

Minutes of a Regular Board Meeting held by the Town Board of the Town of Riverhead held in the Riverhead Town Hall, Howell Avenue, Riverhead, New York, on Tuesday, September 21, 1993, 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.

Supervisor Janoski: "May I have a motion to approve the minutes of the Regular Town Board Meeting of September 7, 1993?"

Councilwoman Gilliam: "So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

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

**Reports:**

Jamesport Fire District	1994 Budget
Manorville Fire District	Special Election Report
Riverhead Sewer District	Discharge monitoring report for the month of August, 1993

**Correspondence:**

Patricia Hodun	Letter of resignation
NYS DEC	Authorizing the construction of

- the Town's temporary transfer station at Youngs Avenue
- Susan and Steve and Shirley Sottesfeld Object to dropping heavy animals from heights into pools as an amusement
- Everett Hael Praises the good work of Mary Loughlin who teaches Country Western dancing for the Riverhead Rec. Dept. at Jamesport Community Center
- NYS Dept. of Transportation Reporting its findings involving the intersection of Route 25A and Sound Avenue
- Southold Town Clerk Notice of enactment for Local Law No. 19-1993 "A local law in relation to special exception fee"
- Evelyn Van Houten, Chairperson of Senior Citizens Advisory Council Recommends Edward Branch to replace Robert Baranello on the Senior Citizens Advisory Council
- Riverhead Enterprises Thanks Joseph Janoski for the courtesy extended at previous meeting and sends follow-up letter regarding what they will do if Town demolishes building
- County of Suffolk Notice of enactment for Town of Southold's Local Law No. 19
- Southampton Town Clerk Four notices of adoption and three notices of Public Hearings
- County of Suffolk Application notice for the renewal of permit to collect refuse and garbage
- Supervisor Janoski: "Thank you. There are no applications."

Barbara Grattan: "No applications."

Supervisor Janoski: "There are about seven minutes remaining before the first scheduled Public Hearing. I'll recognize anyone who wishes to be heard on any subject. Yes, sir, Barry."

Barry Birnstein: "Good evening. My name is Barry Birnstein. I live in Bear Estates. I have a statement I'd like to make to the Board. I would appreciate the opportunity to complete the statement without interruption. Thank you."

We first came to the Town Board on September 15, 1992, because of severe flooding and drainage problems in Bear Estates that occurred in June of 1992. This resulted in serious property damage to many of the homeowners who live there. The majority of these people also experienced serious problems with the construction and the workmanship of their homes.

The Town of Riverhead sponsored and oversaw this project which was the largest affordable housing project in New York State history. We have relied on the belief that the Town would stand behind the people who participated in this affordable housing project and who, in turn, also became taxpayers. The people who participated in this lottery had no choice but to follow the requirements that the Town and the State imposed on them. We simply had to do what we were told to do.

We have tried to work with the Town to solve these problems. We have spoken at five public Town Board Meetings, and we've also had numerous conversations in private with both Victor Prusinowski and Jim Stark. There have been several stories printed in the News Review regarding the problems we're experiencing with our homes. People who don't even live in the developments have spoken both at Town Board Meetings and also privately with us in support of what we're trying to accomplish.

It's now over one year later. We still have not had some of the serious drainage problems rectified. Two Bears builders has been uncooperative with both the homeowners and the Town. A specific time frame has never been imposed by the Town Board on Two Bears as Harriet Gilliam suggested at the Town Board Meeting of September 15, 1992. Consequently, both we and the Town Board are still dealing with these problems.

It has been stated by Victor Prusinowski at the November 17, 1992, Board Meeting that if the problems were not rectified, the Town is going to call the performance bond. He stated that the Town has a lot of latitude in calling the bonds. It was also stated by Mr. Prusinowski that the Town could call the bonds on that night to fix the drainage. But the Town would not have the leverage to fix the other problems with the houses.

At this point, over one year later, it appears that Two Bears builders is simply not going to fix the problems that they created. Therefore, we are asking the Town to take a consensus of all the homeowners who are affected by these drainage problems to determine if the homeowners want the performance bond called in order to get this flooding corrected as soon as possible and take it out of the control of Two Bears builders.

