I present to you tonight along with our Labor/Management Committee, this Town seal-- it only goes out to a very few people.

To Daniel Ruthinowski, Town of Riverhead Employee of the Year, and it can't go to a more deserving person this year. So congratulations.

Danny Ruthinowski: "Thank you."

Supervisor Stark: "I think before we ask Danny to speak-- do you want to say anything?"

Charlie Brown: "It's just that the years that Danny has been here, he's been the star in my heart. And I would like to say to the Town Board and Supervisor, if Danny Ruthinowski in any way had to leave, I think I might want to go with him. So, try to keep him around because he's a great asset to the town."

Lawyer Jackson: "I'm Lawyer Jackson. I've been here for 18 years and since Danny came we do a lot of things that we hadn't been doing and he's a really good leader for us, especially Buildings & Grounds. And, the Town Board, he's a very good man to have."

Supervisor Stark: "I think Lawyer and the boys are fighting for a raise."

Diane Stuke: "I would just like to add that Danny was nominated by his fellow employees of the Town of Riverhead and was elected because of his professionalism, his commitment, and his dedication to the Town of Riverhead. We are very luck to have him working for the Town of Riverhead and keeping everything up to date. Thank you."

Supervisor Stark: "Would you like to say something?"

Danny Ruthinowski: "Sure. Mr. Stark-- "

Supervisor Stark: "Wait a minute. Before you get started, I would like to introduce his wife, Susan. I'm sorry. You bring her up here, and I forget all about her. Susan grew up in my neighborhood."

As a matter of fact, she used to babysit for my kids."

Danny Ruthinowski: "Thank you. Mr. Stark, members of the Town Board, members of the Labor/Management Committee, Ken Testa, my wife, family and friends that are here present tonight, I would like to thank you all for coming. I'm very honored and surprised to be the recipient of this award and I'd also like to say that there's no way, shape or form that I would ever receive this award without the dedicated help of my crew. They earned this award for me. Thank you."

Supervisor Stark: "Thank you, Danny. We won't keep you out too late a couple of nights if it starts snowing again either."

As you all have-- if you have taken the agenda, you will find inside a flier which describes the young lady who has turned up missing, Cortecia Morning (phonetic). So, you can take that back and take a look at it and pass it around amongst your friends. We certainly would appreciate it so that maybe we can bring this incident to a very quick favorable solution.

Is there a motion to approve the minutes of the Regular Town Board Meeting of February 20th?"

Councilman Lull: "So moved."

Councilman Prusinowski: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All those in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

REPORTS

Riverhead Tax Receiver

Statement of tax collections -
\$26,546.97

Collection Report - \$281,535.43

Riverhead Town Clerk	Monthly report for February, 1996 Revenue collected \$10,164.74
Police Department	Report for the month of September, 1995
Open Bid Report	Traffic signs - two bids were received Capital-Highway Material, Inc. and Traffic Safety Service Corp.
Open Bid Report	Ambulance Bid - two bids were received Specialty Ambulance Sales and North Country Sales/Peconic Ambulance Service
Open Bid Report	Deepening of Well No. 1 - two bids were received. Opened on March 4, 1996 Gregor Well Drilling, Inc. and Hydro Group, Inc.
Jamesport Fire District	Annual report for 1995
Riverhead Sewer District	Discharge monitoring report for the month of January, 1996

APPLICATIONS

Parade Permit	Combined Veterans which is on May 27, 1996, for a Memorial Day parade
Parade Permit	American Diabetes Assoc. for a Tour de Cure Cycling Event on June 30, 1996
Special Permit	For a building addition to Recreation Center at Thurms Estates

Site Plan

Riverhead Medical Arts for a one story addition to existing two story

Exhibition Permit

Riverhead Chamber of Commerce, May 26, 1996, raindate, May 27, Antique Show

Carnival permit

St. John the Evangelist R.C. School for a carnival to be held on April 11 - 21, 1996

CORRESPONDENCE:

County of Suffolk

Amended zoning ordinance Town of Southampton, Local Law No. 2 and Local Law No. 3

Town of Southampton

Change of Zone

Joanne Zilnicki

Letter of resignation as home aide

Supervisor Stark: "Thank you, Barbara."

Barbara Grattan: "You're welcome."

Public Hearing opened: 7:18 p.m.

Supervisor Stark: "Let the record show that the time of 7:18 has arrived. Would the Clerk please read the notice of Public Hearing."

Barbara Grattan: "I have affidavits of publishing and posting of a Public Hearing to be held at Riverhead Town Hall, Riverhead, New York, at 7:05 p.m., on Tuesday, March 5, 1996, to hear all interested persons who wish to be heard regarding the proposed local law to delete and repeal the existing Chapter 101 (Vehicles and Traffic), replacing it with a new Chapter 101 of the Riverhead Town Code (Vehicles and Traffic)."

Supervisor Stark: "Thank you. Bobby, please?"

Robert Kozakiewicz: "This Local Law is an outgrowth of the Parking District liaison group. Sometime back, they came up with a plan to curtail or suspend the meter operation along Main Street and instead put in a two hour parking regulation. When they came to me, they asked how it was going to be done and one of the things was we needed to amend Chapter 101.

In looking at Chapter 101, it appeared that maybe there had been some amendments, whether they were properly adopted or not is a question. The original Chapter 101 was adopted via a Local Law and was unclear whether all the amendments had been by Local Law.

So, now what we're doing is clearing the books to incorporate the changes which would take the current meter zone along Main Street and provide for two hour regulation along Main Street and also to adopt those changes as previously done all by Local Law so that the whole Chapter 101 is in good stead. So that's the purpose of tonight's meeting-- I mean Public Hearing."

Supervisor Stark: "Thank you. Is there anybody who would like to make comment on this particular Public Hearing? Pat."

Pat Frankenbach: "Pat Frankenbach. I chair the Public Parking Liaison Committee for the Town. This Public Hearing, we hope, is the first step in a very responsible campaign to remove the parking meters solely along Main Street by replacing them with a system identical to many of our neighboring towns and villages. Our District employees will be charged with marking tires to enforce a two hour parking limit on Main Street, eliminating the bother when a customer needs to run into a store for a minute, while still ensuring that these spaces will be available for customers by preventing other businesses and their employees from parking there all day.

I would like to say that we heartily endorse this change. Thank you."

Supervisor Stark: "Thank you, Pat. Is there anybody else who would like to make comment on this particular Hearing? Bill."

William Kasperovich: "William Kasperovich, a resident of the

Wading River township. I only got halfway through this Chapter, but even to there, I find there are questionable points. My main search for this was to see whether was included the vehicles that cross the curb, go across sidewalks, go across what might be designated as edge of roads to property lines. I-- whatever bureau or department in the town would follow through with, I think this omission has been here for a long time and if we are going to correct the whole chapter, we should include what street crossings, sidewalk crossings, are permitted and I'm not referring to where a drop curb exists, (inaudible) crossing the sidewalk where there is no drop curb or driveway.

And where I've gotten to so far are several points of concern. When I leave the house, I have to-- before I could get onto Hulse Landing Road, I have to stop for a stop sign. I don't see those stop signs on Hulse Landing Road in the vicinity of where I live included here.

I also see several street numbers here where if you didn't know the other cross street you wouldn't know where in town you exist. We have the use of number streets in several places in the township and they should be spelled out specifically.

I also notice the listing of a stop sign for which we had a Public Hearing and I don't recall that a stop sign was permitted.

We also have a section here on weight limits. Weight limits are easy to designate on the sign, for example, no trucks exceeding five tons permitted on this street. But at the same time, the concern of loads on the highways or the roads or any of the vehicular passing-- passable streets, that the wheel load is the criteria. No doubt you've seen the sand trucks which they are most common, where they have four wheels off the road when they're empty and-- but four wheels down when they're loaded. This is to spread the wheel load to the permissible state wheel loadings. So an elaboration on this for today's conditions and looking to somewhat to the future should be included.

