

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, July 21, 1992 at 7:00 p.m.

Present: Joseph F. Janoski, Supervisor
Victor Prusinowski, Councilman
James Stark, Councilman
Frank Creighton, Councilman
Harriet Gilliam, Councilwoman

Also Present: Patricia Moore, Town Attorney
Barbara Grattan, Town Clerk

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

Minutes were approved for Regular Board Meetings held on June 16th, 1992 and July 7th, 1992.

REPORTS:

RIVERHEAD SEWER DIST. Discharge Monitoring Report for June

APPLICATIONS:

EXHIBITION REPORT

For the African-American Leadership Council to hold a cultural celebration at Stotzky Park on August 29, 1992

CORRESPONDENCE:

JESSE GOODALE

Letter from the President of the Chamber of Commerce with questions and concerns about the Business "F" District Overlay Zone

KATHY VANHORN

Concerned over the possible closing of the Beginning Point Day Care facility, and praises Mrs. Fields, the director, for her efforts

KENNETH H. THOMMEN, SOUTHAMPTON TOWN CLERK Gives notice of

a public hearing to be held at the Southampton Town Hall at 1 p.m., on August 11, 1992 regarding a "Local Law adding Article XXII, Quasi-Public Service Use District to Chapter 330 of the Town Code"

MS. YVETTE ARRINDELL

Letter concerning Beginning Point Day Care Center, wishes that the Town Board allow Mrs. Fields to continue to operate the day care facility

Supervisor Janoski: "It's a pleasure to be back home here in Wading River for our annual Town Board Meeting, the one that we hold in Wading River. There are a number of issues that we will be acting on today, but let me make some announcements. First of all, you are not aware, possibly many of you that we have cookbooks that are being sold and they of course commemorate the Bicentennial of the Town of Riverhead and they are available at the Town Clerk's Office and at the Tax Receiver's Office and the sale of these cookbooks is being used to defray the cost of the celebration of the Bicentennial. Also, you may have seen about Town, the Bicentennial Flags. There are the blue, white and green flags with the Bicentennial symbol on the fly and they of course are being sold to once again to help defray the costs of the Bicentennial celebration. Also, on August 1st, there will be a Townwide Family Picnic at Grumman and of course, those of you who may remember, that's it's been some time that Grumman has opened it's gate for this type of event, but they have tremendous facilities, rides for children, etc., and I hope the folks from the oldest settlement in Riverhead will be there at the Bicentennial Family Picnic which will be held August 1st and of course, any additional detail you can get by calling Riverhead Town Hall. A final note, the Town Board has awarded the contracts for the collection of Solid Waste. You will be receiving in the mail, this week, a brochure which should very thoroughly advise you as to what the schedule of events will be, how it is to be followed. You will have three times a week pick up and what days are recycle days for what particular materials. So, that will be coming, probably, by Saturday at the latest. They have been printed. We will tonight be taking an action on the bonding of the garbage collection and that will be the final step as we move forward with implementation by August 1st, would actually be August 3rd when you actually receive the pick up. We have some pleasant duties to undertake before we get into the issues of this meeting. It is our practice to recognize an outstanding employee of the Town on a quarterly basis and then of course, once a year, there is an employee of the Town of the Year. Tonight, we are recognizing the outstanding achievements of Nancy Neems, who is an employee of the Town of Riverhead, working in the Building Dept. The members of the Town Board and I would first like to recognize her and then we have some other business to perform before, as I say, we get into those weighty issues. These are really the important things. Recognizing those who serve in an outstanding way, the people of the Town. So I would ask the members of the Board, I guess we can call this the well of the meeting room, to join me up in the well of the meeting room to recognize Nancy Neems. I have to say that this selection is made by the Labor Management Committee (inaudible) This selection is made by the members of the Labor Management Committee, the Town Board is not an influence in this decision in any way, and they alone pick that employee who is to be recognized because of their contribution to the Town and of course the operation of Town Government. Mike Grossman is coming. (Inaudible) We have Monique Gablenz who is the Deputy Town Supervisor, we have Madelyn Sendlewski, who is the Assessor,

Fran Friszolowski, who is an employee of the Town Building Dept. and of course, Harriet Gilliam, who is the Town Councilwoman and Mike Grossman who is a Lieutenant in the Riverhead Town Police Dept. and there are other members of the Committee who are not here this evening. We are going to award to Nancy, this proclamation along with some other recognition. Let me just read this: Whereas, it is both fitting and proper that the Town of Riverhead recognize the outstanding service of it's employees, and whereas, in order to provide a mechanism to recognize said employees, and at the recommendation of the Labor Management Committee, the Employee of the Quarter program has been established, and whereas, Nancy Neems has dedicated herself to the service of this government and its citizens for the past 16 years as an employee of the Riverhead Town Building Dept. Whereas her service has exemplified the highest ideals in the expression of public duty, and therefore, I, Joseph F. Janoski, Supervisor of the Town of Riverhead, do hereby proclaim, July 21st, 1992 to be Nancy Neems day in recognition of being named Employee of the Quarter and I call upon my fellow citizens to join me in recognition of her accomplished service. In witness whereof, I have here unto set my hand across the great seal of the Town of Riverhead, to be affixed this 21st day of July, in the year of our Lord, 1992. Nancy... It sure is hot here in Wading River. I hope this is as hot as it's going to get. We have, for you Nancy, a dinner for two at Fox Hill (inaudible). I had lunch there today as a matter of fact. (Inaudible) and a hundred dollar bond will be coming to you in the mail. So, that should take about two weeks. The Employee of the Quarter does have a private parking spot at Town Hall which is marked off by a sign and is designated Employee of the Quarter and Nancy, I would like to invite you to say a few words."

Nancy Neems: "Janoski, members of the Town Board, ladies and gentlemen, I am very happy to be here to receive this award. First, I would like to thank Ray Wiwczar, my boss for over 16 years in the Building Dept. Without his nominating me, I would not have been eligible to receive this award. He has been a great inspiration to me because of his own dedication. I have tried my best to do a good job. Next, I wish to thank the Labor Management Committee for selecting me. I can't tell you how happy and surprised this has made me. I thank God for the wonderful people I have been privileged to work with, Mark Heppner, Susan Keeney, Fran Friszolowski. They make working a pleasure and really care a lot of me. Without a lot of cooperation from all the departments in Town Hall, I would not be able as good a job. It's been a very fair 15 plus years and with goods help, I'll be productive till my retirement. Thank you again for listening to my and sharing my happiness."

Supervisor Janoski: "Thank you Nancy. You're invited to join us up at Phil's after the meeting. Okay, I'm going to call a resolution out of order. What I mean, by that is, sooner than we expected to take up the resolutions. This resolution 451 appoints Lieutenant to the Police Dept. I have the privilege of introducing this resolution, so I will move resolution 451."

Councilman Stark: "Seconded."

Supervisor Janoski: "And seconded by Councilman Stark.
Moved and seconded. Please call the roll."

The Vote: "Gilliam, no; Creighton, yes; Stark, yes;
Prusinowski, yes; Janoski, yes. 4 yes, 1 no."

Supervisor Janoski: "That having been done, I would like to introduce to you, Sergeant Fred Foot, who has just been appointed Lieutenant of the Riverhead Town Police Dept. With him is... I would also like to introduce the Chief of Police, Lawrence Grattan, and Lieutenant Joe Grattan and you already met Lieutenant Mike Grossman. I would also like to introduce this Captain, who is here from the NY City Police Dept., he is Fred Foot's brother. He is standing over there all by himself. Mrs. Foot, why don't you come up here and join us? We are going to pin the Lieutenant's badge on Sergeant Foot, now Lieutenant Foot. Chief... Chief of Police is now going to swear in Lieutenant Foot."

Chief Grattan: "I do solemnly swear to uphold the Constitution of the United States, the Constitution of the State of NY and the laws and ordinances of the Town of Riverhead to the best of your ability."

Lieutenant Foot: "I do solemnly swear to uphold the Constitution of the United States, the Constitution of the State of NY and the laws and ordinances of the Town of Riverhead to the best of my ability."

Supervisor Janoski: "Thank you Frank. Thank you gentlemen. Other members of Fred's family are here. His other brother and some other members of his family and I'm sure they'll be joining us up at Phil's (inaudible). Okay, reports. Wait a minute. I must call for a motion to approve the minutes of a regular Board meeting of June 16th and July 7th."

Councilman Stark: "So moved."

Councilman Prusinowski: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes;
Prusinowski, yes; Janoski, yes. 5 yes.

Supervisor Janoski: "Let the record show that the hour of 7:21 p.m. has arrived, the Town Clerk will please read the notice of public hearing."

P U B L I C H E A R I N G 7:10 P.M.

Barbara Grattan: "I have affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall at 7:10 p.m. on Tuesday, July 21, 1992 to hear all interested persons who wish to be heard regarding:

THE SPECIAL PERMIT APPLICATION OF SHIRLEY FIELDS, BEGINNING POINT DAY CARE CENTER LOCATED AT NORTH OAKLAND DRIVE, RIVERHEAD."

Supervisor Janoski: "Thank you. Is Shirley Fields here to represent herself? Would you stand up to the microphone and just briefly, for the record, tell us who you are, where you live and just briefly describe what you are doing, or wish to do."

Shirley Fields: "Good evening. Supervisor Janoski and the Town Board members, my name is Shirley Fields and I live at 409 Oakland Drive North and I'm seeking an approval to establish a family day care center at 409 Oakland Drive North, Riverhead. I've learned through direct experience that there is a tremendous need for this service of this kind, especially in this general area. This location is ideal because it provides an easy access to many community services such as, the Public Library, wildlife of interest and learning, beaches, stores, farms and parks. My goal is to provide a qualified staff to expose young children to experiences of an educational environment which will stimulate social, physical, intellectual, nutritional and emotional development. I desire to awaken and enhance the young minds of children and mold them into positive and self assured beings. Further, I wish to provide children with materials and experiences which will allow them to learn in relation to other human beings to gain control over their bodies and to express themselves without fear of negative criticism. The proposed day care desires to serve any family regardless of income within Riverhead and surrounding communities. I'm hoping you will give this issue your most serious consideration. Enclosed, please find a copy of my daily narrative, daily time schedule and any other information I will provide upon request."

Supervisor Janoski: "Thank you Shirley. Do you think it might be helpful to explain that there was a little misunderstanding on your part as far as this special permit and that, of course the Planning Board is the first to review this and upon their review, they approved your proposal and you mistakenly thought that their approval was all that was necessary and then went on, in fact, you started to operate and then it was pointed out to you that, gee, you really didn't have the special permit. Now, on very rare occasions, you want to start up, you want to operate, on very rare occasions the Town Board will consider acting on an application if there is no opposition to it on the night that the hearing is held. We will hear what people have to say and at the end of the hearing I would ask the Board to consider taking up your special permit application after the agenda is complete. So, you will be here to answer any questions if anyone has any and I will ask now if there is anyone wishing to address the Town Board with regard to this application. Yes... "

Eileen Drower: "Eileen Drower, Wading River. Mrs. Fields and I have known each other a good ten years and I'm quite familiar with her repoire with children and all the effort she has put in, the love, the respect she has for her neighbors with the children she cares for, for the people that need her services and she has been doing marvelous for the youths of the Riverhead community and I highly recommend Mrs. Fields and I certainly urge the Board to approve her permit, thank you."

Supervisor Janoski: "Thank you. Is there anyone else present wishing to address the Town Board?"

Eunice Milton: "Good evening, my name is Eunice Milton, and I'm Mrs. Fields assistant and I would just like to say that I don't think you could find a better person or gentler person than Mrs. Fields to run a day care, which she has been doing that. She is praised throughout the neighborhood and throughout the Riverhead community for her efforts with the young people and with their children and I recommend strongly that you let her continue to do so."

Supervisor Janoski: "Okay. Thank you. Please stand up to the mic and give us your name and where your from."

Salome Ayala: "Hi, my name is Salome Ayala. I live in Riverhead. Shirley Fields has taken care of my younger son and she did a very good job of bringing him out and opening, and making him open himself up and also she's babysitted my other two kids a couple of times and she's really a great person."

Supervisor Janoski: "Thank you."

Kathy Vanhorn: "Hi. My name is Kathy Vanhorn I wrote a letter to several people on the Board. I have a child that's been in special education since he was two and a half years old. He's now six years old and in the public school system. I've been through baby-sitter after baby-sitter. I've gone through many different organizations including the Suffolk County Child Care Council. Mrs. Fields is the only one that as been able to watch my son and give him the care he needs."

Supervisor Janoski: "Thank you."

Mike Johnson: "My name is Mike Johnson. I live in Calverton. I've known Mrs. Fields for approximately six years. I have assisted her with the other families in constructing and building out the rest of the house so she can have her day care. She has a very good day care. The children are well mannered. They learn a tremendous, they get a lot of information. It's not only just a day care, she teaches them. She teaches them different languages such as Swahili, how to read, she teaches them their numbers, and how to just get along in life. She gives them a start that they would not normally get at any other baby-sitter that you would normally pay. For all of that, she does it

for a little less and the food I understand is the best meal of the day, even the parents try to get in on that."

Supervisor Janoski: "Thank you Mike."