In addition, the Town should impose a deadline of no more than two weeks from this date in order to obtain the funds that are necessary to complete this drainage work and pay for the engineering fees as the builder has agreed. This should be done immediately. If the builder does not put the required funds in escrow with the Town by this deadline, the bonds should be called.

Supervisor Janoski has told us publicly at several Town Board Meetings that he wants this situation brought to an end. Tonight you have the opportunity to accomplish this. There is no doubt that this will cause a further delay. However, it has become clear to us that nobody is willing to help us. The Town will not stand behind the contract they entered into with Two Bears builders. The builder should have been sued for breach of contract because of the numerous complaints they have received.

As mentioned previously, if a specific deadline for the correction of these problems was imposed on Two Bears a year ago, it would not have come to this point. The homeowners in Bear Estates have been patient long enough. It is time for this Town Board to stand behind the residents of this Town. The time has come for this Board to declare Two Bears builders in default of this bond.

Thank you."

Supervisor Janoski: "Would anyone else like to address the Board? Steve."

Steve Haizlip: "Steve Haizlip of Calverton. I'd like to ask a question here. I don't know if Southold Town and Suffolk County is in cahoots here or not. I'm not facetious, but I just noticed that Southold says they're enacting a Local Law No. 19, and a Local Law in relation to special exception fees. Then over here on the other side, the County is getting into the act of Southold Local Law No. 19. I thought that the Town governs themselves. How is the County getting into Southold? And then can I elaborate a little bit further, why is it that Southold and Southampton feed info into us or to the Town Board I should say, for meetings. Is the Town Board here feeding info there? Oh, okay. Then that's what you call giving them equal time. All right. But anyhow, the Town of Southold is writing up the law and then Suffolk County is getting into the act. I don't understand Suffolk County getting into the act. You got any explanation for that? If you don't, that's okay, too, because I don't (inaudible) mixed up, you know."

Supervisor Janoski: "I don't have the entire letter and I'm not going to guess at what Suffolk County is doing."

Steve Haizlip: "Okay, Joe."

Supervisor Janoski: "The Town Clerk will get the entire letter and we can explain it to you."

Barbara Grattan: "Okay."

Steve Haizlip: "All right. Somewhere in the neighborhood of about six, eight months ago, give or take a little bit, the Japanese sent a couple of their American ambassadors here to the Town Hall to ask for building expansion to the Firestone facilities here in Riverhead. I haven't seen anything happen. I haven't seen anything take place. Is it rescinded? Is it-- what happened, in other words? How come it isn't going forward? You have any idea on that?"

Supervisor Janoski: "I don't know. They have not started the project. I can't explain why, but they do have the permits."

Steve Haizlip: "Well, if they don't do anything within a year, I guess that's it then. Huh?"

Supervisor Janoski: "They can renew."

Steve Haizlip: "All right. Yeah, right. All right, thank you."

Supervisor Janoski: "You're welcome. I recognize you, Harriet."

Councilwoman Gilliam: "Thank you, Joe. Just as a courtesy to Mr. Birnstein and those Two Bears homeowners who are present, there are Resolutions which are scheduled to be acted upon tonight that do take some action with regard to your concerns. I just wanted to let you know that later in the Meeting when we get to the Resolutions, that there will be, if the Board acts favorably on those Resolutions, that there will be some action taken tonight with regard to that."

Also, today I was in touch with Mr. Joe Mendez at the Housing Authority-- Housing Finance Authority-- and he relayed to me that he wants to hear from any homeowner who has a concern or has a problem, to feel free to contact him, send him a communication, because you know, he is concerned, but, again, he wants to hear from the homeowners. So if anyone wants to pursue that, then you can see me after the Board Meeting and I'll make sure you get the particulars."

Supervisor Janoski: "Dean?"