I-- that's about as far as I got on going through this, but probably several other places that could be reworded or elaborated on to bring us up to date. And if we are going to change the whole chapter, this is the opportunity to do it. Thank you."

Supervisor Stark: "Thank you, Bill. Is there anybody else who

would like to make comment on this particular Hearing? Steve."

Steve Haizlip: "Steve Haizlip of Calverton. Is this going to change the entire traffic laws (inaudible)? If it does, is there a period that you have to wait for it to become law to give the people a chance to find out about it?"

James Lull: "The only things that is going to be changed immediately as far as the Parking District is concerned, is the suspension of Parking District-- the parking meters on Main Street which will be covered and it will be two hour parking. We will probably allow a grace period and we will-- when we publish the information about the two hour parking, we'll make it as public as we can. When we do publish that information, we'll also include in that a grace period, a month maybe, which we will keep a careful track of what's going on, but there will be no fines."

Steve Haizlip: "Sounds good enough to me, Jim."

Supervisor Stark: "Thank you, Steve. Is there anybody else who would like to make comment? Timmy?"

Tim Yousik: "Tim Yousik, business owner in Riverhead. I will make this very brief. I just want to say that I support this completely. I think it's a wonderful idea. Two hour parking on Main Street sounds correct. I'm still not overly thrilled with two hour limit in the back parking lot, but as far as Main Street, I think it's a wonderful step."

Supervisor Stark: "We're working our way there."

Tim Yousik: "I know that. Thank you."

Supervisor Stark: "Is there anybody else who would like to make comment on this particular topic? If not, I will declare the Hearing to be closed. Thank you."

Public Hearing closed: 7:30 p.m.

Public Hearing opened: 7:30 p.m.

Supervisor Stark: "Let the record show that the hour of 7:30 has arrived. Would the Clerk please read the notice of Public Hearing?"

Barbara Grattan: "I have affidavits of publishing and posting of a Public Hearing to be held at Riverhead Town Hall, Riverhead, New York, at 7:10 p.m., on Tuesday, March 5, 1996, to hear all interested persons who wish to be heard regarding the special permit petition from David J. Willmott to utilize approximately 53,500 square feet of an existing structure as a small business market center."

Supervisor Stark: "Thank you. Counselor?"

Christopher Kelley: "Christopher Kelley, Twomey, Latham, Shea & Kelley, for the applicant. First of all, I'd like to submit the affidavit of mailing. I have the affidavit of posting, it's just being prepared."

Mr. Supervisor, members of the Board. I'm here on behalf of David Willmott, the landlord of-- the proposed landlord and the tenant, JBSJ, Inc. First, I'd like to ask that the Board incorporate by reference the record of the Public Hearing previously held on this application on September 19, 1995. I know, Mr. Supervisor, you were there at that hearing, but I think the rest of the Board is new since then. There's a lot of material there that I'd like to see in this record and ask that it be incorporated."

Supervisor Stark: "We will make a copy of that Public Hearing available to the new Board members."

Christopher Kelley: "Thank you. This application was first made in May of '95, pursuant to Town Code Section 108-45 D5 for a special permit for non-nuisance industry, for Willmott Plaza on Route 58. The property is currently zoned Industrial A. The property immediately across the street on Route 58 and the property immediately adjacent to the property on the east, is commercial property permitting retail use."

The proposed use is that of a small business market center to allow 100 to 150 small retail businesses to start up, similiar to an incubator that is often utilized in the-- in office and other business

applications. This would be in particular a retail incubator to allow businesses that would otherwise not be able to start because of the cost of rent, overhead, etc., to start up in a small mall atmosphere in the hopes that they would be able to build their business and later sprout, go off into another rental once they become big enough.

The proposal would create up to 300 jobs. The facility would be open Thursday through Sunday. All construction would be internal, only 53,000 square feet, or slightly less than half of the existing square footage of the building, which is currently occupied by in part by the Suffolk Like newspaper, would be utilized for this use.

We have a list of the types of businesses-- the types of retail businesses that would go in there and I would like to submit that to the Board. It is in the record, but I would like the new members to see it.

Now the history of the site is set forth in a memorandum and letter dated September 19th, which I will distribute shortly. It's already in the file. But as many of you probably recall, this site has always been developed-- from the outset was developed for retail use. There have been a series of retail stores in there and was only changed to the Industrial classification in the mid 1980's when the Willmotts came in to convert the property to use as their printing plant for Suffolk Life.

The theory at the time was if they could get the property down-zoned to Industrial A, it would always be easy to go up to retail and that has turned out to be not as easy as thought. But they have a lower class use there right now which is the Industrial use and they are trying to upgrade that to allow a part retail use.

I would like to distribute that memo which refers to the history of the site and also the history of the particular ordinance that we are dealing with.

The non use is industry-- special exception in the code was designed and spoken more specifically by Allen Smith who was on the board when this was adopted. It was meant to give the Town Board flexibility in putting in uses that were environmentally nondegrading. It allowed-- it's kind of a catchall within the industrial zone to allow the Town Board to put in other businesses, in a sense making a

kind of a zone change application but keeping it very controlled. That's why the power was given only to the Town Board.

The grant of this permit we submit would cause the improvement of this property, make it more attractive, which would benefit all the businesses along Route 58, the businesses in town in general. It would be the general upgrade of the property and utilization of a property that's been sorely underutilized over the years.

I would like to introduce to you the people who will be managing the facility, Jim (inaudible) and Bill Icafone, and ask them to step forward to explain more about the specific proposal, how it will be run, and after that, I would like to introduce to you Allen Smith."

Supervisor Stark: "Lay your tripod down. Set that up over here -- that's it, good."

Bill Icafone: "Good evening. My name is Bill Icafone. I'm one of the principals of the proposed small business merchandise mart. The first think I'd like to say and address to the fact that I know over the time period that we've been putting this together, we've heard the expression, flea market, used as opposed to the fact that we're trying to bring in a small business merchandise mart.

The concept of a flea market from what I see is the nature of what one might be accustomed to viewing in Roosevelt Field mall, which had just recently closed. Businesses which come under the umbrella of driving their car up, opening the back of their car, and putting out their product or service to the general market in an atmosphere that is not conducive to the proposed plan that we have which you can see on the diagram over there, a small business merchandise mart is what we're looking to create here. Upscale products, services, things that we feel are needs within the community and the surrounding areas of Riverhead.

I know that you have the listings here for the different types of product displays and if I could read off a few of them here, so that everyone can get an understanding and feel for what types of products will be in this building. Electronics, sportswear, footwear, casual wear, fitness apparel, body building supplements, health products, (inaudible), big and tall menswear, ladies sportswear, eye fashion, leather goods, sterling silver, videos, jewelry stores, carpets,

stuffed balloon giftwares, collectibles, silk flowers, perfumes, etc., etc.

This listing is comprised of businesses that have had a very strong interest and people that we have heard from in the business communities that this list has been made up of. These people have expressed a sincere interest in obtaining space inside our building structure here.

Now in terms of the nature of the business and the way it's going to be utilized, the mall is a-- the area that we're going to be looking at, between 55,000 and 60,000 square feet of retail space. This is going to be comprised of 120 small businesses which individually will use between 200 and 600 square feet, on an average. So what you are really looking at here, is businesses who quite frankly might not have the income to step into a retail shop, let's say in Tanger Mall or just a local retail business where they have to go through the expense of everything from electricity on down to just the normal aspect of putting the business up. Now, these businesses may grow eventually a year or two or five years later into the fact that they can take the next step up and open up their own enterprising businesses in the area. They will have established relationships with people in the community, they will have established a recognition that they've been doing business here for sometime, and it's a step upward that they can use that they might not have had three or four years behind that.

One of the other things that I'd like to say is personally we live, we bank, and we spend our money here in Riverhead and we see a strong local need for this type of structure to go in and that was the main reason why we have been pursuing this for two years. Because we felt it personally ourselves. That's basically it. It's a simple concept the way we look at it."

Supervisor Stark: "Thank you."

Christopher Kelley: "The background-- "

Supervisor Stark: "Chris, you've got to move around there because the other one is the speaker."