Ernest Nelson: "Yes, my name is Ernest Nelson and I'm from New Jersey, but my job sends me here to work at the Shoreham Nuclear Plant and I ask around to people on my job and to various people in Riverhead where's there's a good nursery. So, I went to the church and the church referred me to her and ever since I have enrolled my daughter in there, she's doing a lot better, you now. She comes home, Mrs. Fields got a way that she lets the kids be themselves. When they play, bring some other clothes because I want a kid to learn and they learn. My daughter, she's just a different person right now. I would like for Mrs. Fields to stay open. Thank you."

Supervisor Janoski: "Thank you."

Tammy White: "Hi, my name is Tammy White. I'm a resident of Riverhead and I heard through Mrs. Fields, through people that lived in Riverhead also. I was concerned as far as her being able to handle my daughter since she has been with me since birth and she is only two and I know there would be a lot of crying and days that she would miss me, but Mrs. Fields as well as the staff have handled her very well, they give her the love and care that I would give her and as far as the teaching, I know that Mrs. Fields is capable of doing it. My daughter is only two, she counts from 1 to 10 and knows her ABC's and that has a lot to do with Mrs. Fields and her staff and I would just like to say thank you for her and hopefully that you'll let her continue."

Cheryl Brunskill: "Hi, my name is Cheryl Brunskill, from Riverhead. I have known Mrs. Fields ever since I was about 4 or 5 years old. I've known her from church, she's been a Sunday school teacher to me and she's been a great leader to me. I have a son who is 9 years old. He went to Mr. Fields for two years. Upon entering kindergarten, and all through his grades he has always been a grade level ahead in reading and my daughter just started this year and I would like her to progress in the school system the same as my son, so I would ask you to please keep Mrs. Fields open. She is a great attribution to this community."

Supervisor Janoski: "Thank you. Is there anyone else wishing to address the Town Board? That being the case and without objection... Do you have anything to add Mrs. Fields? I declare this hearing to be closed. Thank you very much. Let the record show that the hour of 7:31 p.m. has arrived, the Town Clerk will please read the notice of public hearing."

Barbara Grattan: "I have affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall at 7:15 p.m., on Tuesday, July 21st, 1992, to hear all interested persons who wish to be heard regarding:

THE SPECIAL PERMIT APPLICATION OF HESS REALTY CORP. FOR DEMOLISHING EXISTING GASOLINE SERVICE STATION AND TO RECONSTRUCT A NEW GASOLINE RETAIL OPERATION."

Supervisor Janoski: "Thank you. Is there anyone present representing the applicant?"

Eugene DeNicola: "Mr. Supervisor, members of the Town Board, appearing on behalf of the applicant, Eugene DeNicola, 200 Railroad Ave., Sayville, NY. If I may proceed. At this time I would like to submit to the Town Board, the affidavit of posting and the return receipts. I'll do that after... "

Supervisor Janoski: "Yeah, give it to the Clerk for the record."

Eugene DeNicola: "Fine. Thank you."

Councilman Stark: "I might even suggest that you take that mic and hold it in your hand. It probably is easier for you."

Eugene DeNicola: "Thank you very much."

Councilman Stark: "You're welcome."

Eugene DeNicola: "The applicant is requesting a special permit for the demolition of an existing service station facility located at the southeast corner of 25A and Wading River Manorville Rd. There currently exists a closed Gulf Gasoline Service Station there on, with its pump islands. Ameranda Hess has an option to purchase the property and reconstruct one of its gasoline service station facilities thereon, which will have a convenience store, a canopy and pump islands underneath the canopy. I'm sure most everybody is familiar with the Ameranda Hess style of service station. It will be its typical green and white decor. This matter has been before the Zoning Board of Appeals and before the Architectural Board of Review. Both Board after discussion have approved the application requested by the applicant. The area within which the subject's premises is located, I will briefly describe as follows, it is in a Business "CR" District, across the street from the subject's premises, that would be across from 25A, there is an insurance agency and a dental office. To the northwest, across 25A, there is a small shopping center, neighborhood shopping center, to the west is vacant land, to the east is the parking lot for the King Kullen Shopping Center, to the south, the immediate south, is the access, ingress and egress to the shopping center and if you go south to that, there is the post office. So, it is generally business in terms of development. The applicant, the current station did repairs, it is a bay station, this applicant will not do any repairs, it will be strictly a retail gasoline operation with a convenience store. The convenience store of course is a permitted use in the zoned district. The service station, the sale of gasoline requires the special permit application before

this Board. The Hess operations are traditionally neat, clean operations and they are closely monitored by Ameranda Hess, which is headquartered in New Jersey. There will be extensive landscaping, in fact the landscape plan, which has been submitted to the Planning Dept. will contain in excess of 600 plantings. There are currently three curb cuts on 25A, one will be removed so there will only be two, and they will be moved further east, if you will, of the intersection. There will be one curb cut on Wading River Rd. where there are currently no curb cuts and there's no controlled ingress and egress. The applicant will, of course, install new underground fuel storage tanks in compliance with Suffolk County Dept. of Health, double wall tanks, all piping will be new to avoid any type of spills, there will be paper recovery, and in general, following all of the guidelines of the Health Dept. requirements and environmental requirements. The proposed use will not have any backlit signs. All signs have been discussed with the Architectural Board of Review and the Board of Zoning Appeals. It should be a very neat, clean operation, it will be a convenience to the community, it will serve the community. The proposed reconstruction will not prevent, nor has the existing facility prevented the orderly and reasonable use of adjacent properties. The proposed as well as the existing facility has not or will not prevent the orderly and reasonable use of permitted or legally established uses in the district. There will be no adverse affect to the sake of health, safety, welfare, convenience of the hamlet of Wading River, nor the Town of Riverhead at large. It is warm, I'm sure the Board knows what we are seeking and I would respectfully request that this application be approved. If there are any questions, I would be glad, or Mr. Wolfram, from Hess would be glad to attempt to answer them. Thank you."

Supervisor Janoski: "Thank you. Warren McKnight."

Warren McKnight: "Warren McKnight, Wading River. I have a question. In your convenience store, will beer or wine coolers be served or sold in the convenience store and will the convenience store be open 24 hours a day?"

Eugene DeNicola: "To answer the first part of the question, the answer is yes. The sale of alcoholic beverages controlled by the NY State Alcoholic Beverage Control Board, at this time the applicant is constrained to the hours of operation closing at twelve a.m. and reopening at 5 a.m. However, I will state to the Board that it is the intention of the applicant to seek to have a 24 hour operation. That I'm advised by the Town Attorney is a Board of Zoning Appeals application."

Supervisor Janoski: "Is there anyone else present wishing to address the Town Board in the matter of this application? Yes, sir... "

Gordon Danby: "My name is Gordon Danby. I didn't intend to speak. I didn't intend to take a position on this but the last

statement makes me damned angry. We have a bunch, a place across the street that went broke from leverage buyout, is now owned by the Japanese and now we have somebody who wants to come in here and he's telling us in advance he's going to fight us to determine the rules by which people live in this Town. To the extent that it's legally possible, I say no."

Supervisor Janoski: "Thank you Gordon. Sid Bail."

Sid Bail: "Sid Bail, Wading River Civic Assoc. I would have to oppose this application. I hope you opposes it also on the basis of that last comment, about the ten or 24 hours. It's kind of interesting and it's also kind of frightening, and this just occurred to me when I saw all the Police here earlier on. We unfortunately had a murder in Rocky Point, nearby Rocky Point and in the account that I read in NEWSDAY, one of this first things that the homicide division thought to do was to check the local 7-11's surveillance cameras for any possible leads, since where are you going to go at three o'clock in the morning to buy alcohol, etc. We feel very, very strongly on this issue and we'd like to be good neighbors, good neighbors to large corporations, but this is something that we feel strongly on."

Supervisor Janoski: "Thank you Sid. Is there anyone else present wishing to address the Board in the matter of the application of Hess. Would you like to reconsider your last statement?"

Eugene DeNicola: "Well, they can, anybody that wants to buy beer or alcohol, can buy it just about anywhere. The Alcohol Beverage Control Board does, I'm not sure of the hours, but they require that the sale does not go beyond two o'clock or before whatever. There are limitations on the hours of the sale of beer and alcohol. Most people who come into a convenience store in a service station, really are picking things up, they are impulse purchasers on their way home, it just saves them an additional trip of going somewhere else. I don't know whether or not service station convenience stores are tied to murders and such and mayhem and such things like that. It is really a convenience. I would simply address the first gentleman with regard to the hours. I do not intend to fight the Town of Riverhead. This is simply, we have a Board of Zoning Appeals, we have a Town Board, we have legal process to make an appeal to this Board, to the Zoning Board of Appeals. That is what we are doing. We are not fighting the Town of Riverhead, we hope to be good neighbors and be a convenience and serve the community, not fight the community."

Councilman Prusinowski: "Joe, can I ask a question?"

Supervisor Janoski: "Sure."

Councilman Prusinowski: "So, what you're saying is that, if you go to the Zoning Board of Appeals and they turn you down, are you going to consider litigating this in the court system?"

Eugene DeNicola: "Well, I have not considered that, but Mr. William Wolfroh from Ameranda Hess will answer that question."

William Wolfroh: "The answer to the question is no sir. If we are turned down, we are not going to litigate."

Supervisor Janoski: "Could you tell me, on what basis are you making you application to the Zoning Board of Appeals?"

Eugene DeNicola: "The basis for the application? Well, Ameranda Hess traditionally, in fact, everyone of its gasoline service facilities is open 24 hours. It is, literally, it costs more to close the service station down for that five hour period than it is to stay open. During that 5 hour period, that's when a lot of the cleaning and stocking and things of that nature are done. It is slowest hours of business and it is a time when, literally the cleaning of the facility is done because during the day, Hess has a pretty good sales volume and sometimes it's a little to busy to maintain the premises as Mr. Hess requires and this will be a Hess owned and operated facility. So that would be the basis. It's purely, if you will, an economic situation for Hess."

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

William Kasperovich: "William Kasperovich, Wading River. I'm happy to hear Hess thinking of coming out here. I buy Hess gas regularly. I have been studying the traffic pattern and the problems of the intersection and I know that in all your other stations that I go to, you usually have a lot of room and a lot of space. Here, it's a rather tight corner. On one side where it's 25A, you have a 25 mile per hour speed limit and the other road you have a 55 mile per hour speed limit and two curb cuts on 25A is in a rather short distance. I would like to know to what extent that you people have studied the traffic patterns that exist and what you are going to do to make it a safe corner. Thank you."

Supervisor Janoski: "Thank you Bill."

William Wolfroh: "In answer to your question sir, there exists three curbs cuts on 25A now. The plan I have in front of me depicts two, as our proposal, these have been reviewed and studied by the NY Dept. of Transportation. They have issued a permit to construct them as shown on this plan and what in affect happened, is that the curb cut nearest the intersection, on the west end on 25A has moved further east. The one that is currently, there are two on the middle, pretty much on the middle of existing station would both go away and one would be installed at the far east end which is the undeveloped portion of the property. It's over at the here at the east end of the property. We do, and you're quite correct, this is a little smaller than some of our other stations, but it does have 210 feet of frontage on Rte. 25A which is more than our other stations. What we are

lacking here is in depth and we are constrained to the rear and the south by of the fact that there is a driveway servicing the shopping center to the rear of us. So, we can not go back any further. We are using the smallest of our three designs for this facility and it may look like some of our other facilities are bigger, the land may be bigger, but we also build a bigger facility. This is indeed the smallest facility that we build and we have studied the traffic patterns and we have reduced the curb cuts, we have reduced the easy access from Wading River Rd., which now is uncontrolled, to one curb cut on the far south end of our property. This has been reviewed by the Architectural Review Board, in terms of our other items, and by the planners of the Town of Riverhead, and we've made some adjustments at their recommendations and we feel what we have here is very workable, very safe and we believe it will work because of the amount of green area, the amount of curb cuts are limited, but functional and it is not unlike any, or many of our other facilities."

Supervisor Janoski: "Thank you. Way in the back.... "

John Masic: "John Masic from Wading River. I have a question. You mentioned the term convenience store. I think the main objection we have is the term convenience. I think it's convenient to the undesirables, but inconvenient for the regular people. It would possible to have a gas station alone without the convenience store?"

Eugene DeNicola: "I'll answer the latter part of his question first. The answer is no. It really is not feasible to have a gasoline operation without a convenience store. There is literally a necessity to have the additional income to make the service station or the facility if you will work, and it is convenient to the extent that someone can stop briefly as I have indicated to the Board to pick up a single item. No one comes to a service station facility to do there general shopping, that's for sure. It's the loaf of bread, the quart of milk, it's the pack of gum and the cookies while you are driving. As far as undesirables go, there is no evidence that we are aware of, that undesirables go to a service station facility to quote "hang out". They may, at some of the larger convenience stores, I don't want to mention any particular brand or anything like that, but I don't think anyone in this room or on this Board has ever seen a convenience store type of operation, which is really the new trend. It's the old general store, with pumps in the front, that's what's coming back, because bay stations are no longer feasible to operate. Cars are too high tech and you have to go back to the dealer to get these new cars. The mechanics are not available any more, the technology and the cost of the equipment is prohibitive for the average gasoline service station operator. So, now, it's a full cycle with a new facade if you will and yes, it is necessary, no they are not hang outs. I have never seen one and I represent several oil companies. They have never had a problem with any type of undesirables."