Dean Terchunian: "Dean Terchunian, resident of Bear Estates in Riverhead. I'd like to state that I agree with the statement that Mr. Birnstein made previously. I'd also like to request the Board, and I believe they've been working on this, to file a class action suit against Two Bears builders concerning the building of the homes at Bear Estates. Thank you."

Supervisor Janoski: "Is there anyone else who wishes to address the Town Board? Yes, ma'am."

Pat Miller: "Hi, Pat Miller, Two Bears Estates. This question is basically directed to Pat Moore. I received a letter from you June 22nd, stating that there's money in escrow to assure completion of all the work that should be done by the proposed work."

Patricia Moore: "The letter was directed to all the homeowners -- the particular job that was proposed, that John Raynor had reviewed with you and all the other homeowners that are affected, that we were going to ask Two Bears to put money in escrow to guarantee the completion of the job in accordance with the plans. That's if Two Bears agreed to undertake the repairs."

Pat Miller: "According to this letter, it states here that at the time you were dealing with Al Tuft. And Al Tuft did agree with the proposed plan."

Patricia Moore: "That's right. Correct."

Pat Miller: "So there, in fact, should have been money put into escrow."

Patricia Moore: "Correct. Well, that was the agreement and now he's in breach of that agreement."

Pat Miller: "Okay. All right, that's all then. Thank you."

Supervisor Janoski: "Thank you. George? Before you get up there, I want to tell you something. I don't know what you got planned but this is a Town Board Meeting and I expect that you're going to treat the Town Board with respect and you're not going to make a mockery out of it. Your shenanigans last time, I think, were insulting and I don't intend to allow that to happen. If you have some issue you'd like to speak about, God bless you, speak away. If you want to make a fool out of somebody, including yourself, then there's the microphone."

George Schmelzer: "You don't want to make a fool out of yourself. Okay. Start off with your plan. You're too late to get a tax reduction. Five-eighths of an acre you should know that, you're months too late. You're stuck. I got something else for you too, but, I guess you don't want it."

Supervisor Janoski: "George, I absolutely do not wish you to carry on in this manner. If you have an issue you'd like to discuss with the Town Board, we're here to listen to you. If you want to have -- put on a show, I suggest that you make arrangements with the TV studio. They have access time for the public."

George Schmelzer: "I guess you're afraid."

Supervisor Janoski: "I'm not afraid, George. I just think-- I know what this is. It's a Town Board Meeting. We're discussing serious matters."

George Schmelzer: "Yeah. I wish you would be serious all the

time. Like the last few weeks, I heard a lot of serious talk on both sides. I don't know whether to call it manure or to call it mental pollution. Maybe Freddy Brown could decide if it's mental pollution or not. So I think it should be cleared up. I think I'll give each one of you a brush so you can clean it up. I'll give you each a clothespin to put on your nose while you do the cleaning. Okay?"

Supervisor Janoski: "George, you are under, I think, the misapprehension that I have to recognize you every time you raise your hand. You are mistaken. And I do wish that you would find it in your heart to conduct yourself in some sort of reasonable manner. You want to give the clothespins to the Town Clerk, do it and then sit down. You've made your point, so let's have the clothespins so we can move on."

George Schmelzer: "Okay, thank you."

Supervisor Janoski: "You're very welcome."

George Schmelzer: "You really mean it?"

Supervisor Janoski: "Yes, I do."

George Schmelzer: "Yeah, thank you, Joe. You better stop smoking, too."

Supervisor Janoski: "I stopped two days ago."

George Schmelzer: "You did?"

Supervisor Janoski: "Yes."

George Schmelzer: "Good. 'Cause if you don't stop smoking, you're going to save the taxpayers money. They won't have to give you any pension."

Supervisor Janoski: "This is true. Now, before we take up the Public Hearing, is there anyone else who wishes to address the Board?"

Barbara Grathwol: "Hi, my name is Barbara Grathwol and I live over at Two Bears. And I agree with Mr. Birnstein, and I think that it's been going on a very long time and I think something should be done. We've heard different dates, different promises, and nothing

is done. I think something should be done."

Supervisor Janoski: "I'm sorry, Dean. We've heard from you. Mr. Kasperovich. Yes."