Christopher Kelley: "Okay. The background of the two principals

-- you currently might tell them about the exposition business."

Bill Icafone: "Basically, our background comes from the same concept of dealing with businesses. We produce an event at the Nassau Veterans Memorial Coliseum for the past four years now; just concluded one a couple of weeks back, an outdoor sportfishing, an outdoor expo which has been quite successful and we're dealing under the same type of concept, dealing with small business people as well as people on all different levels in that industry. But the concept is basically the same."

Christopher Kelley: "Any questions from the Board?"

Otto Wittmeier: "Will this be similar to the project you did in Sag Harbor, on the wharf there with the small businesses and the mall atmosphere."

Christopher Kelley: "I'm not familiar with it. On the long wharf you are talking about in Sag Harbor?"

Otto Wittmeier: "Right."

Christopher Kelley: "I'm only familiar with the Bay Street Theater there. I know what you are talking about. After-- there's an entranceway after the entrance to the theater. Yes. At this point, I would like to introduce Allen Smith to talk about the history about this special exception use and how it got into the code and why it's particularly appropriate to apply in this instance."

Supervisor Stark: "While Allen is on his way up, Henry it's nice to see you up and around again."

Henry Pfeiffer: "Thank you. It's very rewarding to find that my absence (inaudible) in 17 years (inaudible)."

Supervisor Stark: "Thank you, Henry."

Allen Smith: "Members of the Board. The purpose of my statements are to explain to the Board and to the public present the history of the special permit provisions and non-nuisance industry provisions of the code, the zoning code of the Town of Riverhead, under which you are

considering this particular application.

I have to bore you with a certain amount of history, some of which you know, some of which you may not know. The town of Riverhead was the last town in the State of New York to adopt a zoning code. It was a struggle and you can almost define where the industrial zones are in the town of Riverhead as those that were supporting zoning through lines around certain of the more activist opponents to zone their particular properties as industrial.

The reason for that was this old style of zoning, that the industrial zones were catchall zones, where not only did almost anything go, but any of the uses that were in the more restrictive zones, the residential or commercial zones, were allowed in the industrial zone. So if it will, it filtered all the way down to the industrial zone under ordinance 26 where anything that wasn't called out above was permitted.

In the period of 1972 through 1977, we tightened up the zoning code of the town of Riverhead to eliminate that particular concept to the degree that I am about to describe. This tightening process did not necessarily begin when I was Town Supervisor; it began in 1972 when my then partner, Frank Yakoboski, was the Town Attorney.

There were further amendments to the special permit provision during that period of time in '74 and '75 when I was the Town Attorney; it continued into 1977 when I was the Town Supervisor.

I have said in the past, maybe to some of you, I know I've said it to Mr. Stark, that the definition of a non-nuisance industry is anything that the Town Board wants it to be. And we did that on purpose. What we did was we took the industrial zoning where almost anything could or would fit under this particular code, and we changed it so that there were some controls under that catchall phrase and the catchall phrase was non-nuisance industry by special permit of the Town Board.

Now understand what a special permit of the Town Board is. It is in effect a legislative amendment to the code that you deal with each and every applicant on almost the very same criteria that you would amend the code. There are public hearings, there's notices, there's legislative findings, and there's a resolution of adoption later on,

assuming that you look favorably upon the particular application.

The criteria-- they're called out in the special permit provision as we wrote it from 1972 through 1977, were essentially a concept called performance zoning, that rather than looking at zoning as sort of a cubist kind of a thing and you could do certain things down in Aquebogue and you can do certain other things in Calverton, etc., etc. It looks at the quality of life issues that (inaudible) zoning as a method of legislation and says that in this process that you are going through this evening, that you look various and sundry things to determine whether or not something is in truth non-nuisance. You look at traffic, you look at parking, you look at lot area coverage, noise, all those various and sundry things are called out in this particular section after the hearing, you take a moment, please, and look at this.

Now, in this particular instance, you are dealing with an existing structure. It was the Billy Blake's building. It is going to continue to be for me at least, for some of us who are a little older, the Billy Blake's building. It isn't going away. It probably is not the way we would build such a structure today. There is just a sea of parking. The building is 103 or 104,000 square feet. It is not descript as such. But when you take all of these criteria that you will find in that (inaudible), nothing changes. There is nothing here that is adverse to the structure and the use that currently sits there. And, I think or I recommend to you that is the process that you must follow and that is the rationale in looking at this particular application.

I'll answer any questions anybody may have."

Supervisor Stark: "Thank you, Counselor. Is there anybody that would like to make comment on this? Yes, sir."

Christopher Kelley: "Mr. Willmott, Jr. was going to step forward on behalf of the owner of the property."

Supervisor Stark: "All right. If you would just take a seat for one second, sir. Mr. Willmott is going to talk first. Rolph."

Rolph Kestling: "Rolph Kestling-- "

Supervisor Stark: "I guess you are waiting, David."

Rolph Kestling "Rolph Kestling, Wading River."

Supervisor Stark: "Age before beauty."

Rolph Kestling: "While I was listening to all this and it seems that the heart of everything is to make it retail. Now suppose somebody started thinking is this flea market maybe a smokescreen? Now, think about it. We have limited retail, we don't want too much retail on 58. Now at the last meeting in September, I read in the paper that Mr. Willmott said if he didn't get his way with the (inaudible) and everything, he could move all his printing operations to New Jersey. No big deal. You go ahead, you rezone the property retail, not just a cement block building. It's retail. Mr. Willmott knocks it down, and you've got a new retail section."

Supervisor Stark: "We're not rezoning it. I believe the application is a request for a special permit. Am I not correct, Counselor?"

Rolph Kestling: "It will not be rezoned retail?"

Supervisor Stark: "Actually in this particular instance if I was to compare rezoning to a special permit, I would rather have a special permit if so granted by this Board because you can put a lot of restrictions on it and we can make them revisit every year or every two years or whatever limitations we want. This is not a rezoning."

Rolph Kestling: "Okay. And one more question."

Supervisor Stark: "Sure."

Rolph Kestling: "In case Mr. Willmott doesn't get his way, now I don't care one way or the other, but he got a big substantial tax break when he started the business 10 years ago. If he should decide to take his marbles and go home or something to New Jersey, does he have to give that money back?"

Supervisor Stark: "Does he have to give back-- "

Rolph Kestling: "The tax breaks he got over the 10 years."

Supervisor Stark: "No, no."

Rolph Kestling: "Okay. Money in the bank, right. Thank you."

Supervisor Stark: "Is there anybody else who would like to make comment."

Christopher Kelley: "Can Mr. Willmott come forward now?"

Supervisor Stark: "Sure. Mr. Willmott, please."

Christopher Kelley: "I think that's a good point and I think that's something we want to bring out here, is that the reason why we think the special permit approach is the recommended approach here as you point out, Mr. Supervisor, is that you can restrict it. It is limited to this single use as opposed to opening it up to you know any sort of a number of retail uses that would be permitted if it was commercially zoned."

David Willmott, Jr.: "Mr name is David Willmott, Jr. I'm here to speak on behalf of the application for the special use permit for my family's property on Route 58. As you are probably aware, Suffolk Life Newspapers which today is comprised of 35 editions, for a total circulation of 500,000, and a readership of 89%, was started right here in Riverhead by Dave Willmott, Sr. on my grandparents kitchen table on Roanoke Avenue.

By combining a good idea, hours, weeks, years of hard work, the talents of many individuals and undoubtedly a few good breaks along the way, with an uncompromising refusal to accept failure, Dad built Suffolk Life Newspapers into what it is today. I was born and raised in Riverhead, grew up just down the street on Ostrander Avenue. I remember when Town Hall was on the corner of Roanoke Avenue and Second Street. I attended and received an outstanding education in the Riverhead school system. I spent most of my career working for Suffolk Life Newspapers. My first job was to count the number of jelly beans in an Easter promotion we had going on as a child. I later moved up to sweeping floors, collating newspapers, worked at the end of presses as supply boy, loaded mail trucks, proofread ads and later became a salesperson and am now currently the sales manager.