Supervisor Janoski: "Thank you. Yes, ma'am."

Helga Guthy: "Helga Guthy, Wading River. I would like to ask a question. How will this interfere or work with the 7-11 that's soon to come across the street in the new area? Is that still due to be built or is that gone?"

Supervisor Janoski: "I don't know what the plans of 7-11 corporation are, Southland Corp. It is a retail business, the area is zoned Business "CR" as a permitted use. They have gone through the site plan process and to the best of my knowledge, are complete in their application, but as I say, I don't know what the economy has done to the plans for, certainly sometime in the future it could become a reality."

Helga Guthy: "Would there be then a conflict between these two stores. Being right across fro one another."

Supervisor Janoski: "Well, you know, there are three pizza places in the Town of Riverhead. They're in conflict with one another. I think the issue here, as the issue was with 7-11, is the 24 hour operation. The zoning of the Town does not permit 24 hour operations. The only avenue they are going to take and that is an appeal, an application to the Zoning Board of Appeals. I asked them what this basis of that appeal is going to be. I'm not impressed by it, but I'm not the Board of Appeals. I will see and I will have to find out if the Board can hold its deliberations on this application until the Zoning Board of Appeals makes its decision because I would be very much interested it what their decision is, in basing my judgement upon this application."

Helga Guthy: "Just to add to that we are very much against a 24 hour operation."

Supervisor Janoski: "Well, the applicant obviously is not familiar with Wading River. You can't buy a six pack in this community after, I guess, 7 o'clock sometimes and the Town is closed solid at ten."

Helga Guthy: "And we'd like to keep it this way."

Supervisor Janoski: "Yes, I understand that. Is there anyone else present wishing to address the Board on the matter of this application?"

Rich Macrumb: "How are you doing? I'm Rich Macrumb, a Wading River resident. I don't think it's good, I'd like to see a different business besides a high volume gas station. That's a dangerous driveway behind them. King Kullen is not a safe entrance with the other one right there, high volume. I would like to see a different business."

Supervisor Janoski: "Thank you. Is there anyone else present wishing to address the Board on the matter of this application? That being the case... Do you have anything to add?"

Unknown: "No, nothing Mr. Supervisor."

Supervisor Janoski: "Okay, that being the case and without objection, I declare the hearing to be closed."

Eugene DeNicola: "Thank you very much, good evening."

Supervisor Janoski: "Thank you. Let the record show that the hour of 7:53 p.m. has arrived, the Town Clerk will please read the notice of public hearing."

Barbara Grattan: "I have affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall, at 7:20 p.m., on Tuesday, July 21st, 1992, to hear all interested persons who wish to be heard regarding:

THE INCREASE AND IMPROVEMENT OF THE FACILITIES IF THE RIVERHEAD WATER DISTRICT FOR THE PURCHASE OF COMPUTERIZED METER READING SYSTEMS."

Supervisor Janoski: "Thank you Barbara. We have at the podium, Gary Pendzick, Supervisor of the Water District and in 25 words or less he is going to explain what it is that is being proposed here with the electronic equipment. Gary can go for a long time."

Gary Pendzick: "Ladies and gentlemen of the Board. I'll try to make this brief. This is about computerization of our meter reading system for the Riverhead Water District. It entails the acquisition of electronic meter books that would replace the current pen and paper meter books that we use, two PC's, IBM compatible PC's that would be used to download these electronic meter books, as well as the software to interface with the current Accounting System that's used for billing purposes. The reason why we need it, is that it would reduce by many, many man-hours, and our office hours with respect to the clerical work, because it electronically feeds meter readings into our computers for billing purposes. In addition, for purposes of future employ, would eliminate the need for professional meter readers. We're getting to the point, we've expanded enough that we could have full time meter readers. Electronic meter books would eliminate this. Last, but not least, where would we get the money to pay for this? From our reserve and maintenance fund, which is paid for by key money, which is reserved for special expenditures of this nature. Key money from developments that paid a nominal fee for getting city water put into their neighborhoods."

Supervisor Janoski: "I recognize Mr. Stark for a question."

Councilman Stark: "Gary, is this very similar to what LILCO is doing when they come around to read your electric meter."

Gary Pendzick: "Yes, and quite a few other water companies. In other words, it eliminates the pen and paper meter book with an electronic version."

Councilman Stark: "And what do you presently do now when you send somebody out to read water meters, how many men do you send out?"

Gary Pendzick: "We send out, well first off, we use pen and paper and it's entered manually by hand. We send two men out right now because better than half a decade ago the NY State Auditors required that we protect public records, which is what a meter book is, in a municipality. For those of you that have watched our meter readers open and close meter pits all day long, up and down the street, it is nearly impossible to keep a meter book clean while handling these meter pits, so we had to put two men on each meter reading crew. These meter books would eliminate 50% or one man from each of these meter reading crews, rendering them just one man crews."

Councilman Stark: "So, you're basically going to eliminate one man on out on meter reading and one guys going to go out and do it."

Gary Pendzick: "What eight men did before can be done by four."

Supervisor Janoski: "So Gary, in short, less man power, it's going to be less expensive, and more accurate and efficient."

Gary Pendzick: "Yes, sir."

Supervisor Janoski: "That's 25 words or less."

Gary Pendzick: "Well, I try."

Supervisor Janoski: "Thank you Gary and let me point that Gary is an absolutely outstanding employee of the Town, you know how the Water District has grown over the past few years and he's been able to handle that growth and of course, we have a proposed Water District extension right here in Wading River which will be south of 25A and it will come in handy when we put that in place. Thank you Gary. Is there anyone else who has any questions or comments on this idea? Mr. Kasperovich."

William Kasperovich: "William Kasperovich from Wading River. I oppose this expenditure. We computerized the system in order to save money. Now, they have purposely left out this phase of the computerized system or they just didn't know about it, but this is an added cost to a system that was supposed to

have saved us money. No, we have come to a particular plateau in Riverhead of new water lines being installed and we now have to catch up with ourselves. There are many things that have to be done in the water system and the equipment and what have you. Not to further sophisticate the installation, but to catch up to ourselves. Now I think that the money should be used to catch up all the things that were put aside and in another two years or so we would then come to this change. That I think would be the intelligent and most economic way. Thank you."

Supervisor Janoski: "Thank you Bill. Is there any other comment or question? That being the case and without objection, I declare the hearing to be closed. Thank you very much Gary. I would open the meeting to general comment and discussion at this point before we take up the resolutions. Henry, you had you hand up."

Henry Pfeifer: "Henry Pfeifer, a proud resident of an important segment of the progressive Town of Riverhead, Wading River. I want to comment in regard to this first item listed on this public hearing regarding the factory outlet overlay zone. I have again visited the one in Bellport and as I mentioned before, I think there are a few things that need changes from that if we are to install such a complex in the Town of Riverhead. I mentioned the extension of eaves or overhead things to protect from the sun or inclement weather. I mentioned the need for some sort of restaurant and so forth. One of the big things there is both the parking element, not only cars, but for buses and the entrance and exit to the parking lot for buses so that the buses which require a wide swing, have sufficient room without obstructing or endangering automobiles and I like to go on record of approving this factory outlet overlay zone as a progressive step for the Town of Riverhead."

Supervisor Janoski: "Thank you Henry. I see a hand in the middle of the second row, Bill Nohejl."

Bill Nohejl: "Bill Nohejl, Aquebogue. Vic, I think you would be the proper one to answer what I want because we've been at it for years. The garbage now, is that the signed contract?"

Councilman Prusinowski: "The contracts have been awarded, yes, they have been signed."

Bill Nohejl: "Alright, now I understand, the household garbage should be Monday or Tuesday wherever you are in the district and recyclables every two weeks?"

Councilman Prusinowski: "Every Wednesday, but every other week will be different categories. One week will be just for the paper products and the other week will be for the mixed recyclables, the plastic bottles, the glass, the metals, etc."

Bill Nohejl: "The yard waste?"

Councilman Prusinowski: "Will be Thursday or Friday."

Bill Nohejl: "Of each week?"

Councilman Prusinowski: "Of each week, that's correct."

Bill Nohejl: "My question is, if it's Thursday or Friday when do the people put their garbage onto the roadside? Is it if he picks up Thursday, does he start Friday?"

Councilman Prusinowski: "In other words, you're talking about the yard waste now?"

Bill Nohejl: "That's right."

Councilman Prusinowski: "They really should put it out the collection day or the night before. Okay, now the instruction booklet that people are going to get will find out that people are going to have to bag or bundle their yard waste."

Bill Nohejl: "And that includes like leaves."

Councilman Prusinowski: "Leaves and the branches that have to be cut in three foot sections."

Bill Nohejl: "Alright. At present, Charlie Bloss and his crew with their expensive payloaders and three trucks go up the road picking up garbage. You're very familiar with Jason's Creek."

Councilman Prusinowski: "That's correct."

Bill Nohejl: "Down there is a pitiful site. You know that. You've gone through there. Now people bring garbage out and put it out into certain areas instead of there homes in front of there house which is not right. If you're going to have a garbage pickup, each person's garbage should be in front of their own individual house."

Councilman Prusinowski: "That's correct. Also, the big advantage with the districts Bill, unfortunately with the Highway Dept. it takes them some time to get through the neighborhoods, that's why it piles up the way it does. When you get your brochure, you will know that your yard waste collection date, for example in our neighborhood is Thursday. So you will know that on Wednesday night or day or so, you can put your, and it will be picked up that day. It won't be hanging around for the weekend."

Bill Nohejl: "At present, you go through, Charlie Bloss goes through and the next day it's out there or more, and it stays there for a whole week. Are we going to be known as garbageville?"

Councilman Prusinowski: "No, we're going to enforce that. In the new solid waste law, there are regulations regulating that."

Bill Nohejl: "Because, now there are \$350 dollar signs on Casey's Creek and they pile it right in front of that sign."

Councilman Prusinowski: "We will be enforcing that and you're absolutely correct and as you know, to end the saga, the Highway Dept., effective August, the first Monday in August is going to be out of the yard waste business, except for emergencies, naturally, hurricanes and natural disasters."

Bill Nohejl: "I understand that, but you go up Washington Ave. there are lots opposite the people's homes. There are places where people put their garbage. Is the garbage man going to pick that up?"

Councilman Prusinowski: "Will, we are going to crack that down, but they should be, one of the biggest advantages to the collection districts, Bill, hopefully, that type of illegal activity will cease because you are paying for the pickup anyhow in your taxes, should be no incentive to go across the street and dump yard waste illegally."

Bill Nohejl: "But, if you have a beautiful home, and you don't want this stuff in front of your home, you take it across the street. Now, what I'm concerned about, is these garbage men will not pick that up, is Charlie Bloss going to pick that up?"

Councilman Prusinowski: "Do we pick it up now?"

Bill Nohejl: "Yes, you do."

Councilman Prusinowski: "We would have to address that issue. That's an illegal activity. The first thing we would try to do is enforcement. We would try to find out who is doing it and issue a summons. It's illegal activity. You're not supposed to dump, whether it's private or public property, it's illegal, it's littering. We raised the fines on the new law."

Bill Nohejl: "\$350 dollars against \$250, but the old sign by Casey's Creek, 200 feet, 300 feet away is still standing, \$250 dollars and the new sign is \$350."

Councilman Prusinowski: "Right, we'll have to change that."

Bill Nohejl: "Another question. I paid my tax bill, my taxes are due the first of December. That's my tax bill. When is this going to be pro rated. December first, the money that has been paid?"

Councilman Prusinowski: "I believe they're going to pro rated, the credit is going to be applied for the next years tax year, 1993."

Bill Nohejl: "As of what time? To the first of December or the first of January?"

Councilman Prusinowski: "When you receive your tax bills in December, it will have the pro rated cost of the garbage district."

Bill Nohejl: "That's what I said. I want to know when is it going to be pro rated to? First of December?"

Supervisor Janoski: "If I could interrupt here. First of all, I wish you would address your questions to the Chair of the Board and let me try to answer you question. We have awarded the bid and the service will be provided as of August 1st. So, obviously the cost of August, September, October, November, December is coming out of the tax that you paid in January."

Bill Nohejl: "That's what I asked."

Councilman Prusinowski: "I misunderstood."

Supervisor Janoski: "Now, because the cost has dropped to \$122 dollars for the entire year, and you paid a \$193 dollars for the entire year, it is pretty obvious to me that you are not going to be charged anything for collection next year. What we are going to do, is apply that unused amount, portion of the tax bill towards the cost of collection for the next year together with all interest accrued on that money which is deposited and has not been expended. So, that that has been gathering interest, so that will lower your cost because interest has been accruing to that money and as it is stated in the brochure, because I wanted it stated very clearly, the Town of Riverhead, can not spend this money, this garbage district money for anything else, it is a special district and it is for that specific purpose. We can't buy Police cars with it, we can't do anything else with it. It must be for that simple purpose. So, that you won't have paid for August, Sept., Oct., Nov., and Dec. till 1992."

Bill Nohejl: "So you say December, the month of December. It should only go to November. My tax bill begins the first of Dec."

Supervisor Janoski: "That's right, but we're working on a calendar year."

Bill Nohejl: "But I'm working on the calendar year that I pay my taxes."