William Kasperovich: "Are you going to open the Meeting after the Public Hearing?"

Supervisor Janoski: "George, I want to get this done. I'm sorry, Bill. I want to get this done now. We have six Public Hearings."

William Kasperovich: "William Kasperovich, from Wading River. The first thing I would like to bring up and if you'll permit me, Mr. Janoski, just to bring it to the forefront and to bring in notice to as many people that live in this township as we can, that the speed limit on Route 25A is going to be 45 miles an hour from the traffic light at the new Hess Station, to a point east past the Sound Avenue intersection, 1000 feet. That's approximately very close to a mile that we will have 45 mile an hour speed limit. And in order to make it worthwhile and people to pay attention to it and not be cited for speeding, to bring to the attention of everybody here, in the news media and whichever way you might conceive to inform the residents that such a change is in effect. I am told that the signs are going to be up before the month is out and I've related this telephone information to the police chief as such, and rather than give out tickets, to let people know. Because we are creatures of habit.

All right. Number two. Several months ago, I brought to the attention of Councilman Prusinowski, a question with regards to taxes and the amount of taxation for the highway portion. Mr. Prusinowski said he will look into it and get back to me. Now, there appears to be a problem there because all indications are that we have been, as they said in the colonial days, taxation without representation. We've been taxed for something we're not getting. And I brought this up once before, and I bring it up now as a point of principle that in this country you don't tax us for something that we're not getting. And Mr. Janoski, you've been here long enough to know this. Like in your (inaudible) meeting, even uncovered a road that you didn't know was part of the township network. We have to review all the roads in the township, 'cause you've been here long enough to know all these roads. And those which have been taxed improperly have to be corrected and mainly by you because you've been here so long and you've

ignored this for so long. And this is not one of the good things you've done in this township. I'm sorry that I have to be the one to bring this up. Thank you."

Supervisor Janoski: "Thank you. Bill, I just want to say that that road that you bring up is one that I've discussed more than any other road in this Town. It's not that I'm not aware of it. It happens to be a long running dispute in that area of town, and I'm well aware of it. And, it's not that it's-- "

Councilman Prusinowski: (inaudible).

Supervisor Janoski: "That's what you're talking about."

Councilman Prusinowski: "And it's been resolved."

Supervisor Janoski: "And Councilman Prusinowski is also adding that the problem has been resolved. But, believe me, I'm aware of it."

William Kasperovich: "But the problem has not been completely resolved because the taxation has been-- has not been considered. Those people have been paying for something they have not gotten over the years. Now, this has-- it's possibly overlooked. There's possibly many other explanations. What I say, it's time that we straightened it out. We're getting taxed for something we're not getting. People in the township are paying money for something they're not getting. This should be corrected. And there's no excuse anymore, particularly for a man that's been in charge for so many years."

Supervisor Janoski: "Thank you, Bill. Dean?"

Dean Terchunian: "Dean Terchunian, a Bear Estates resident. I have offered privately and I'm going to offer publicly to the Town Board, any expertise that I can offer in solving the Bear Estates problem. Thank you."

Supervisor Janoski: "Thank you. Who over here had their hand up? Did you? Oh, the Public Hearing, okay."

P U B L I C H E A R I N G O P E N E D: 7:25 p.m.

Supervisor Janoski: "Let the record show that the hour of 7:25 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 Hearing to be held at Riverhead Town Hall at 7:10 p.m. on Tuesday, September 21, 1993, to hear all interested persons who wish to be heard regarding the consideration of an amendment to Chapter 101 Vehicles and Traffic and Section 101-3 of the Riverhead Town Code, Stop and Yield Intersection; Railroad Crossings."

Patricia Moore: "The Town Board has proposed adding a stop sign at the following intersection of Hubbard Avenue; a stop sign on Edgar Avenue entrance from the north. We're adding a stop sign to the intersection of Hubbard Avenue. The stop sign will be on Edgar Avenue. The entrance is from the north. You hear me? Okay."