In the early 70's, my Dad purchased the building in Westhampton and moved the business over there. I remember as a teenager getting a driving lesson in what was at the time the vacant Great Eastern

parking lot. Noticing the for sale sign and thinking my Dad is the richest guy in the world, I asked him why don't you buy this building and move Suffolk Life Newspapers to Riverhead? He explained to be a bit sadly that although business was good, he didn't think he could ever afford a piece of property like that and that besides it was way too large for our operations even if we were to eventually grow and cover the rest of Suffolk County. And that besides, we were a commercial business and that the building was for retail, and was probably way too valuable as retail space to be used for commercial purposes.

When I think back on that, I think it's kind of funny how you learn life's little lessons sometimes. The driving lesson paid off and I got my driver's license. As time went by, I left for college and on every trip back I would know I was almost home when I came off the expressway and drove down Route 58 and drive past what I think Allen referred to before as a sea of asphalt and a vacant building. I know I wasn't alone in wondering what, if anything, would become of this property. Was this property, which was at the gateway to Riverhead, destined to become more and more of an eyesore and a testament to the decline of Riverhead as an economic center? Which was happening with each passing season.

You can't imagine my surprise when in the fall of 1983, Dad came to visit my brother and I up at college and told us of his plans to purchase the Route 58 property and relocate Suffolk Life Newspapers there. Mere words cannot adequately describe the immense pride he left in being able to bring the business back to Riverhead, enabling him in his mind to give something back to the community he called home. The flip side of the moment was also one of great doubt. Could he afford it? If it was such a great idea, how come no one else wanted the property? What would happen if the economy suddenly got worse instead of continuing to improve? To be sure the Town of Riverhead made it attractive to come home. The 10 year tax abatement and the IDA financing certainly helped to make it possible.

In turn, Suffolk Life delivered on its promise to the town and then some. We employ over 100 people. We've improved the property. It's been the starting place for careers that in just a few short years have found their way to the halls of Washington, D.C., Wall Street, and Madison Avenue and beyond. We've provided business opportunities for Riverhead residents and others. Importantly, we've

taken many with few skills or hope and given them a chance to be a productive part of Riverhead's community.

Significantly I don't think anyone could deny that Suffolk Life relocating to Riverhead when it did was something this town badly needed as it attempted to turn around the perception of its economic viability. We certainly used our relocation and equipment upgrade as a platform to expand our business and become Suffolk's own newspaper, doubling our circulation within two years of moving here.

During this time, I routinely fielded inquiries to rent the over 50,000 vacant square footage as warehouse space. My father's reply was always the same. No. We got a good deal to come here, I want to rent that space to something that would create jobs. Warehouses don't usually create but more than one or two jobs and I want to be able to give something more than that back to this community. Outside of a couple of years when the county was in desperate need of record storage, we provided space and were ruthlessly criticized by our colleagues in the media we did not sought to lease this space for warehousing.

During the '80's and early '90's, business was such that with the tax abatement we could afford that approach. Simply put, this ain't then. The tax abatement has since expired, competition in our business is more fierce than it's ever been. Industrywide profit margins are a shadow of what they were once were in the glory days of the '80's. A market for industrial space never developed and surely never will, especially when over 1,000,000 square foot of space from the Grumman facility comes on the market in the next year or so.

As we approach the end of the '90's and the coming of the next century, we can no longer afford to take the approach we once did. In my family's business, it's my job to maximize and take advantage of every revenue opportunity in front of us without regard for sentiment or emotional attachment no matter how difficult or distasteful that might be. To do otherwise would be to perish on the economic planning field that is the lean and mean 1990's.

Once again, we are asking this town to approve the special use application. The use we seek, that of a small business market center, is not out of character with the area or the history of the property. The method by which we seek to utilize our property is one which gives

the town the greatest opportunity to ensure its interests and the other alternatives are not as attractive. Strategic alliances and marketing partners (inaudible) appraisers for the '90's. Go to any seminar, and the instructors preach the value of these concepts. In the mid 1980's the great town of Riverhead and Suffolk Life Newspapers formed an alliance that unquestionably worked out better for both partners than could have been predicted.

We stand ready, willing and able to renew and continue that successful relationship. To wait for the town to indicate its inclination to continue this relationship is for the Town Board to approve this application. We ask you to do so as quickly as prudently possible. It's the right thing to do for both the town of Riverhead and prospective tenants and my family's business. Thank you very much for your consideration."

Supervisor Stark: "Thank you, David. Is there anybody else who would like to make a comment? Bill."

William Kasperovich: "William Kasperovich. I still live here in the Riverhead township. I didn't think that tonight was the night that I would have to sit through two classes of history. All this is very nice but quite a few of us remember the growth of this property. Many of us are still around that remember how much the town wanted Billy Blake's store to move in and what Billy Blake had to do to satisfy all people, town, county and state.

The big field of asphalt was not referred to in that manner. There were reasonable reasons for having this open area. And the town was overjoyed to have Billy Blake's move in. Unfortunately, they didn't succeed businesswise and as business goes, if you can't make a buck, you go elsewhere. It was the topic of conversation every day of what was going to happen to Billy Blake's store. What is going to happen to all that parking area? There's been a lecture here of what happened to them.

It's history. It can't be undone. At its best, it can be criticized, but we have to look at it from conditions that exist today and what we might think of conditions that might come tomorrow. This kind of thinking was done with the establishment of the zoning procedure. And again, we had a classroom lecture-- "

Supervisor Stark: "Bill, we've got an application in front of us for a special permit, not a history lesson, please."

William Kasperovich: "We had two history lessons already and you didn't stop either one of them."

Supervisor Stark: "I don't need a third one, Bill, I've been around this town a long time, too."

William Kasperovich: "All right. You've been around enough to know that the special permit on zoning is to-- is a blanket thing to cover any and all things that might come to move into Riverhead. We experienced in the past couple years of how little zoning means when the prospective developer came in and didn't fit the zoning, so you changed the zoning or you made an overlay. So you issue special permits to conditions of the times.

Now, you gave this man a 10 year break, which was not given to any other people. He was able to develop his business without worrying about taxes and now that things have changed and the taxes are in the scene, and he's got more building than he knows what to do with, he's bringing in a tenant. Now, if he was subdividing this building for separate ownership, that might be a horse of a different color. But as a tenant, I don't see it that way.

Now, even though you may object, a little history of my past. These people that are in these cubbyholes that we're describing, in my day they put wheels on their cart and we refer to those gentlemen as peddlers. This is one step above that. But these are not individual stores. These are tenants to the tenant. Once again, leaving the door entirely open to put in any kind of retail involvement you want by any peddler that comes up with the green dollar.

I say this is no more appropriate than your not posting this information outdoors prior to the public hearing. This is not the procedure of the intent of zoning regardless of what Mr. Smith says. This is a landlord finding a way to develop a tenant. Now, if he came up here and said he now has umpity reasonable prospective leases, and this is what he has people that are interested, that have shown some positive indication of contract, fine. But he's asking to leave the door open to make room for a gang of peddlers. And I say no. Thank you."

Supervisor Stark: "Thank you, Bill. Is there anybody else that would like to make comment? Bill."

Bill Roberts: "Bill Roberts, Baiting Hollow. If I heard correctly, these cubicles would be 200 to 600 square feet; 200 is only 10 by 20. To me it sounds from the rough task of who might be interested in renting space here, and the type of products they carry, it seems that they would be heavy discounters who would severely impact stores who carry similar products along Main Street, which we are trying to save."

Traffic may have been considered, however, I also think of a flea market building, a fairly large one, in Smithtown where Routes 25 and 25A merge. That's six lanes of traffic and the town closed it down because of the traffic situation. Now, 58 is not six lanes of traffic. 58, during the wintertime is passable, however, as the weather gets warmer and people get off the expressway at a exit 73, they will start heading-- I don't know if they are going to start in Riverhead, but they are going to start heading further east. And as it gets warmer, I know-- I've seen and I stay away from 58. I don't cross it where there are traffic lights, where that traffic backs up all the way to the expressway exit.