Supervisor Janoski: "Alright, so Bill, what is it that you would like to see?"

Bill Nohejl: "I don't want it to go to the first of the year, I want it to go to the first of December when I pay my taxes. That's the time it's due."

Supervisor Janoski: "Well, whatever month we start, the Town will calculate the cost of collection for that period of time and whatever that cost of collection is, is what you are going to be charged. Now, as I said, it appears to me that there will be little or no charge for the year 1993."

Bill Nohejl: "But that doesn't make in difference to me."

Supervisor Janoski: "Bill, I'm not going to be here with you debating as to whether the year starts in December or January. I think that's a minute point, it really has no bearing or significance. The tax bill goes out in December, but it's for the calendar year of 1993. You know it, and I know it. So, what are we discussing?"

Bill Nohejl: "A whole bunch of stuff."

Supervisor Janoski: "Okay, fine."

Councilman Stark: "10 dollars."

Bill Nohejl: "One other clarification, if the garbagemen does not pickup the garbage... "

Supervisor Janoski: "Are you going to get pickup in December?"

Bill Nohejl: "Am I going to what?"

Supervisor Janoski: "Is your garbage going to be collected in December?"

Bill Nohejl: "It's going to be starting the same time as anybody else."

Supervisor Janoski: "Absolutely, so I don't know what your point is. I just don't understand it."

Bill Nohejl: "I want it pro rated to the first of December, not to the first of January."

Supervisor Janoski: "But December has to paid for anyhow, whether it's in next year's tax bill or this year's tax bill."

Bill Nohejl: "I'll take it from December to December."

Supervisor Janoski: "Okay, I will set to work those people who do those things to find out how it's to be done and hopefully we'll be able to accommodate whatever it is that you're worried about."

Bill Nohejl: "One other clarification, being that you have the floor, I will ask you the question. Will Charlie Bloss, go and pick up garbage, other than the disaster time along the road?"

Supervisor Janoski: "Charlie Bloss is out of the business. Something that I imagine you would applaud. He is, his staffing has been reduced by 5?"

Councilman Stark: "Six."

Supervisor Janoski: "Six people because of that. Because we understand that the employees of the Highway Dept. were engaged in doing this. So, in the budget for this particular year, having anticipated that the garbage service, the district would be in force in January, we eliminated those positions, because Charlie Bloss and the Highway Dept. will be out of that business, completely. Now I believe there will be the annual fall and spring clean up, legitimate, and of course emergencies, they of course, will act with that, but as far as a weekly service, that will be supplied by the carter in the various collection areas, every week."

Bill Nohejl: "I also understand that you must pickup at the Town beaches, which the Town should do, I understand that... "

Supervisor Janoski: "Yeah, it's ours."

Bill Nohejl: "But not to any other private individuals."

Councilman Prusinowski: "Joe, let me just follow up on one thing. Just so you know, that unfortunately, prior to August 5th or whatever the date is, the first Monday in August, the Highway Dept. has become more and more a sanitation dept. If you go to our municipal receptacles anywhere in this Town, they're loaded with residential garbage, not garbage from people doing normal activity at a beach. When I see plastic bags, packed with garbage, full of recyclables by the way, people are not even recycling, because they want to avoid paying the landfill fees. What you're talking about specifically, if there is illegal dumping activity, we find somebody who dumps a load of garbage somewhere, we try to investigate the garbage. In fact, there was an illegal load dumped next to Suffolk Life, we found who did it, we prosecuted them, and in that particular case, the carter was made to take the garbage back. In this case where that's not possible, the Highway Dept. does pick that up because it is a Town function, both in the prosecution continues and we try to get reimbursed for our time. Cause your talking about the illegal dumping."

Bill Nohejl: "Thank you."

Supervisor Janoski: "Thank you Bill. Right here."

Elaine Spiro: "Elaine Spiro, Creek Rd., Wading River. If your house closed for 6 or 7 months of the year, you still pay a yearly rate for the garbage?"

Supervisor Janoski: "Well, yes indeed and it's the cost for living in beautiful Wading River."

Elaine Spiro: "Well, like for the water, we just pay a minimum rate."

Supervisor Janoski: "Ma'am, I understand. We have discussed this. It is an issue that we have dealt with and I have answered you honestly as to the conclusion of the Town Board. You have a summer home in a community and that is the cost of having a summer home. Just like you have to pay taxes for the whole year on that summer home, you have to pay school taxes for the whole year, you have to pay County taxes for the whole year, because it's there."

Councilman Stark: "And water taxes too."

Supervisor Janoski: "And many people do rent out those homes in the winter time, that's not uncommon. So, quite frankly, that would be one nightmare for us to try to do that and how is your son Doug doing?"

Elaine Spiro: "Well with the water they give you a minimum rate for the months, so that's a little different too, whereas here we're paying the whole thing."

Councilman Stark: "You got a little over 10 dollars a month."

Supervisor Janoski: "I mean, ma'am, what we are doing is providing three time a week pick up for less than a person can do it themselves and I understand that there are people who have summer home who want to use them in the summer time, but I don't think that's quite true either. The Town Board has considered this issue and the Town Board has considered, I will say it once again that it's the cost of owning a summer home in Wading River."

Elaine Spiro: I didn't know you had though about it."

Supervisor Janoski: "Oh, absolutely."

Elaine Spiro: "I thank you. My son is fine."

Supervisor Janoski: "Okay. Oh, wait a minute now. Who was first here?"

Joe Shannon: "Joe Shannon, Wading River. Mr. Janoski is a fellow resident of Wading River, I would image you are as anxious as I am to see something done with that restaurant. Could you tell me if it is ever going to open?"

Supervisor Janoski: "As a matter of fact, I had written out here because I had anticipated the question this evening. The

building you refer to, I think is known as the Frog and the Peach. It is the property of one Augusto D. Michelle who has been one heck of an experience for me, and I'm sure for the residents of this community. He received, finally, his building permit, for alteration of the building on November 15th, 1990. He renewed this permit on May 21st of 1990, so right now, he has a valid building permit until November the 20th of 1993. Now right now the Town Code does not provide for a limitation on the number of renewals that you can receive for a building permit. They run 18 months and it may be suggestion that you may want to make to the Town Board as an issue that we should take up, that we should in fact, impose a limit on the number of times that a building permit can be renewed, because as long as he has a valid building permit and he makes some little effort, there's really not a heck of a lot we can do."

Joe Shannon: "There's nothing holding it up but he himself."

Councilman Prusinowski: "That's right."

Supervisor Janoski: "I'm sorry sir."

Joe Shannon: "Mr. Prusinowski answered it. Thank you."

Supervisor Janoski: "Let me tell you that you should have lived through the years that we tried to get him to get his building permit. It was quite an experience, but I thank you for the concern and I think it is something that the Town Board should consider because other towns have that limitation. Yes, ma'am."

Linda Detrich: "My name is Linda Detrich and I'm from Wading River and in early June I wrote a letter to Mr. Janoski pointing out that certain repairs had to be done at the Wading River Town beach and they were done within three weeks in a prompt and efficient manner and I'd like to thank the Town for that."

Supervisor Janoski: "Councilman Stark, who is the Chair of the Recreation Dept., certainly is deserving of a great deal of recognition for the time that he has spent and the efforts in improvements, not only in Wading River, but in Reeves and what we have planned for Iron Pier. He has really thrown himself into that and I want to recognize the job that he has done. Thank you."

Councilman Stark: "Thank you Mr. Supervisor."

Supervisor Janoski: "It's always a pleasure Mr. Stark. Wait a minute Bill, I want to get my friend right here because he's had his hand up."

Rolf Koesling: "My name is Rolf Koesling, I live in Wading River along side North Wading River Rd. and I think Mr. Prusinowski could answer this question a little better for me. I have special concern. I keep my North Wading River Rd. pretty clean. The self haulers come down there drooping stuff, Town of Riverhead trucks come down there, they drop stuff. I pile it up on side on an empty lot, not in front of my house, but on an empty lot. Now, I have one other problem. In about two weeks, I'm going to be trimming my raspberry bushes. Now you tell me, how I'm going to take a couple of hundred feet of raspberry bushes and bundle them up and put them outside and are the going to pick them up on an empty lot, because I don't have much frontage."

Supervisor Janoski: "Mr. Prusinowski."

Councilman Prusinowski: "When you trimmed your raspberry bushes last year, did you take them to the landfill yourself?"

Rolf Koesling: "No sir, I put them out."

Councilman Prusinowski: "The Highway Dept. picked them up. Well you're going to have to try to bundle them and present them in a proper manner to the carter."

Rolf Koesling: "What if I'm putting them in an empty lot, my next door neighbor's lot is empty."

Councilman Prusinowski: "If you have his permission and you want to start a private composting pile."

Rolf Koesling: "I have my own. I have the biggest one in Wading River."

Councilman Prusinowski: "Okay, if you have a composting situation on a private property lot, but you have permission from the property owner, that's fine, but if it's littering or illegal dumping, you'll get a summons."

Rolf Koesling: "No. It's, like I say, it's the stuff that drops off the trucks that are going down the road where I keep it clean. Okay, we'll see thank you."

Supervisor Janoski: "I know that on August 3rd when this process begins, that the phones at Town Hall will be very busy and I think that the Deputy Supervisor planned the vacation on that week, not specifically for that reason, but we're going to work at it and hopefully we're going to work out all the kinks and that the people of the Town will be generally happy with the service. Mr. Kasperovich, why don't we recognize you. I'll get you next Sid."

William Kasperovich: "William Kasperovich. I live on 15th St. here in Wading River. I am going to address two separate

problems, but both in the same sphere of interest and concern. Now, this in order to show and prove that I have addressed you people here this evening, I'm making my tape recording so that I will bring it with me when I go down to Farmingdale. This past Saturday, I took advantage of the NY State Troopers having their 75th Anniversary, being advised that all their officials and higher officers will be present and will be receptive to listen to any questions and give any answers. Now, so I took some of these things that they were handing out and I said, well, if I do this everybody will know that I came here and presented the problem. So, I'll put my uniform on and that's the way it's going to be because after spending my money to travel 40 miles west and 40 miles back and a considerable amount of time, this is how I feel. The men who do actual traffic studies for the state and this area voluntarily agreed that they will come out here and they will pay attention and they will make another study. This is for the road, Wading River Manorville Rd. south of State Rd. 25A. It was previously declined on the basis that there was no need at this present time, which none of the officers said, they just smirked at it, they said it couldn't be possible, it couldn't be real, but they would be happy to come out and redo the study and so, this 55 mile an hour speed limit, that is the road in front of the post office and the entrance and exit to King Kullen will get some recommendations for traffic control and possible speed limitations and I'm doing this so that the courts, nothing was done. Just because they said no, the Town dropped it. Now we're approaching or have past a quarter of a million dollars for annual salaries for administration in this Township and yet when some agency outside the Township says no, we just put it away and to this day, nobody can find the letter that was sent saying they won't make the traffic study. So, I'm putting his on the fire again and I'm gong to stay on top of it because it certainly is something we can't live with. Alright. The second item, I did not want to present it at this time because you have written Resolution #449 which spends money from the general consulting engineers budget. I have no choice but to bring it up at this point. We, not to long ago, have had blood flowing on the highway of Rte. 25A and Sound Ave. and Park Ave. A petition was drawn and presented some time ago and although this is not as easily seen or remedied as the other one I presented. This is a very difficult solution. We have studied this corner, this intersection as far back, I think, as 15 years ago, when you gave a contract to H2M to study intersectionals and I imaged this fellow with photographs of this intersection all kinds of ways and they made a recommendation and I'm not saying that we should have followed through it, but it was just disposed of. It was put aside and to this day nothing is done. When the state was making up the new drawings to re-ramp 25A, Riverhead did not even make an appearance to the committee meeting that they established and that they invited people from Riverhead to attend to discuss this and here we are today with no consideration for that corner even though one of our local residents lost her life and yet, we have money to take it over to the business area of 25 and 58, but we here in Wading River are

again left with the short end of the stick and I object to this, strenuously. If it takes us 5 years or 10 years to resolve this intersection, at least we are attempting to do something continually, but here we sit with an annual salary of a quarter of a million dollars and nobody is doing anything and I'm going to raise my voice where ever I can to keep this alive and eventually, this hazardous corner, this dangerous corner, where this young lady gave her life because of the make up the intersection will not exist anymore. Thank you."

Supervisor Janoski: "Thank you Bill. I would like to, because you just don't quite have what we're doing here. I agree with you that, that intersection must be addressed and it has been on the agenda of the State of NY for as many years as I have been Supervisor and they have still not moved to correct that intersection. The plans are done. They have been drawn and they have been placed on a shelf. The purpose of this planning study, while it is called a traffic study really has to do with land use, not the Highway use, but land use with regard to zoning and what are the permitted uses of that land, so that it is really not a traffic study which would address hazardous intersections, the need for traffic control lights or other changes. It is a request for proposal to undertake what is called a traffic study to come to conclusions about land use adjacent to that highway and I hope that I have for you the right direction on this."

William Kasperovich: "I fully understand what you are saying, however, this brings to light that there is money available."

Supervisor Janoski: "Quite frankly Bill, there was not.. "

William Kasperovich: "A traffic study would implement the move to get the other agencies to help us or to do the work or in some way help us solve this problem. This money that could give us some traffic studies, that could give us something on paper that we can get some action on this intersection, but this is to be an extended study and would require some money. But here you show you have the money, but you're not giving any of it to Wading River."

Supervisor Janoski: "I know the resolution talks about the engineering account, and quite frankly, Mr. Stark has made the suggestion that because it is a county road and a state road, that we're concerned about, that they should share in the cost and that effort is going to be made by the Town to get them to underwrite, at least in part, the cost of studying the traffic patterns in this area of roadway. It really is a planning study and for that reason, that money should really come from Planning, well, we don't have it, but we would have to see to it that the money is there and once again, it has nothing to do with... "

William Kasperovich: "At this point in time, the issue has been raised and I hope you people will continue to hold it raised and not let it fall by the wayside as it has."

Supervisor Janoski: "Does it say \$20,000 in the resolution?"

Councilman Prusinowski: "No, there's no dollar amount. We don't know, we're going out for proposals."

Councilman Stark: "No figure at all."

Supervisor Janoski: "So, we'll go out for proposals and we'll see what comes up. Sid. I recognized Sid before."

Sid Bail: "Sid Bail, Wading River Civic Assoc. I'd like to welcome you all, I never did, to Wading River and you all look very cool and calm, and I can tell that I can literally get anything I want from you tonight. No, no, wrong night. This is about the proposed high speed ferry service between Shoreham and New Haven. Maybe a lot of folks don't know, the state helped to form a LI Ferry Steering Committee about the first of the year. There is a LI Ferry Steering Committee of 15 members. A few weeks ago, I got a list from legislator Carraciola's office of the 15 members of the committee and one of the things that they had both in common was they weren't from around here. They were from there and everywhere else. Myself, Wading River Civic Assoc. and the Mayor of Shoreham village, Pomsquante, asked for representation on this committee. The gentleman who is the Chair, Henry Pyrogroom, the Assistant Commissioner of the Office of Transportation Policy and Public Transportation said you do have representation, it's Supervisor John LaMura, my Supervisor of Brookhaven Town, but John LaMura and Carol Swift are the only two people from the area, per se, there are three people representing Suffolk County government, two people representing Nassau County government, why, I don't know. Five people representing various state agencies and three private citizens, Tom Macintire, Mr. Austin and Mr. Pasfield. The only one who doesn't fit into the picture as far as I'm concerned, is a man from the Sierra by the name of Tim Robinson. Now, what I'd like to do, is I'd like to have the support of the Town Board in making a request that Wading River be considered to attend or participate in future meetings of this group. It's an issue that we feel very strongly about and from my experience in dealing with Brookhaven government, I'm not accusing any of them, but I think they have a different outlook."

Supervisor Janoski: "NEWSDAY does a pretty good job of that."

Sid Bail: "Yes. So I would like to be represented and they've held up the carrot, maybe later on, but I have a funny feeling they're talking about the ribbon cutting ceremonies, I'd like to get there a little bit before that. So, if it's possible, if the Town Board would support me and Wading River Civic Assoc. and write Henry Pyrogroom, the Assistant Commissioner to the Office of Transportation, etc., etc. Okay?"

Supervisor Janoski: "Thank you Sid. Yes, sir. Emerson, did you wish to be recognized?" No, okay, I though I saw you before."

John Masic: "Yeah, I'm John Masic again. I have two more questions. Question one. We have many acres in Wading River that have many trees and in fall, the trees loose their leaves and we have fall cleanups. Now, I believe Mr. Prusinowski can answer this. Will there be a fall cleanup thing or will we be expected to put all our leaves into plastic bags?"

Councilman Prusinowski: "The Highway Dept. is planning a spring and fall cleanup, yes."

John Masic: "In other words, when we rake our leaves, and out them out in front of the house like we used to do in the fall, on a specific day or days... "

Councilman Prusinowski: "There will be two weeks as the Highway Dept. advertises, yard waste, now I don't know the how the scope of that... "

John Masic: "I know we have a spring, I didn't know we had a fall one."

Councilman Prusinowski: "Well we do have twice a year, and I have not spoken to the Highway Superintendent as to the scope of the cleanup as of yet, so I'll have to get back to you on that."

John Masic: "But we will have a cleanup."

Councilman Prusinowski: "Yes, but I don't know what that will entail yet."

John Masic: "Question number two. What about our ponds?"

Supervisor Janoski: "What about your ponds?"

John Masic: "What's going on? They've been going down and down, they ain't being fixed though."

Supervisor Janoski: "Hang on. I know that I've been... "

Councilman Stark: "They're owned by Brookhaven."

Supervisor Janoski: "Let me point out that the Town law does require that all leaves and that kind of material be bagged, but the Highway Superintendent has graciously handled it in other ways and also, I think it's important to note that on a weekly basis, these materials will be picked up. So you don't have to do it all at one time, you can do it as they fall off the trees. The ponds, many people do recognize, but it may be a surprise to many of you, that the ponds are in the Town of Brookhaven. With

the exception of one little corner about three feet out from that sand trap that we have. However, because it is the border with the Town of Riverhead, very often I am touched with the Highway Superintendent over there in Brookhaven, asking him to address the ponds and that work is moving forward as you can imagine, the requirements now are a little more stringent than the last time it was undertaken. It now requires an application to the DEC and they require that a survey of the ponds be completed for the permit. The survey has been completed, and according to the survey, we know that it's in the Town of Brookhaven. We already have a commitment from the Town of Brookhaven that they will share in the cost of engineering for the work to be done through Ken Testa and we hope that the cooperative effort will be undertaken by, jointly as it was last time, by the Towns of Riverhead and Brookhaven in the fall of this year and I hope that answers the question."

John Masic: "Yes, sure."

Supervisor Janoski: "Before you get there Sherry, I see that I have another little note here, the level of those ponds is completely in the jurisdiction and the control of the Town of Brookhaven. They use a very archaic system of inserting and removing boards to control the level of the pond and we are going to, however because the grounds around the pond is in Riverhead, we are going to be replacing the railing around the ponds this year also. Sherry... "

Sherry Johnson: "My name is Sherry Johnson and I'm speaking tonight on two issues. First, basically, it is not necessarily a council project, from the N.F.E.C. it's more as from a resident and you were on the right subject with board and water levels. I don't know if you were aware that over the weekend the dam at Edward's Ave. for the Peconic River broke, sometime Friday night or Saturday morning. Some neighbors in the area noticed that the pond west of Edward's Ave. had almost completely drained. Thanks to the response of your Bay Constable, who is absolutely wonderful, did a fabulous job. He stayed there most of Saturday morning, put in some temporary boards. Jim Divan and some of the neighbors from around there who made a temporary fix, the water level has come up rather fast. My question is, who's jurisdiction is the dams along the river?"

Supervisor Janoski: "An argument that has raged for many years. We believe since the State of NY regulates that river, that they are their responsibility. They of course accept no responsibility, except to tell us what we can and can not do. It is the boundary between Riverhead and two other towns, Brookhaven and Southampton. So, obviously, if it is a town responsibility, it is a joint town responsibility, but it is, I've asked the state and this was many years ago, simply to come in and enforce or set water level requirements as to what is the proper level that that river should be maintained at? Because as you probably know, there are little range wars, that go on about the level of

that river and they absolutely have not done that. They were supposed to have done a survey of the dams that exist there. I believe that that was completed, I'm looking to see if someone can confirm that for me, but that's been the extent of the state's involvement."

Sherry Johnson: "The DEC was going to do a survey in other words?"

Supervisor Janoski: "Yes."

Sherry Johnson: "So, they should have that and is that also going to tell them basically what condition the dams would be in?"

Supervisor Janoski: "We have known for sometime that the dams are very old."

Sherry Johnson: "Jim had mentioned the one by the LILCO property. That also was going to need repairs soon."

Supervisor Janoski: "They are being undermined by the rush of the water and Riverhead is certainly not in the position to be building dams. It's a project that is beyond our ability to finance the project and I would hope that the state that paid some much attention to the river a few years ago would recognize some responsibility with this regard."

Sherry Johnson: "I'd like to ask you possibly for maybe two things. Maybe to get a letter out to talk to Jim and find out exactly what happened Saturday, at least under his best synopsis."

Supervisor Janoski: "You're talking about Jim Divan?"

Sherry Johnson: "Right, and see if you could write a letter to Brookhaven and the DEC alerting them that this happened and that something needs to be done in the future and two, possibly to possibly explore maybe a joint application from HUD, the communities grant foundation whenever that comes up again and it seems to me that a project like this might be able to be funded through that since Southold used HUD money to restore wetlands, to do a wetlands project out there. At least it's worth looking into."

Supervisor Janoski: "I think we're talking about millions of dollars though."

Sherry Johnson: "You think that much?"

Supervisor Janoski: "Oh yeah, because the state while not recognizing any responsibility, will certainly set the requirement as to how the damn has to be built and knowing the state of NY, I think we're talking about millions of dollars, but certainly, let's follow up on your suggestions and find out."

Sherry Johnson: "Certainly replacing the rotten boards, you know. They could go a long way to help stopping what happened from happening again. The second that I wanted to talk about is that it's my understanding that Councilwoman Gilliam is going to introduce a resolution that she was asked to by the National Environmental Law Center regarding the summit that took place in Rio de Janeiro in June and I'd like to support that resolution on behalf of the N.F.E.C. and urge you to approve it. From what happened down in Rio, it seems that Germany and Japan emerged as leaders in recognizing the situation with the environment and the world and everyone I think, at least in the environmental community was a little disappointed at our response to the problem, so anything that you could do to urge Mr. Bush along would certainly be great. Thank you."

Supervisor Janoski: "Thank you. Steve, I'm saving you for later."

Bill Donovan: "Mr. Janoski, ladies and gentlemen of the Board, My name is Bill Donovan. I'm from Aquebogue. Mr. Janoski, could you please tell me, these printed papers that you pass out, agendas, are they ordinarily to be followed in sequence or do we just jump all over the place?"

Supervisor Janoski: "Basically, we follow the agenda."

Bill Donovan: "May I respectfully request then, that we discuss 429?"

Supervisor Janoski: "Oh, you want to discuss a resolution?"

Bill Donovan: "Yes."

Supervisor Janoski: "Oh sure, you can do that."

Bill Donovan: "I don't want to discuss it, I understand that you people have come to some sort of discussion and we'd like to hear about it."

Supervisor Janoski: "That's what this period is for. For you to comment on anything that you would like. Let me see what 429 is."

Bill Donovan: "Water-skiers."

Supervisor Janoski: "Water-skiers, okay."

Bill Donovan: "I have no questions on it, only that according to what I see here, you have come up with some sort of resolution of this and we'd like to hear about it."

Supervisor Janoski: "The resolution rescinds the previous resolution passed by the Town Board and takes away the ability to waterski in that creek."

Bill Donovan: "There will be no more waterskiing in that area then."

Supervisor Janoski: "That's right."

Bill Donovan: "Thank you very much sir.."

Supervisor Janoski: "You're welcome. Way over here, Gordon is that you?"

Gordon Danby: "Thank you Mr. Supervisor, members of the Board. I wanted to speak for a moment to support what Sid Bail said with respect to the ferry study in the strongest terms. That is a vital concern to Wading River, I believe that to Riverhead Town, even beyond. When this has come up before, there was a question of whether there's a harbor and there's a statement there's no harbor, they'll be a harbor. Furthermore, the boundary of that property is certainly within 500 feet of Riverhead Town boundary and you have a perfectly proper right to be represented in any discussion of that situation. The ferry is, in my opinion, totally unbelievable. The statement has been made that's it's a very fast ferry. The technical details have never been brought forward. Bear in mind it's almost twice as far as it is from Port Jefferson and Bridgeport. In fact, it's essentially the same distance from Port Jefferson to New Haven as it is across. Now if you take the ferry from Port Jefferson, which I did recently, it's takes an hour and a half at normal times and three quarters of an hour is open transit. Three quarters of an hour is in the harbors, unloading and loading. So that ferry went twice as fast, you would save 22, 23 minutes which is nice, but it would not change things that much. At busy hours, they schedule two hours and you still only save 20 minutes. Now this route is much further, so even if the boat goes 3 or 4 times as fast, this is simply a lost leader for some other proposition. It really isn't credible. It will be a deep draft ferry and they will try to make a harbor. Now, why am I worried? Well, why isn't this being done and opened and being discussed in the open because I don't think it's credible, it's a land development scheme in New Haven and it's obviously very likely, a similar thing, a part of a plan here on LI and I think you should demand of Senator LaValle and Assemblyman Sawicki that Riverhead and the local community know what's going on here because as I said I do not believe this whole thing will stand up to a proper business life appraisal. Nobody would put his own money into this scheme. Thank you."

Supervisor Janoski: "Thank you Gordon. Let me say that Senator LaValle has long opposed and I believe Assemblyman Sawicki, the ferry proposal. I have just polled the members of the Board and each has indicated that they would be willing to split a resolution this evening, requesting for the NY State Dept. of Transportation and those that are conducting the study that representation be provided to the local community. So, that we will do that his evening."

Councilman Creighton: "Mr. Danby would confirm for me that it was your picture that I saw in Scientific American this week?"