Now there is a consideration, too, to put up a Home Depot shopping mall which is very close to the center. There is also a mall being considered for the Anderson Farm. What do we do? Do we build a bypass to Route 58 to alleviate the traffic situation on it? I say kill this proposition and as Willmott says, and why not?"

Supervisor Stark: "Appropriate ending. Thank you. Barry."

Barry Barth: "My name is Barry Barth. I was at the September 19th Public Hearing when the applicant made the initial proposal and I don't really see much change since the last application. My concern is that a special permit is issued by the Town Board with a certain level of confidence, with a level of security. And I think if Dave Willmott or the Willmott family came before this Board and had a project that they were particularly interested in doing or a use that they were going to be involved in for this building, I might look at it a little bit differently."

But my concern is that as a businessperson and standing before

businesspeople, we all know that you can't run a business starting on a Thursday and closing on Sunday. And you certainly couldn't start off a business working only four days a week. You know that it's a seven day a week operation. And in order to be successful in these particular times, as Dave Willmott, Jr. alluded to, you have to be on top of your business every single day.

In my mind, this is clearly a flea market. These are for people who have other operations similar to what they are proposing for Riverhead and are doing it someplace else and they want to expand into the green pastures of Riverhead. We as a town and you gentlemen as a Town Board have been very, very careful in bringing quality to Riverhead. We've spent a tremendous amount of money trying to do the right thing in Riverhead. And it's my feeling that this type of proposal without the careful monitoring of a family such as the Willmotts would create an image that we don't want in Riverhead.

I feel badly because Dave Willmott has been good to Riverhead. He did, in fact, receive a tax abatement and I think it was most appropriate. He spent a tremendous amount of money in this town and he gives back to this town. He's certainly a person that has been one of the most outstanding citizens in this town and I feel bad not supporting something on his property. But I think in this instance it's not the thing that's going to continue the good works that we've all worked very hard to do.

So I personally feel that this is not something that this Town Board should support."

Supervisor Stark: "Thank you, Barry. Is there anybody else who would like to make comment on this? Steve."

Steve Haizlip: "Steve Haizlip of Calverton. I guess we've all heard the philosophy, you defeat yourself before you start. I hear a lot of negative, they want to defeat the man before he gets started. I say that he's going to put this money up, he's going to put this-- the installation in, and as far as I know, Mr. Willmott, he's not going to do any hanky-panky stuff. That's as far as I know, I have found him to be what he says he's going to do, he'll do. And if he wants to make a change in there to something and some people say he's getting a foot in the door, if he wants to make a change, he's going to consult you because people are only going to find out later that

he's not doing this or doing that. And I think Dave is smart enough to know that if he deviates, he has to come for a change. So, I say it's his money, he shouldn't be defeated before he starts. He should have a chance and I believe him and I do trust him. So that's my input."

Supervisor Stark: "Thank you. Is there anybody else who would like to make comment? Pat."

Pat Frankenbach: "Pat Frankenbach. I live here and I own a business here. One of the things that bothers me about this little sign that's up there is that there is no layout for the inside and as someone else said, 200 square foot cubicles, I think my store is tiny and that's a fifth the size of my store."

There's a very nice walk through on Main Street in Port Jefferson. Most of the stores are 500 to 600 square feet. However, each store in that little walk through mall is responsible for their own hours, their own electricity, their own utilities. They are truly small businesses and I agree no matter, you know, you can call anything by any name, but there is no doubt in my mind that the general public will perceive this as a flea market and it is the general public's perception that is truly the most important.

One of the things that bothers me also about this is that it's a very large project that in order to be successful will have to attract an enormous amount of people. I live five blocks off of Route 58 and the traffic even in the dead of winter when it's snowing is untenable. When this was Billy Blake's we didn't have a Tanger Outlet Center; we didn't have a Waldbaum shopping center; we didn't have a Caldor shopping center; we didn't have a-- we had not shopping centers on Route 58. I believe it was one of the first and the fact that there is no traffic impact dealt with in this report bothers me severely. I understand what you say about the difference between a special permit and a change of zone. But when we talked about projects on Route 58 that are rezoning projects we've talked about impact fees. And as recent as several weeks ago, impact fees upwards of \$500,000 were talked about for a change of zone project on Route 58 that would negatively impact downtown Riverhead. I believe this will have severe impact on downtown Riverhead. We couldn't stop K-Mart, it was already zoned for it. However, I believe that the impact of this will

be at least as severe. I have yet to hear anything about an impact fee for a special permit. I'm not sure it's quite legal, but it would seem that the impact of this would be as large or greater than any other shopping center that would be up there.

I believe that we do have a zoning code because it's necessary because it lays out the percentage of property in a town that should be one type of property or another type of property and where it should be located. Mr. Willmott had this changed to Industrial. Now he wants part of it as a permit change back to retail. I know that legally we cannot enforce a moratorium on retail development on property that is already zoned retail. However, I do believe we have a certain sense of responsibility to empty retail property throughout the town of Riverhead to enforce a moratorium on creating new retail properties. Thank you."

Supervisor Stark: "Thank you. Is there anybody else who would like to make comment at this particular time? If not, I will-- you want a summation? With all due respect, you may."

Christopher Kelley: "Real quickly. I thank you for your patience tonight. Two points I just wanted to address. First of all in terms of the concern about the way the property will be kept and developed and the inter-relationship of the landlord. I want to remind the Board that the landlord, the Willmott family, is on site and will continue to be on site. So they will be sharing this building with them. They will be there and if you can see the extent of the lease provisions, they have approval power of just about everything we do in that building. What we hang out, how we dress the facade, what goes in there. So they will-- they are present on the site all the time. They're not going anywhere. They won't be an absentee landlord. They will be there with us. So I think that addresses that concern."

With respect to the layout, floor layout was mentioned by the last speaker. The floor layout has been submitted to the Board, that's at the end of the dais there, so if you would like to take a look at how the space is divided up internally, that's available for you.

As to impact fees, I'm not aware of any precedent where impact fees for a special permit. I would remind the Board, however, that this is currently developed property. This is property that has

already been built out so the impact to that extent has already been factored in, I think. Thank you."

Supervisor Stark: "Thank you, Chris. With no other comment, I will declare the Hearing closed."

Public Hearing closed: 8:19 p.m.

Supervisor Stark: "I will call a recess and we will resume at 8:30 p.m."

Recess

Supervisor Stark: "Let the record show that the hour of 8:34, and the Town Board Regular Meeting is now back in session. Is there anybody who would like to address the Board on any given subject? Sid."

Sid Bail: "Good evening. Sid Bail, President of the Wading River Civic Association. I would like to briefly bring up two matters. At the last meeting of the Civic Association, we had a presentation by a vet, Dr. McCarthy, who wants to start a business in Wading River. He's trying to relocate or locate across from the King Kullen, the Aliano (phonetic) I believe shopping center and the membership was very greatly impressed by him. He's trying to get in there as soon as possible and it would be something that I think would be an asset to Riverhead town and to the hamlet of Wading River.

So I don't want to make a practice of speaking for things, you know, it will risk my (inaudible) credentials here, but--

Second item. One of our members, John Halbrun (phonetic) updated us about the Recreation Advisory Council."

Supervisor Stark: "Advisory Board. It's a volunteer Advisory Board."

Sid Bail: "Right. And John's under the impression that he's the only one from Wading River on the newly constituted Board."

Supervisor Stark: "It's not a newly constituted Board. It's been

in existence for four, five years. Cathy Casey is on it. Kimmy has gone home for the evening. We had two or three on it from up there."

Sid Bail: "Yes. I don't know-- are they notified? Because I don't think these people are receiving the notifications anymore?"

Supervisor Stark: "Well, if they are still living at the same house, they've been getting notification. Sometimes interest builds up and then sometimes it stays away. One of the reasons why John is on that particular committee is because I asked for people to give me some recommended names. I have two others but they said as soon as they're-- a few things to straighten away, that they would certainly want to join."