Gordon Danby: "I'm afraid it was. It wasn't a very good article."

Councilman Creighton: "Well, it was a great picture, you're a handsome guy. Scientific American is an over hundred year old magazine that discusses state of the art and current technology and science in this nation and around the world. Mr. Danby is well known for his work in Mag. Lev. and this article was updating the status of Mag. Lev. and it gave due credit to those pioneers of which he is one of few who contributed to this science which will probably pay great dividends to the society in years ahead. Congratulations again."

Supervisor Janoski: "Steve Haizlip."

Steve Haizlip: "Steve Haizlip from Calverton. The last meeting down in Jamesport I was a little abrupt about that proposed law, Mr. Marino, 54-41. I would like to polish up a little bit on that tonight. That's the way I've felt since the time. As most of the people in the community know, I'm a member of the greater Calverton Civic Assoc. and as a matter of fact, I'm an officer in it. Now, if we are following the procedure of the Constitution and the laws of NY State, that we allowed to be heard and the law claims you have to have a public hearing. Now, if we're having a public hearing, discussion on a housing project, we'll use that as an example, and the community, the Civic Assoc. will be voicing against it because one thing maybe, they're too close together and they need a little room. Now, this is the part where I was a little abrupt and I said, any judge that ruled in the favor of the developer don't belong on the bench. Well, I still say that, but what I'm saying is everything was followed and the Town Board was hearing the people and you're in the Civic Assoc. Now, you would get sued because you had a voice because the law and the Constitution allows it and the judge rules against you, that is bad news, because that's what we're in the community for, is to help and be concerned for that community having the best possible manufacturing and housing. Thank you for that. Now, I want to talk about the roads a little bit. In NY State, and the towns and the counties, the roads are something that is not the greatest going. There's, on the Grand Central Parkway, just this side of Laguardia airport, coming east to LI, there's a bump in the road so bad that I think every frame of each car that goes over it, must be cracked by now and the road is allowed a 55 mile an hour speed and this here, it leads me up to the present condition of what I'm going to bring up. We've got a beautiful road from Rte. 25 down to LIRR tracks. It's a lane and a half on each side. It was done a year ago, this past May the 29th, but from there on down, that road has got to be improved. It is too narrow, and when you're walking down it, the trucks and the cars are about sweeping you off the road. Now, we're going to get down so where

it will be done, in your terms or where it's got to be done in another Supervisor's terms. I'm addressing it, because it's got to be updated. We're not living with traffic in the 18th century and we're pretty soon, we're in the 20th, and we're going into the 21st and all the roads are being upgraded and widened and fixed and that road from those tracks down has got to be corrected. Now, at the golf course hearing, and you remember this very well, when the guy said he's going to put his road by the cabinet place and I said at that time, that's where cars eventually come down to the ground again. When they go over that railroad track, it is bad. One car lost control and skidded into a telephone pole here a while back, and when I walk, and I got to walk because the doctor told me, in my walk, I watch these cars, and they go over them tracks and I can see daylight between the wheels before they settle down. That's bad, it's got to be corrected. Now, we're going to get down to 94. It's that old Edward's Ave., from River Rd. down to the Expressway and on into the County Center. Now, when Sherry brought up about the river being drained, she's right because I went down there Saturday, because I had to go on my walk and I could see for myself, and Brookhaven's side is all eroded. Now it's been built with some stones, but what I'm getting to, of all the money that we pay people from the state right on down, Edward's Ave., 94, the County Rd., on the shoulder is litter, with boards, and fly boards and sticks and blocks. I don't know if anybody rides by and takes care of this stuff or not in there, and now, over by the gas station, because this is in Brookhaven Town, but I'll give you an example and we have a Highway Committeeman on our Town Board, Mr. Prusinowski. I want him to take notes of what I'm talking about."

Councilman Prusinowski: "I'm listening to you."

Steve Haizlip: "I mean, taking notes of what I'm talking about. Alright, now, there was a telephone pole, a light pole and a telephone pole, was pulled down by a transfer truck going into the gas station because Cablevision had their wires strung too low. So, everything came down. Do you now that the oil from the transformer is in that road right today? In a pile of sawdust, I suppose to speed it drying, and it's all sucked up by now and oozing and the wire from Cablevision is still on the other pole on Mill Rd. and Edward's Ave. and nobody going to come around and the thing is dangling all over the place."

Supervisor Janoski: "I'm sorry Steve. When did this happen?"

Steve Haizlip: "Beg your pardon?"

Supervisor Janoski: "When did this all take place?"

Steve Haizlip: "I think it was about the 29th or 30th of June, Joe, somewhere along there."

Supervisor Janoski: "I would suggest Steve, that... "

Steve Haizlip: "I don't want to call Suffolk County and so forth."

Supervisor Janoski: "I don't want you to. I want you to call DEC. DEC would be very interested in a leaky transformer. I can do that if you will tell us the exact location."

Steve Haizlip: "Well, it's just on the other side of Mill Rd. It turns off to the right, goes down into Brightwood."

Supervisor Janoski: "I can't tell them that."

Councilman Stark: "Get the number of the telephone pole and then we can... "

Steve Haizlip: "I'll walk down there tomorrow and I'll get it."

Supervisor Janoski & Councilman Stark: "Thank you."

Supervisor Janoski: "Thank you Steve. You see, I can't tell them it's down the road and off to the right a little bit, I need that number, so thank you Steve."

Steve Haizlip: "I don't have time for one... the five minutes is up?"

Supervisor Janoski: "Well you're five minutes is up and we've enjoyed... Save it for next time."

Unknown: (inaudible)

Supervisor Janoski: "Are you scheduled to be up?"

Councilman Prusinowski: "What are you scheduled on? Oh, there's no public hearing, they want to talk about the ramp."

Supervisor Janoski: "Well, let's get it over with. Okay, who want's to be first? Do you want to be first? You're standing up."

Bob Panchak: "Bob Panchak, Reeves Park. I'd like a clarification of number 457."

Supervisor Janoski: "Does the Town Attorney wish to provide a clarification? What is it about it that you don't understand?"

Bob Panchak: "Is this the resolution that was brought up by Mrs. Gilliam and seconded by Mr. Creighton a few weeks ago that limits access to Reeves Beach?"

Patricia Moore: "We had a public hearing on this provision about the same time that you mentioned, so, yes."

Bob Panchak: "Has it been voted on already?"

Councilman Creighton: "Joe, didn't we pass that at a Special Board Meeting?"

Patricia Moore: "That's what we're doing tonight."

Bob Panchak: "He says it's been voted on and you say that's what we're doing tonight."

Councilman Creighton: "Didn't we pass that at a Special Board Meeting the other day? When the people came in?"

Patricia Moore: "Pardon me. I take it back. At a Special Board Meeting this past Thursday, we voted on this resolution with some minor modifications. There was some, we needed to clarify some language. All along we intended to restrict the cars on the beaches, between May 15th and Sept. 15th, between 9 in the morning and 6 in the evening. There was some misunderstanding by the public and by the Town, whether or not the language is clear enough for that. So, we are ratifying essentially what we did on Thursday, with some minor clarification so it's very clear, so no matter who reads it, that we are limiting the vehicular access to the beach only during those hours."

Bob Panchak: "Okay, I have a little bit of a problem with that. I have a copy of the DEC permit which was awarded to the Town for the construction of the ramp and one of the items that was included was a vehicular ramp."

Patricia Moore: "It's going to continue to be a vehicular ramp. The problem has arisen that the Reeves Park beach area is a very popular beach since the improvements and there have been some concerns by the public that the car traffic that's going on to the beach is conflicting with the beach goers. We've got some near accidents that have occurred, so, in light of public safety, the Town Board has imposed these restrictions. That there will still be access to the beach before 9 in the morning and after 6 in the evening."

Bob Panchak: "Okay, that's great except that when you want to go out on your boat, you somewhat want to do it during the day. You also have a problem with the tides. The Town Board in their wisdom created this mess, two years ago, we had a meeting with the Reeves Park Civic Assoc. with the plans and at the time, the Reeves Park Civic Assoc. Everyone said, the ramp is going the wrong way, okay. The following spring, the plans came out for bid and at the same time, everybody said, the ramp is going the wrong way. People say the DEC told you to put it that way. The DEC I'm sure did not say that. Over this winter, I built a boat

ramp, the company I work for, built a boat ramp for the DEC out in East Marion, which is about 20 miles, down the beach to the east from Reeves Park. It's subject to the same tides. It's subject to the same winds. It was designed by the DEC. It was approved by the same people that approved this application. It was inspected by DEC inspectors. We even had a visit from Chuck Hamilton. Their ramp is perpendicular to the beach. It did not have to go the way it went. Everybody told the Town Board that it didn't have to go that way, but nobody wants to listen. We feel at Reeves Beach, that we can come up with a solution. We don't need a Town Board resolution to limit the use of our beach. We feel that we can do this, we can move the Town Beach down, and we can make an area that people can launch their boats without running over people."

Bob Granger: "I'm Bob Granger. I live in Reeves Beach, Reeves Park. For 15 years I've been there launching my boat. We've been coexisting with the swimmers, my children also swim in Reeves Park. I've heard from many other people for over 50 years there's been peaceful coexistence of boat launching in Reeves Park and swimming. What the Town Board, which I just found out tonight, passed a resolution two nights ago, three nights ago, whenever it was, that they're not going to allowing boat launching in Reeves Park. This is discriminatory. This is illegal. This like not allowing blacks or Hispanics or Polish people to use the beach between 9 a.m. and 6 p.m. This is wrong and we are going to fight it. It is illegal. The Supreme Court, two weeks ago on the same day that they upheld Roe vs. Wade, on the same day there was a South Carolina person that had purchased two building lots and was going to build on them, and after he purchased those lots, the state said that he could not build on them. They passed a law that he could not build on them. The Supreme Court said that he has to be compensated by the state. In essence, what the Supreme Court said two weeks ago, was that any government that is going to restrict what was already law and legal use, would be responsible. What we're looking at right now, if this law is to be upheld, if this law is going to be passed, is that every property owner in the Town of Riverhead can institute legal suit against the Town of Riverhead. My family purchased our home in Reeves Park because of the close proximity to the beach, that we could bathe and that we could launch our boats and now the Town of Riverhead is saying that, no, you can't launch your boat, except when we say you can. Now, this is wrong, this is illegal, and it will be fought. What I am proposing here and I spoke to Joe Janoski since back in May. I spoke to Jim Stark, I spoke to Vic Prusinowski and there's a very, very simple solution to this problem. We can have a corridor down there to launch the boats. It's very, very simple, but apparently it's difficult to get the thing straightened out. What I would like to see the Town Board say is, okay, let's allow this, let's for safety sake, we'll restrict the usage of it, we'll just have a little corridor where you can launch your boats. I sent in a proposal for the change of the laws and we were going to get together and have a meeting and nothing has

come of that and I'm very, very upset that all of a sudden the law has passed without even having a meeting. I would like an answer from Joe and the rest of the Board of why this has happened and why we haven't had a meeting to work out the proposed changes."

Supervisor Janoski: "Are you finished? I will say that I had joined you in wanting to see if a corridor or some sort of accommodation could be made. I became convinced that, that was not possible. I had been told that you had met with the Chairman of the Recreation Committee, which you did, so a meeting was held. The Town Board considered it and in the issue of public safety, acted on the resolution. I would love to find a way to have an accommodation."

Councilman Stark: "There is an accommodation."

Supervisor Janoski: "But failing that, the Board must act to protect the public and their safety. If there is something that can be worked on in the future, certainly this Town Board is open to suggestions, but when I find out that someone is backing a truck down a road with a jet-ski on it in complete oblivion to the people who are on the beach, then I have got to be concerned with the people who are on the beach. I am cognizant of your right and boy, I'll tell you, I would love to see that Constitutional decision stretched to the point that you have taken it. I happen to support that decision and I think it was well warranted and it's about time that people's private property rights were protected, but I don't think it had anything to do with this public property. It's a Town Beach, as Jim was saying, but the Town Board is willing to meet with you folks, the Town Board is willing to discuss anything you want to discuss, but until such a time as an agreement that we can live with can be hammered out, this Town Board has acted on behalf of those who could be injured."

Bob Granger: "Joe, as you and I had discussed in the past, it's very, very simple to have a corridor, a boat launching corridor. As the vehicles go down the ramp and for 50 years in the past, the car part had been to the right and it was under it in law and people knew and they did not put their blankets there, they did not swim there, that was the boat launching area. Because of the design that went in last year, nobody knew exactly where the boats were going to be launched. It's a very simple solution and without going through litigation, without going through courts, I think that the Town Board can say, okay, here we're going to put a corridor for launching the boats and everyone will be happy without all the extra nonsense."

Supervisor Janoski: "Mr. Stark wishes to be recognized."

Councilman Stark: "I met with you last week. I also met with the Sound View Civic Assoc., I believe we call it, not the Reeves Beach Civic Assoc. Over the past year, we have dealt with

the East End Surf Club, we have recognized their importance in the Town as cleaner uppers of the beaches from Wading River, all the way to Iron Pier. We have recognized the fact that there has been an ordinance on the book prior to my arrival on the Town Board that eliminated the vehicle traffic on the beaches between 9 a.m. and 6 p.m. and that was all the way through our Township. We allowed, and I convinced this Board to allow vehicle traffic by the fishermen and boat launchers from Roanoke Landing east, for two and a half miles. Two and one half miles. There is no bathers on that beach and you want to bring boats and boat trailers down, squeeze between the Sound View Civic Assoc. beach, which is no more than 30 feet away from the exit and our ramp and our are beach goers there with children around and I've 4 or 5 letter and memos that have come in with complaints form this past weekend, from our life guards who have said, you've got a dangerous situation and we've got to protect it. Your corridor, you explained it to me. I'll tell you what, right now, I'm prepared to wait till Hell freezes over cause you're not going to convince me of it. I've been a boater for 30 some odd years. I have been at Reeves Beach since I was 4, 3, 4, 5 years. I've lived out here 56 years, when you mention that boat launching has gone on there for 50 years, you're wrong. You're absolutely wrong. I lived here. I spent all of my teenage years at Reeves Beach, but the safety of the public and the children who are on that beach, who run around in random, on a beach, are subject to boats coming down and that's my position on this Board. Whether the rest of the Board wants to jeopardize the public safety and the safety of children on that beach, it's up to them, but that's my stance right now."

Bob Granger: "I don't think that. I hear exactly what you are saying and I don't think we have a question of boat safety. "

Supervisor Janoski: "Can I make a suggestion here? I want to say that this is a very open meeting, it's a public meeting, but we're not going to debate this and I'm not going to allow this debate to go on. The discussion has gone on for some months. My good pal, Jim, comes to every meeting when we're discussing fishing and we try to work these things out. Now, this Town Board is accessible, we will talk with you, but Jimmy said, I said, our first concern is got to be public safety. Presented with that choice, we did what we had to do. The restriction, the resolution has been enacted and this Town Board is not going to rescind it tonight. I can guarantee you that. So, if you what to have a debate, go out in the parking lot and debate, because I'm not going to allow this debate to go on. If you want to meet with the members of the Town Board, you want to come in to a work session, absolutely and maybe we can talk about it then."

Bob Granger: "Could we arrange a work session?"

Supervisor Janoski: "Absolutely."

Bob Granger: "Can we get and a time?"

Supervisor Janoski: "The next Town Board meeting would be the 3rd week in August which is Tuesday in August and we meet the Thursday before. I don't know what that date is... "

Councilman Prusinowski: "It's the first week in August."

Councilwoman Gilliam: "The first Tuesday."

Supervisor Janoski: "The first Tuesday in August."

Councilman Prusinowski: "So it will be next Thursday."

Bob Granger: "Could we set a... "

Supervisor Janoski: "Absolutely. I will say right now that Thursday, what ever the date is... "

Councilman Prusinowski: "I think that's next Thursday, Joe."

Councilwoman Gilliam: "July 30th."

Supervisor Janoski: "July what?"

Councilwoman Gilliam: "July 30th."

Supervisor Janoski: "July 30th that you will be, unless someone else has it, that you will be on the agenda. We start the meeting, well it's advertised to start at 2 o'clock and you, your pal Jim here... "

Councilmen Stark & Prusinowski: "Bob."

Supervisor Janoski: "Come on down and we can knock this around."

Bob Granger: "You're saying July 30th at 2 o'clock?"

Supervisor Janoski: "Is that not what I'm saying."

Councilwoman Gilliam: "I can't speak for you."

Supervisor Janoski: "July 30th at 2 o'clock. I don't have a calendar, but it is... "

Bob Granger: "Does somebody have a calendar. It that the correct date?"

Councilman Prusinowski: "It's July 30th."

Bob Granger: "July 30th at 2 o'clock we can... "

Supervisor Janoski: "The girls of Town Hall saying yes it is, and Lord knows, they know everything."

Bob Granger: "Alright, this is on record that on July 30th at 2 o'clock we can have a meeting to discuss this."

Supervisor Janoski: "Absolutely."

Bob Granger: "Thank you."

Supervisor Janoski: "You're welcome. I am not going to continue this. If you want to come to the meeting, fine, but we're not going to rescind this resolution. We're not going to reenact it. Do you have another subject?"

Keith Fowley: "I would like to comment just on what he said."

Supervisor Janoski: "Sure."

Keith Fowley: "My name is Keith Fowley. I've been in Reeves Park 41 years. That's how old I am. You say you've been here 56 years and it isn't a boat launching area. All I can tell you, back in the early 1960's when I was a kid, Riverhead Town put down, like WWII metal landing mats to launch boats. So don't say that it's never been a launching area, because it has been."

Councilman Stark: "60's to 92 doesn't add up to 50 years, doesn't add up."

Keith Fowley: "You said it never was and you're wrong and I'm telling the truth."

Councilman Stark: "The gentleman is saying more than 50 years. That's what I'm saying. So 1960 to 1992 is about 32 years."

Keith Fowley: "So we're going to now argue whether it's... Correct, so we're going to argue over 18 years. I think he was trying to make a point that it was something that's always gone on."

Councilman Stark: "I argued this point with him last Saturday for about three hours and I kept going, time and time again, if he wants to bring it up again, I'll argue with him again. That's alright. I have no problems with that."

Keith Fowley: "I'm just saying that you're saying something that's incorrect."

Councilman Stark: "Well, I'm not saying something that's incorrect."

Keith Fowley: "Are you saying that they never launched boats there for... "

Councilman Prusinowski: "I'm not saying they never launched boats, but they didn't launch them 50 years ago."

Unknown: (Audience member) "Excuse me, I've lived in Reeves Park in 1953 years and... "

Supervisor Janoski: "Ma'am, first of all your out order. Ma'am, you're out of order and second of all, I am not going to allow this debate. This is senseless. What difference does it make if they launched boats 50 years ago?"

Keith Fowley: "What gives the Town Board the right to change something that has always been? What gives you that right?"

Supervisor Janoski: "The gentleman said he's going to challenge us in court, so let's find out we have the right. We are acting... "

Keith Fowley: "But we're trying to go to... "

Supervisor Janoski: "I am not saying another word. You are there, if you want to talk about this all night long you can. The resolution is enacted."

Keith Fowley: "Done."

Supervisor Janoski: "I have set up a meeting for next Thursday so that the Board can discuss this with you, but we're not going to accomplish anything here tonight. Who cares if there were boats there 36 years ago. I do know that there is going to be children there tomorrow and I do know that there are people who have blindly backed down that hill without any care of any person on that beach and that's this Board's responsibility."

Keith Fowley: "Right. So why did you make the ramp the way you did? You had no regard for anyone when you designed it."

Supervisor Janoski: "Well, I'm sorry."

Bob Panchak: "I'd like to clarify a point because that's my son you're talking about and if you would like, I can have you talk to an impartial person who has no idea what's going on because he doesn't live in Reeves Park and he'll tell you another side to that story."

Supervisor Janoski: "Fine. Tell us Thursday. Ladies and gentlemen, there are other issues in this Town besides going fishing and launching boats and I know that they are important to some people, but we are going to take up the other business of the Town, the resolutions. You are all welcome to come and meet

with us, Thursday next, at our work session and we'll see what we can do."

Councilman Prusinowski: "That ramp was designed for long term stability and also for handicapped access. You guys should say that now."

Supervisor Janoski: "Madame Town Clerk, we are taking up the resolutions."

Resolution #429

Councilman Prusinowski: "Are we going? Resolution 429? I'm going to read this one because it's been a long saga. Resolution 429 revokes and clarifies the intent of resolution 321 of 1991 authorizes use of Town waters to train competitive water-skiers. Whereas on May 21, 1991, Town Board adopted resolution 321, permitting LI Water Skiing Club to use Terry's Creek for aquatic events in 1991 and whereas the Town Board held a public hearing on May 19, 1992 to reconsider resolution 321 and whereas pending a final determination the Town Board adopted resolution 367 on June 5th, 1992 suspending resolution 321. Whereas the Town Board never intended to authorize a continuous and permanent exemption from section 106-9 of the Riverhead Town Code. Whereas the Riverhead Town Code at section 106-9 requires the sponsor to make an application for a regatta or an aquatic event at least two weeks prior to such event. Whereas no application has been filed with the Town Clerk's Office for any aquatic events in 1992 and whereas 321 of 1991 does not constitute the granting of a permit, nor was the resolution intended to grant the LI Water-ski Club any continued approval of the 1992 activities. Whereas any continued water-skiing in Terry's Creek beyond the 1991 season, is a violation of chapter 106 of the Town Code of the Town of Riverhead, which shall be strictly enforced. Whereas the Town Board is in receipt of a letter from the DEC dated May 27th, 1992 which recommended reinstating the prohibition of water-skiing and related activities in Terry's Creek. Whereas the Town Board has considered the efforts of both members of the LI Water-ski Club and local residents to come to an equitable agreement regarding the use of Terry's Creek for competitive water-skiing training and whereas the Town Board has taken into the consideration the public record during the public proceedings of May 19th, 1992. Resolved, that based upon the above Town Board of the Town of Riverhead hereby revokes resolution 321 adopted May 21st, 1991 and be it further resolved that all buoys and all markers laying out any type of ski course on Terry's Creek shall be removed immediately and be it further resolved that the Town Clerk is hereby directed to forward a certified copy of this resolution to William Powell Maloney, Esq., attorney for the LI Water-ski Club and before I move, I just want to ask the Supervisor, based on some very disturbing news that I got today from a NEWSDAY reporter, apparently Mr. Maloney has informed the Water-ski Club that until the judges decision is filed with the Clerk, they have permission to ski and also told them that they are going to

continue skiing until we come and stop them. So, I would ask the Supervisor to take all the administrative authority in his command, including asking the United States Coast Guard to assist our Bay Constable to stop them. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

Councilwoman Gilliam: "Yes."

Councilman Creighton: "It with some sadness that we were unable to reach a compromise between the residents of the area and the Ski Club so that what everybody recognizes as a worthwhile sport couldn't continue in Riverhead and I just find that very unfortunate, never the less, the people of the Town have spoken, the vast majority of the people recommending against approving the skiing in Terry's Creek. Therefore, I vote yes."

The Vote: Stark, yes; Prusinowski, yes; Janoski, yes. 5 Yes.

Resolution #435

Councilman Creighton: "This appoints a special counsel to negotiate labor employee contracts for the Town of Riverhead. There's been questions about this because it does extend for a period of three years and that deserves the review, in my opinion, three years is appropriate because sometimes our negotiation with our unions CES, CSEA, the Police Unions, in fact, have gone on for more than a year, two years in some cases and longer, so, so moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

Councilwoman Gilliam: "As Councilman Creighton indicated, there was a concern about the three years duration of this contract and I still have a problem with that. The previous retainer agreement was for a two year period and I believe that would have been more reasonable. Also, I have a concern that the Supervisor has already executed the retainer agreement and this resolution is coming after the fact, authorizing him to execute something he has already signed and I have some concerns about some conflicting statements within that retainer agreement in terms of the hourly rates that are being charged. In the cover letter to the retaining agreement, there's no mention of a special hourly rate for one particular partner, nor is there no mention of the hourly rate for Summer Associates and paralegals, but yet those rates are contained in the signed retainer agreement and I have some discomfort about these hourly rates being included as part of this package. For those reasons, I vote no."

The Vote: Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 4 yes, 1 no.

Resolution #440

Councilman Stark: "I move resolution 440, 441, 442, 443, 444, and 445 accepting the bonds of the different carting companies that will be taking over our garbage districts, so moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

Councilwoman Gilliam: "While I recognize that the acceptance of the performance bond is a condition precedent to the execution of any contract, which the contracts have not been executed yet, because of my fundamental disagreement with the implementation of the garbage districts, I am voting no."

Councilman Creighton: "It is my impression that when the Board awarded these bids as far as legal requirements concerned the contracts were let as a result of that and we are legally obligated to follow through with them and I think we did the right thing. I vote yes."

The Vote: Stark, yes; Prusinowski, yes.

Supervisor Janoski: "Absolutely. I'm going to call a recess in place here. I'd like to ask Michael Johnson and Hilly Booker to come up to the table here. I would like to allow the Board to ask them a couple of questions before we act on the next resolution. This is no deep dark secret, but if the press would like to come up and listen, they can. How are you doing Hilly? Have you guys worked out an understanding?"

Statements of Michael Johnson and Hilly Booker are Inaudible

Councilman Stark: "Mike, you basically understand what we have done with Hilly on the concessions. You know, you paid the premium to be there, I have no problem with you as long as everybody gets along together."

Supervisor Janoski: "I knew that you guys could work it out. Thank you Hilly and thank you Mike. Thank you. They've worked it out so we'll just pass it the way it is. Okay, I'm going to end the recess. I just wanted to see if everything had been agreed to. It has been so we can move."

Resolution #447

Councilwoman Gilliam: "This resolution supports the efforts of the United Nations Conference on environment and development. I'd like to add that members of the Wading River Civic Assoc.

were very instrumental in planning a commemorative ceremony a couple of months back at the Wading River beach with regard to the Earth Summit and I applaud their efforts with regard to their concern for the environment and that being so, I so move."

Supervisor Janoski: "Is there a second?"