Sid Bail: "So anyone-- "

Supervisor Stark: "I welcome any recommendations from the committee. If anybody that you know that would like to be on the committee, we have representatives from all of the areas."

Sid Bail: "Any past member who has been on the committee is still on the committee?"

Supervisor Stark: "Sid, you know, right off the top of my mind it's changed over several times over the last four or five years, you know, certain times some people are interested because they have younger children in the family and then those children seem to grow up, they pass on, but Henry Pfeiffer is on the committee. He represented basically the senior citizen aspect-- "

Sid Bail: "Desiree Passantino was on, wasn't she?"

Supervisor Stark: "Desiree was on it, yes."

Sid Bail: "So in other words, if these people are not getting the notification, I can-- "

Supervisor Stark: "Yes. Certainly. You can just contact Kimmy and what we're trying to do is get a cross section throughout the town of comments in their particular area where things-- where the Town Board can pay attention to them."

Sid Bail: "Thank you very much."

Supervisor Stark: "Thank you, Sid. Is there anybody else? Yes, ma'am."

Kelly Schuk: "Hi. My name is Kelly Schuk and I live in Riverhead and I live right downwind from K-Mart, and I would like to address the whole Board. What is going to be done to pick up the dirt or the garbage that's coming out of K-Mart so that the surrounding houses on Oliver Street and Northville Turnpike-- it really looks awful. I've called on this several times. I've been to these meetings."

Supervisor Stark: "I believe you have been here once."

Mark Kwasna: "Is this garbage that's created by K-Mart itself, or--"

Kelly Schuk: "I don't think so. I think it's just whenever you have a lot of people, you have a lot of garbage. There's a lot of K-Mart bags. There's pizza boxes, it's styrofoam, and it's there."

Mark Kwasna: "And it's on the inside of the fence or the outside of the fence?"

Kelly Schuk: "You just have to drive by and you'll see it. It's in the back of the fence which is by the way falling down. It's on Northville Turnpike and Oliver Street. And it looks awful."

Mark Kwasna: "We will address it."

Kelly Schuk: "And it's ongoing. It's not just once that has to be cleaned up. It has to be an ongoing thing. I mean I live there. I like Riverhead. I like my home but not the way it looks now. It's in my yard."

Supervisor Stark: "I have since your last, talked to Jesse Goodale who right now is kind of taking a small break and vacationing in Florida, a well deserved one probably."

Kelly Schuk: "I work with him. It's too much. It's just too much. I mean somebody has to pay to have it picked up. And that

should be addressed really before these stores go in, I think."

Supervisor Stark: "Okay. We will certainly address it in that way then."

Kelly Schuk: "When can I see a change?"

Supervisor Stark: "Ma'am, I don't have all the answers at my fingertips. You come up and you ask us to look and we will look into it. We will, as a matter of fact, we're having a meeting with the K-Mart people or the owner of the property sometime in the next week, 10 days. I can only say that I can address the problem with them. I cannot be responsible for every person who rides around this town and throws garbage out their window. I just can't do it. I don't have the staff on the town that would do it. I mean I certainly in the area that I have my business, I put my own man out there and let him clean up. I clean up around my street.

I mean with businesses comes traffic. With traffic comes people. People will-- basically sometimes are slobs."

Kelly Schuk: "Okay. When these businesses come in, I guess the budget has to be there. The house people do this."

Supervisor Stark: "Well, I think businesses have a responsibility to a certain degree, but they can't sit there and follow people going down the street, you know, etc. I don't have the answer for you right now. I certainly promise you that I will address this question when the Breslin owners come in-- I mean, I believe it's the Breslin organization. I can't give you an answer right now. I just don't have it right off-- and as much as you would like to have the answer, I don't have it for you right now. I certainly will try to do the best I can to talk to the owners to have more receptacles out there or what have you."

Kelly Schuk: "Somebody has to walk around and pick it up though. That's what it really is."

Councilman Prusinowski: "Is it on the K-Mart property, mostly?"

Kelly Schuk: "In the back, yes, along the fence. The woman who lives across the street, it's all over her yard. You do expect this

should be addressed really before these stores go in, I think."

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Kelly Schuk: "In the back, yes, along the fence. The woman who lives across the street, it's all over her yard. You do expect this

when you let a business go in. So I think it should have been addressed beforehand."

Councilman Prusinowski: "Well, we do have a provision in the site plan approval that they are responsible. We also have a town ordinance that we can invoke and that we can go on the property and clean up their property and attach their tax bill. So we'll look into it."

Kelly Schuk: "All you have to do is drive by and look and if you live in the area-- I don't want to live in a dump. Thank you."

Supervisor Stark: "Thank you. Steve, let's start from the back and work forward. Steve, are you-- oh, I'm sorry. Timothy. I was just being courteous."

Timothy Yousik: "Tim Yousik, owner of Digger O'Dells in Riverhead. I'm here tonight to make a comment on my experience today with the Building Department and to make a recommendation. Owning a small business and coming into town, such as myself, I don't have the resources to hire the best engineers and the best architects and the best carpenters to always get work done. But I had a pleasant experience today in the Building Department. I walked in there today with the carpenter that's going to do some of the work that I've got plans for and the permits are being put together now."

Sharon in the Building Department took the time to come down to the restaurant, go over the plans with me, and in the long run, save me a lot of money by not letting me make the mistakes putting it together where I would have to take it down and do it again. She pointed out certain things like there had to be steel studs instead of wood studs. Steel studs actually cost a couple of pennies less.

The point I'm making is any business-- any new business that's coming into the town, especially on Main Street where it's all made up of small stores, they have to go to the Building Department and get what I got today. And that was a helping hand. I mean I've bumped heads with the Building Department in the past. There's no question about that. But today was a pleasant experience. Sharon, not just Sharon, but anybody in that Building Department, has got to take the opportunity to take a look at new business coming into this town, stick their hand out and help them. What happened today is exactly what needs to happen in this town.

The first time I walked in here where I felt like everybody was here to help. And that was actually a nice surprise."

Supervisor Stark: "It's a new day in Riverhead. Yes, sir. No, right next to you."

David Macknee: "I'm Dave Macknee from Riverhead. I just have a prepared statement I want to read to you. And it has to do with the business thing in this town. We've got a real problem here trying to bring new business in and the little businesses that Willmott is going to bring in aren't going to be the answer. You need real businesses, real, you know, computer places and stuff like that. We don't need any more retail. That's for sure. So, but, anyhow, I read an article in the News Review that said it would possibly take up to 20 years to bring business back to the Grumman site.

Again, government seems not to have the brains and the courage to respond to the number one problem that is driving business and citizens from Long Island, namely the high school taxes that we have here. It's terrible.

I went to the School Board meeting and I was told to stop wasting my time being there because I couldn't change anything. When I went again, I asked the School Board what was the problem of our outrageously high school taxes. Most concurred it was teachers high salaries and benefits followed by unfunded government mandates and there's one in particular that happened while I was there and I asked one of the fellows in the budget committee why they needed nine new teachers. And the reason they need nine new teachers is because the government-- nobody knew exactly which, the federal or the state, government sent down a decree that any person that comes from another foreign country will get a free high school education, will get free English education, so now we have to have nine new teachers. Okay.

Now, what happens with that is I'm not adverse to that actually because these people, I see them up there, they work every day, they are working hard, they're not on welfare and they are doing a nice job. But at this time, nine new teachers, a mandated thing, and as far as the budget people know, it was unpaid mandate coming down from the feds to the state. They don't know which one. Okay.

When I was at the School Board, I was told in essence that it was

the government's fault that taxes were so high and suggested if I wanted to make a change, I should contact my local Board-- well, they didn't tell me who to contact, but the Board of Supervisors I would assume, you're my spokesmen, to higher up, to Accompora, Thiele, LaValle, whomever, to voice my opinion on this matter. At another meeting at the Suffolk Community College, I stated that because politicians wanted to keep their jobs, I can understand that, they are afraid to get into a battle with the very powerful lobby of the teachers union.

The School Board, even the good ones, okay, and I'm not saying -- well, Smith left. I was hoping he would be here but, anyhow, Patchogue-Medford who really is out there battling for the people, our School Board, really, we had the fox and the henhouse, really, we had two school teachers sitting on School Board. But they had their hands tied by the powerful union also.

I would like to add where does the hard working person, retired or laid off person and the people in the business community who pay the greatest share in school taxes, even if the owner does not have permanent residence in Riverhead and cannot vote on the school budget. That's taxation without representation as far as I'm concerned.

All the taxpayers have no representation at all anyhow. You can't vote on anything of any consequence and when you do vote on it, they turn around and they give you the same budget back again. And they can't trim anymore. They've trimmed what they can. I've been down, I've looked at the numbers, except the school teacher's aides, they can't go any lower.

Well, I think it's about time for government to think about who is paying the bills. I think people would be fair with the teachers-- oh, I missed a point. I'm sorry.

We have no representation in this matter. At Suffolk County Community College I proposed a solution to this dilemma facing Suffolk County taxpayers. Give us a voice in our own government. Let us vote on teachers salaries and benefits. I don't think that's too outrageous. If I'm paying the bills, I should have say in what's happening on this whole scale. I think it's about time for government to think about who is paying the bills. I think people would be fair with the teachers because we all want to best for the future generation.

But if government really wants to bring business back to Long Island, I mean good business. I'm not talking-- I'm talking about Computer Associates, and people that really are some high paying jobs, not retail jobs. Retail jobs are all over the place, \$5 an hour. But if government really wants to bring business back to Long Island, it must first have the courage to address the hard issues of school taxes which are number one on the agenda. And that's about it.

The only thing I'd like to say is you might like to trade George Pataki for Christy Whitman, I'll tell you that."

Supervisor Stark: "Would you like to give Barbara a copy of that so it might make it easier for our transcriber to-- your statement. You want to turn that over to Barbara or are you just going to keep it? If they have trouble transcribing your thing, it might be easier--"

Dave Macknee: "It's handwritten."

Barbara Grattan: "That's okay, Dave. That's good."

Supervisor Stark: "George."

George Schmelzer: "Which one? This one here? That wasn't my arm that squeaked, that was the mike."

Supervisor Stark: "I don't believe so."

George Schmelzer: "You don't? Okay. Well, get to that K-Mart. Compared to the duck farm-- the duck farm had a lot of flies. I had raised ducks, too. Anybody was mixing cake batter, probably got full of flies and you would think it was raisins, but it was really dead flies, you didn't know it. Now there's no flies there, so pretty much should have their bags colored brown, same as dead leaves. The lady would never see these bags, would think it was dead leaves. See. So, that might be easiest. See. That's the way to solve that."

Supervisor Stark: "That's a very good suggestion. Thank you."

George Schmelzer: "I'm not done yet."

Supervisor Stark: "Oh, I thought you were."

George Schmelzer: "About the schools, they could put the teachers salary out on bids you know. You buy stuff for the town, you don't pay-- you put it out on bids. How about doing the same thing with teachers salaries? Get the lowest bid and hire them."

Supervisor Stark: "I would suggest that you go to the School Board meetings."

George Schmelzer: "-- go this meeting with you around here."

Supervisor Stark: "We would certainly like you to go over to the School Board meetings."

George Schmelzer: "Are you trying to get rid of me?"

Supervisor Stark: "No."

George Schmelzer: "Okay. Where was I? But, the gentleman mentioned about students coming from other countries. My wife came from Europe, six years old, she went to school, and no problem at all. My mother came from Europe, she was 15, didn't know anything. She probably can speak perfect English but the country she came from-- she came from Sweden. Now, you know, I never saw one Swede who could ever pronounce the words right with a "z" in the front. Even my mother couldn't pronounce it like a "z". So, you can catch a Swede anytime that way. Tell them to say "z". Even though they speak perfect English, they'll say "c"ebra. You catch them that way. So, what else now. I should have wrote it down.

Getting back to the airport again. The land next to the airport I believe you should take title to it, have control over it."

Councilman Prusinowski: "It's done. We're not-- it's not going to happen. It's the DEC. It's already been passed by Congress. I've told you that already three times."

George Schmelzer: "Well, maybe you didn't want it. You don't want it. You can't have control now the state can put wells in there, pump water to Nassau County, Queens, that's what you want, I suppose, huh? The airport-- you don't want to use it for an airport. Talk about a racetrack. You ought to be ashamed of yourselves. You could develop that for an airport, would take several years to get it going

good because the airlines have leases. They would be damn glad to give up some of the leases to come here. But the Town Board don't trust-- so you got to act competent for a while and they will come here. You don't believe that, do you?"

Supervisor Stark: "Come on, George. George, productive."

George Schmelzer: "What? You said production?"

Supervisor Stark: "Productive. Be productive."

George Schmelzer: "I'm trying to get the town to be productive. Not to do with ducks even though I did raise ducks. But you ought to have some common sense sometime. It's an airport, why not use it as an airport? Really. Don't forget to tell K-Mart to put out brown paper bags."

Supervisor Stark: "Okay, thank you, George."

George Schmelzer: "And-- "

Supervisor Stark: "Now, I've got some other people."

George Schmelzer: "No, I forgot something. Remind me."

Supervisor Stark: "Gentlemen, gentlemen, Dave, Dave, please. George, thank you. I appreciate it."

George Schmelzer: "You do?"

Supervisor Stark: "Yes. Very much. Carol. Gentlemen, gentlemen, if you want to have a discussion, please outside. Give the courtesy to the next speaker."

Carol Penna: "Carol Penna, Calverton. I just want to reflect on what the gentleman was saying about nine teachers being added. I don't go to School Board meetings but Dr. Holmes did come to Riley Avenue School and speak to a number of parents and I believe it's nine teachers are planned to be cut. That was just preliminarily, but it was not nine teachers being added. And that was a major concern to a great number of parents."

Supervisor Stark: "Thank you. Bill. I would only really suggest that if you have a school board problem that is a separate taxable entity and we really don't have a great deal of power other than maybe allowing you to get your statement via the television. Yes, Bill."

William Kasperovich: "William Kasperovich. I have several things here but I think we're running late on time so I'll leave a few of them out for another meeting."

I was very pleased to see a truck with some pothole filler come through on Monday, the 26th, after the bad siege of weather. But how do I thank anybody for filling the holes halfway? We had holes where you would lose a wheel. Now we have half that depth. And the road is further deteriorated. There is some question about the intent of the Highway Department or their knowledge or lack of knowledge on how to treat the potholes.

On the 26th of February, I guess this was the same day, I came into town and I saw the public walking out onto the highway moving traffic. The road under the-- the sidewalk under the canopy of the old theater was completely obstructed by people, by materials, it looked like workmen. Not being able to reach you, Mr. Stark, I finally approached the Town Attorney and asked him if he would take this under his wing as opposed to my calling the police for emergency.

Now, this is the third time in this one location that I have come up to address the Town Board. It would seem that we have a gaping void in our Town ordinance to cover street crossings, sidewalk crossings, and sidewalk bridges. I would appreciate it if you would further pursue the study of what we do not have in our Town ordinance and what we should have so that people will know what we expect of them and will abide by whatever is put in print.

Public safety should be everybody's job. There is no way that I could see anybody (inaudible) off public safety onto some other body on person. And that includes you five gentlemen. That includes every man on the police force, the building department, the code enforcement officer. The only way we're going to have reasonably good public image is to have evidence that we are interested in the public and they are your constituents, like it or not.

My second item, many years ago, back in the days-- I'm trusting my

memory, I'm not sure, but I believe it was a resolution passed by then Councilman Menendez (phonetic) that employees of the township be residents of the township. This has not been followed through, not by one exception, but several, too many exceptions. And that resolution should be brought on the table and rehashed for current conditions.