Councilman Prusinowski: "I'll second it. I would also like to make an amendment to the resolution. I would like to on page two, after number four, I'd like to propose an amendment to the resolution by adding number five. What this says is that these are the goals of the conference and the resolution for the United States government to take some action among the carbon admissions being reduced and so forth and so on. I'd like to add number five. Enacting a national recycling standards to encourage industry to use recycled materials as raw materials in the production of new consumer products."

Councilman Stark: "You're moving that as an amendment?"

Councilman Prusinowski: "Right."

Councilman Stark: "I'll second your amendment."

Supervisor Janoski: "The motion to amend is moved and seconded. Call the role on the amendment."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 yes."

Supervisor Janoski: "The motion has been made and seconded, now on the question."

Councilman Creighton: "Mr. Supervisor, may I make a motion to amend?"

Supervisor Janoski: "Yes."

Councilman Creighton: "This philosophically is a great idea and I think that anybody would be insane to object to it. However, when you read the fine print and you look into the background to where this came from, it gives you cause. As you know, that the conference, the international conference became a political issue on a national level. I believe that this particular resolution in it's original form, was submitted to this Board by an act of this organization that has particular political bent. It had the name Bush in here bashed several times, we have negotiated that out of it and I'm willing to go along with this because of the general intent that we need to clean up the environment and we need to protect and we, certainly agree with that. I would move that one additional amendment be made and that is on the second page, where it indicates among the goals that we reduce U.S. Carbon emissions by at least 25%. In my research locally here, I've been unable to determine what

that's going to cost the nation and I don't feel, I'm not sure that there's any... Maybe if somebody confident here to explain to me how much that's going to cost us in the way of taxes and so forth, and that it is a reasonable go, maybe I'll go along with it, but since I've been unable to do that and get that information, I would move that that particular goal be deleted for lack of backup on it. So moved"

Supervisor Janoski: "There is a motion to amend."

Councilwoman Gilliam: "I have a question on the motion."

Supervisor Janoski: "Question on the motion."

Councilwoman Gilliam: "Question on the motion Councilman Creighton. Are you assessing or attempting to assess a price to the well being and health and future of our generations with regard to their ability to breathe clean fresh air. I mean, at what price are you asking, at what price is this a worthwhile cause?"

Councilman Creighton: "As you know, life is full of trade-offs, and that's the basic issue when you get down to the energy because we, you know, it's the issue with coal versus nuclear and it comes down to how many people die from coal emissions versus how many have died, would die, from nuclear and you end up, instead of working of science, you end up making a decision based on emotions and all I'm saying is that we have, and I certainly agree that's it's to the welfare of all the people in the world to support strong movement to clean up our air, water and keep it that way. At the same time, when you get specific and say, reduce carbon emissions by at least 25%, you're doing it on an irrational basis. You know idea what this is going to cost, you have know idea what it means and I just have difficulty going along with that and I don't think it should kill the resolution."

Councilman Prusinowski: "I'd like to continue the discussion, Supervisor, if I may?"

Supervisor Janoski: "Well, actually, I'd like to have a second, because I'm supposed to have that before a discussion can take place."

Councilman Prusinowski: "I'll second it for the point of discussion, but I might want to amend the amendment."

Supervisor Janoski: "It's seconded. Now we can discuss it to death."

Councilman Prusinowski: "How about if we just eliminate.. "

Supervisor Janoski: "Are you out of tape yet?"

Councilman Prusinowski: "How about if we just eliminate the words, by at least 25% and just have, as a general goal, reduce U.S. Carbon emissions. Would that be acceptable to the maker of the amendment?"

Councilman Creighton: "I would agree with that. I certainly do and don't be shy Mr. Stark if you want to make a speech. Don't wait for the tape to run out."

Councilman Stark: "No, I've got things to do Mr. Creighton."

Councilwoman Gilliam: "In the spirit of democracy, that's acceptable to me."

Councilman Creighton: "Alright."

Supervisor Janoski: "There is an motion on the floor for the amendment."

Councilman Stark: "In the spirit of the hour it's acceptable to me."

Supervisor Janoski: "Motion to remove the percentage and just state as a goal, the reduction of carbon emissions. Would the Clerk please call the role on that amendment. God, this is like the real thing isn't it."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 yes.

Supervisor Janoski: "Now can I call the role on the question. Call the role on the question."

The Vote: "Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 yes.

Supervisor Janoski: "I'm going to ask Councilman Prusinowski as the senior member of the Board to act as Chair of the meeting because I can't wait any longer."

Councilman Prusinowski: "Okay. Let's move on to resolution 448."

Resolution #448

Councilman Stark: "Resolution 448 rejects adoption of amendment to chapter 108 "Zoning" of the Riverhead Town Code, section 108-169 "Multifamily residential professional office zone, so moved."

Councilman Prusinowski: "Seconded. Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes.

Councilman Prusinowski: "I just want to point out that this amendment would have altered the zoning category that was put in place by the Wading River Hamlet study and we're rejecting that. We're going to keep it the way it is. Yes."

Resolution #449

Councilman Prusinowski: "Authorizes publication of request for professional services for East Main St. corridor traffic study, so moved."

Councilman Stark: "Seconded."

Councilman Prusinowski: "Moved and seconded."

Councilwoman Gilliam: "With the understanding that this is just a request for proposals and that there is no obligation at this point to proceed with any actual study, I vote yes."

The Vote: Creighton, yes; Stark, yes; Prusinowski, yes. 4 yes.

Resolution #450

Councilman Stark: "Authorizes the Supervisor to renegotiate employment contract with Kenneth Testa, the Town Engineer, so moved."

Councilman Prusinowski: "And seconded. Moved and seconded."

Councilman Stark: "Wait a minute, Mr. Chairman, I request that this vote be held up until the Supervisor returns."

Councilman Prusinowski: "Okay, so we will... "

Councilman Stark: "We'll take a five minute recess, please, Mr. Chairman?"

Councilman Prusinowski: "A five minute recess will return a quarter to 10. Here comes Joe right now."

Councilwoman Gilliam: "I have a fundamental disagreement with Department Heads having individuals contracts. In the first place, I think it's an unnecessary cost to the taxpayers and I think that by authorizing the Board to renegotiate an employment contract in just a further perpetuation of this concept of contract, rather than getting away from that, and secondly, I disagree with the notion of renegotiating a contract for additional compensation as an inducement for continued employment in the Town, so I vote no."

Councilman Creighton: "This contract, as indicated, was signed in 1990 along with about 10 other Department Heads and a couple of Assistant Dept. Heads or Deputies. The salary

structure was changed annually, including 7 months ago. This contract expires in five months, at the end of this year. I have suggested that it would be inappropriate to open this up at this time since it does have an impact on the other dozen or so Dept. Heads who are on the same contract and would consider this unusual. Mr. Testa has been a tremendous asset to the Town. He deserves an increase in pay based on performance and I think that I would support that in his next contract. If this resolution would proposed that the Supervisor start negotiating with Mr. Testa and the other Dept. Heads, on their new contract which should be started now, because it will go into effect on the first of January, of the coming year, then I would certainly go along with it. However, I see no reason, no justification, and a great deal of harm that might come from opening this contract for renegotiation at this time, so I vote no."

Councilman Stark: "Yes."

Councilman Prusinowski: "I'll vote to renegotiate, but I am not, I don't want anything signed until the terms of the renegotiations... okay. So, I vote yes. If you want my yes vote, that's my condition, I vote yes."

Supervisor Janoski: "Well, I listened to what everybody says and I have to agree with Harriet that we should not have contracts with Dept. Heads, but we do, and we did before I became Supervisor and there's a catchy little phrase at the end of it which says that these contracts remain in effect until a new one is negotiated. A provision of the contract, and one of the things that I am going to negotiate with Ken Testa is the removal of the phrase because when a contract is over, it's over, but I, and there are other little things in that contract that should be removed as far as the wording goes. That's going to be my task as authorized by the Town Board. I agree with her. We shouldn't have contracts. I never and have resisted recognizing Dept. Heads as a group. They tried to become a group, a negotiating the group. They tried to for a union and negotiating with them separately is something I want to do because I don't want them organized as a group. So, I accept and I vote yes."

The Vote: 3 yes, 2 no.

Supervisor Janoski: "Harriet wanted to make a comment on resolution 451 which was passed at the beginning of the... "

Councilman Stark: "Well, let me present it first will you."

Supervisor Janoski: "Well, it's already been acted on. I recognize you."

Councilwoman Gilliam: "Thank you Mr. Supervisor. Because Lieutenant Foot was sworn in, I did not have the opportunity to explain my reasoning for voting no with regard to that particular resolution and I'd like to do so at this time. I believe the

resolution, is first of all, misleading, in that it suggests that Lieutenant Foot was the number one candidate. In fact, Lieutenant Foot was number one with regard to his score on the civil service test, but under civil service law, the Town is required to consider the top three scores with regard to any position of this nature and there were two other candidates who were considered and to indicate, that he's being selected because of his number one placement on the list, I think is inaccurate and I think to place full emphasis on one's standing on a civil service list when it comes to making an appointment, which is at this point, the second highest level within our Police Dept., overlooks some of the other qualities which are needed in filling a position of this nature in terms of how the individual who is going to be appointed relates to community, relates to young people, what types of innovative ideas they have, and looking at the total package of the person and not just solely based on what their civil service test was. So, with that in mind, I felt there were other criteria that needed to be examined, rather than solely basing it on standing with regard to a civil service test."

Councilman Stark: "Let's go on Mr. Supervisor."

Supervisor Janoski: "Okay, moving right along."

Resolution #457

Councilman Prusinowski: "We're clarifying resolution 428, adopted July 16th, 1992, re: the launching of boats at Reeves Beach and authorizes Town Clerk to publish and post notice of adoption, so moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

Councilwoman Gilliam: "Yes, with the understanding that we will be having a following up meeting as plans have been made."

The Vote: Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 yes.

Resolution #458

Councilman Creighton: "This appoints Oliver Miles to the position of custodial worker I, based on a stipulation involving CSEA, so moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes.

Councilman Stark: "No. Conference."

Supervisor Janoski: "Conference."

Councilman Stark: (Inaudible.)

Supervisor Janoski: "Yeah, he was out on disability and he got a note from his doctor that he can return to work. However, there is no job within the maintenance/mechanic category, so he's taking a lesser job as custodian and is being assigned to Jamesport. This is perfectly acceptable to us and I think (inaudible)."

Councilman Stark: "Yes."

The Vote: Prusinowski, yes; Janoski, yes. 5 yes.

Resolution #463

Supervisor Janoski: "I recognize Harriet Gilliam for the purpose of a motion."

Councilwoman Gilliam: "Mr. Supervisor, I would like to entertain a motion at this time to introduce a resolution to adopt the special permit application of Mrs. Shirley Fields to operate her day care center. I think this is an example of private enterprise that works well, that serves the community and provides good, sound and efficient educational benefits to young children and it's an endeavor that should be encouraged and with that I so move that the resolution be adopted."

Councilman Stark: "We'll see the wording in the morning?"

Councilwoman Gilliam: "You can see the wording in the morning Mr. Stark."

Councilman Creighton: "It some embarrassment that the paperwork was lost in Town Hall for a year and a half, I second that motion."

Supervisor Janoski: "That is absolutely not the case. You know, that's a misstatement and I tried to clear that up and I'm not going to allow that to stand. Mrs. Fields thought that the Planning Board approval was all that she needed and never did follow through with the special permit application. Unfortunately, not any fault of her own, this was not understood when she was at point (inaudible) that she was advised that she was running without a permit and followed through with the process and I wish that that kind of thing would not be said in ignorance of the true facts."

Councilman Creighton: "Well, I researched it today and I can accept the fact that we sometimes make mistakes in Town Hall and this should have been pursued in 1990."

Supervisor Janoski: "Well, it's unfortunate we didn't have you there then, or else we probably would have picked up on it. Continue with the role call."

The Vote: Gilliam, yes; Creighton, yes.

Councilman Stark: "Yes. I've known Mrs. Fields for a long time and have recognized her abilities in the community and probably years ago she would have spanked me on the rear end too, so I vote yes."

The Vote: Prusinowski, yes; Janoski, yes. 5 yes.

Supervisor Janoski: "I recognize Councilman Stark for the purpose of making a motion requesting community representation on the ferry study, just in case you forgot."

Councilman Stark: "I did forget and I do request that the Town Board pass a resolution requesting this representation and in during the Calverton Hamlet Study we will also address the topic of the cross sound ferry which is proposed by those from outside of our community, mostly west who want to come out here and toy with our virgin country. We will have a great deal of topic done in our study done in Calverton, which we have got representation from Wading River and I so move that that resolution be adopted tonight and Mrs. Gilliam, will see the wording in the morning. Thank you."

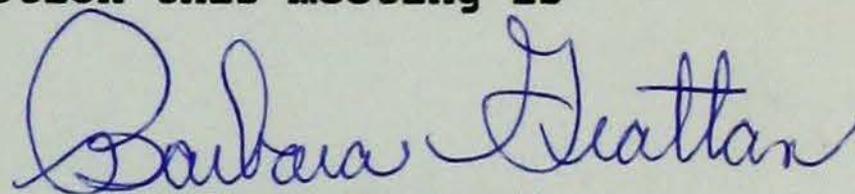
Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded. Please call the role."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. 5 yes.

Supervisor Janoski: "Without objection this meeting is adjourned."

BG:gah



Barbara Grattan
Town Clerk