The last item, I'll try to go quickly, I don't know the full specifics of the Grumman property or the Navy property outside the Grumman fence. But I don't think we should let it go to other hands than Riverhead. And if nothing else, revert the land to the condition it was taken, and that is farmland. No doubt you've driven by many places in this country and you've seen a stand of pine trees. If you pay particular attention, it's usually a particular pine and was planted for its fragrance. That's how much people cared for their environment. And if we can't make a green strip or a productive agricultural strip, we are not looking after the conditions in environment of this township.

Certainly when I speak of this, I speak of the air rights above the land itself and the water below. We should in no way whatsoever permit anybody or any agency other than private individuals for their own private business develop a water business. We have the best water for miles and miles around, probably all of Long Island. And part of Connecticut and Rhode Island. And we should not let anybody get into the scene other than our own water department. No exceptions or deviations whatsoever. We have the finest water there is to be had and we should see that it stays in possession and control of Riverhead. Thank you."

Supervisor Stark: "Thank you, Bill. Steve."

Steve Haizlip: "Steve Haizlip of Calverton. The point that Mr. Kasperovich brings up about reading that resolution that you have to-- in order to work in the town, you have to be-- you have to live in the town, I want to tell you who was displaced by that resolution. Gary Pendzick and he was told get out over the River and get into Riverhead town, so I just want to bring that up."

Supervisor Stark: "Thank you."

Steve Haizlip: "Now, at last Friday's work session, I'm sorry I couldn't return at 1:00. So I left you some correspondence. Now,

without being (inaudible), I'd like to ask a question, and the only ones that can answer that question is you and Vic. The other members weren't on the Board at that time. When Montauk Bus Co. came up here and made their pitch, were there any prior arrangements or prerequisites as to how to go about it?"

Supervisor Stark: "You mean how to go about what, Steve?"

Steve Haizlip: "What to say."

Supervisor Stark: "I don't really follow you."

Steve Haizlip: "All right. In other words-- "

Supervisor Stark: "They made an application, they made a site plan application, was approved."

Steve Haizlip: "So in other words, there was no prior arrangements or no prerequisites in any kind of room, they come up and made their pitch and their pitch they are not living to it, and I think I've already cited that to you in my correspondence that I left and it should go for a site plan-- site amendment plan."

Supervisor Stark: "Thank you. Let us take up the resolutions."

Resolution #160

Councilman Prusinowski: "Authorizes the Town Clerk to publish and post public notice to change time of Regular Town Board Meeting. So moved."

Councilman Lull: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All those in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #161

Councilman Lull: "Authorizes the execution of an agreement between Suffolk Online Advertising the Internet and the Town of Riverhead. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All those in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #162

Councilman Kwasna: "Amends Resolution 143 of February 20, 1996. So moved."

Councilman Wittmeier: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All those in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #163

Councilman Wittmeier: "Awards bid for propane gas. So moved."

Councilman Kwasna: "And seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All those in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #164

Councilman Prusinowski: "Authorizes the Town Clerk to publish and post notice to bidders for playground equipment. So moved."

Councilman Lull: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All those in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #165

Councilman Lull: "Authorization to publish bid for janitorial supplies. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All those in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #166

Councilman Kwasna: "Resolution and consent approving the dedication of highway known as Warsaw Drive in Warsaw Park. So moved."

Councilman Wittmeier: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All those in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #167

Councilman Wittmeier: "Amends site plan of 422 Realty Corporation Route 58 Metro station. So moved."

Councilman Kwasna: "And seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #168

Councilman Prusinowski: "Approves site plan of Riverhead Medical Arts Building, building addition. So moved."

Councilman Lull: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All those in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #169

Councilman Lull: "Authorizes Town Clerk to publish notice of Public Hearing regarding special permit for Carlton Seay. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Stark: "Moved and seconded. All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #170

Councilman Kwasna: "Ratifies the attendance of Building Department Inspectors at a seminar. So moved."

Councilman Wittmeier: "Seconded."

Supervisor Stark: "Moved and seconded. Discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #171

Councilman Wittmeier: "Authorizes the execution of an agreement between Chemical Pollution Control, Inc. and the Town of Riverhead. So moved."

Councilman Kwasna: "And seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #172

Councilman Prusinowski: "Approves application of the Riverhead Chamber of Commerce. So moved."

Councilman Lull: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion?"

Councilman Lull: "It's an antique show in the parking lot, Peconic River parking lot, on May 26th with a rain date of May 27th."

Supervisor Stark: "Any other discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #173

Councilman Lull: "Declares lead agency and determines significance of action Riverhead Centre, special permit and site plan. So moved."

Councilman Prusinowski: "And we are requiring a full environmental impact statement on this project. Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #174

Councilman Kwasna: "Rescinds Resolution #139 of 1996. So moved."

Councilman Wittmeier: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #175

Councilman Wittmeier: "Authorizes the attendance of Sewer Superintendent at a seminar. So moved."

Councilman Kwasna: "And seconded."

Supervisor Stark: "Moved and seconded. Discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #176

Councilman Prusinowski: "Awards bid on traffic signs and related items. So moved."

Councilman Lull: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #177

Councilman Lull: "It's a budget adjustment for the Iron Pier Beach improvements capital project. The installation of the new boat ramp at Iron Pier. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All those in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Supervisor Stark: "Is there a motion to pay the bills?"

Councilman Prusinowski: "So moved."

Supervisor Stark: "Moved and seconded. Discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Supervisor Stark: "I will call upon Councilman Lull to bring a Resolution off the floor. Excuse me, I'm going to let Mark do it."

Resolution #179

Councilman Kwasna: "178, I'd like to bring a Resolution off the floor. Resolution 178-- 179, okay. This Resolution awards the bid for one type 1 medium duty emergency vehicle for Riverhead Volunteer Ambulance Corps. The price being awarded to Specialty Vehicles at the price of \$114,547. So moved."

Councilman Wittmeier: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? Tiger, you are going to get an ambulance. All those in favor."

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion is carried."

It is a well deserved piece of equipment that our volunteer ambulance corps has been waiting for a long time. I'm glad that we've gotten there. I think a lot of good input went into this bid. I think we've got the right piece of equipment and I hope everybody in this community continues to support our Riverhead Volunteer Ambulance.

Is there anything else?"

Resolution #180

Councilman Lull: "Establishes a reward. The Town Board of Riverhead establishing a reward in the total sum of \$500 which will be given to the first individual providing information leading directly to the whereabouts of Curtisha Morning. I also had a discussion with the Town Board in Southampton yesterday and they will match that amount, making the total award \$1,000. So moved."

Councilman Prusinowski: "And we have a special hot line 727-3333 if anybody has any information leading to the whereabouts of this young lady. I second the motion."

Supervisor Stark: "Moved and seconded. Any discussion? All those in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

George, you've got one minute and then we are closing this meeting whether you are still standing or not."

George Schmelzer: "You always try to put me on time."

Supervisor Stark: "I'm going to. Yes, sir."

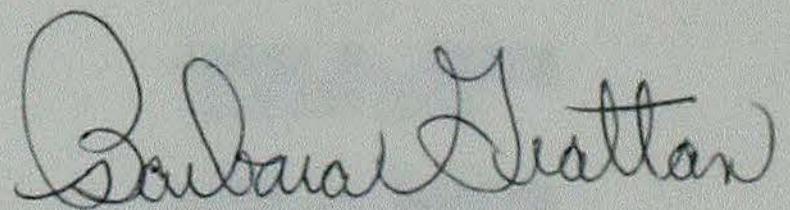
George Schmelzer: "Speaking of teachers, I met a teacher down Calverton last (inaudible), she has a good salary but (inaudible) retire and move down south because can't stand the school taxes here, which he helped create. So, and you might well recommend that New York City adopt that all the cops and firemen should live in New York City because if they live out here and they send their kids to school, then we pay for it and they get the salaries down there."

Supervisor Stark: "You are losing your audience, George."

George Schmelzer: "Well, they got you here, what's the difference?"

Supervisor Stark: "Thank you, George. This meeting is adjourned."

Meeting adjourned: 9:15 p.m.



BARBARA GRATTAN
TOWN CLERK