Supervisor Janoski: "Is there anyone present who wishes to comment on the addition of this traffic control sign? That being the case, and without objection, I declare the Hearing to be closed."

P U B L I C   H E A R I N G   C L O S E D:   7:26 p.m.

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P U B L I C   H E A R I N G   O P E N E D:   7:27 p.m.

Supervisor Janoski: "Let the record show that the hour of 7:27 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 Hearing to be held at Riverhead Town Hall at 7:10 p.m. on Tuesday, September 21, 1993, to hear all interested persons who wish to be heard regarding the consideration of the amendment of Section 101-19 of the Riverhead Town Code, Parking for Handicapped."

Patricia Moore: "For the Town Hall watchdogs over there, there was an error in the description so this will probably have to go out and be republished and there will be another Hearing, but for the sake of those that are here, I'll describe-- the handicapped spot will be the southerly side of the street beginning at the easterly terminus of a driveway on the westerly side of the building and running 40 feet east along-- it should say West Main Street rather than East Main Street. So the intention is on West Main Street, right across from where BOCES

-- I guess BOCES still located, so there will be a handicapped spot."

Supervisor Janoski: "Is there anyone present who wishes to address the Town Board on the addition of this handicapped spot?"

Warren McKnight: "Warren McKnight, Wading River. In an effort in harmony with the Town Board in order to disseminate this information and other information about Riverhead town to the handicapped people including employment and other opportunities in Riverhead, I was in contact today with the committee to reach all Suffolk handicapped, recognized committee called CRASH, located in Coram, I have their name and address and the president of that is Rev. Norman Menard. He's requesting that you send information on occasion that handicapped people would be interested in, including employment, parking and other opportunities in Riverhead to them so they can disseminate this information to the people of Riverhead and surrounding areas. I'll put this name and address and phone number into Town record."

Supervisor Janoski: "Thank you, Warren. Is there anyone else present who wishes to address-- now, Steve, we're going to republish this, I may want to save it for next time. But if you want it now, come up. We're going to have to redo this Hearing-- "

Steve Haizlip: "The Public Hearing is now."

Supervisor Janoski: "No. It's not. I'm just opening it up for the comment of those people who may be here because of the Hearing."

Steve Haizlip: "Well, I've had past experience with this problem, so I think I'm qualified to speak on it. Steve Haizlip of Calverton. At the last meeting, there was talking about a parking field at that time. I believe Mr. Kasperovich spoke about when it snowed and so forth and heavy rains about the police issuing tickets."

Councilman Stark: "I think he was referring to the parking stripes up at the hospital."

Steve Haizlip: "Yeah, right."

Councilman Stark: "That during a snowstorm you're not going to see the parking stripes."

Steve Haizlip: "Right, okay, that's what I'm leading up to. Now,

there was a case in Huntington where police issued a ticket in a handicap because there was snow on the ground, but the policemen knew it was there because he's made it, but the person parked, didn't know it. So here a couple of years ago, or maybe a few more, right up in Harrow's shopping center, it was raining cats and dogs and the markings were kind of faded and with the dark and dreary out, my son pulled up there to go in one of the stores and when he come out, there was a ticket there. So I want to comment that I think that Riverhead town police department, I believe, has a half a brain and they are not going to do anything like this, ticket people in the handicap when the snow is on the ground or when rain is on the ground and markings are very vague and it's dark and dingy out there. So, that's the part that I want in it."

Supervisor Janoski: "Thank you, Steve. Is there anyone else present who wishes to address the Town Board on the subject of this handicap parking spot? That being the case, without objection, I declare the Hearing closed."

P U B L I C H E A R I N G C L O S E D: 7:32 p.m.

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P U B L I C H E A R I N G S O P E N E D: 7:32 p.m.

Supervisor Janoski: "Let the record show that the hour of 7:32 p.m. has arrived. We will take up the next two Hearings inasmuch as they are related."

Barbara Grattan: "I have affidavits of publishing and posting of a Public Hearing to be held at Riverhead Town Hall at 7:15 p.m. on Tuesday, September 21, 1993, to hear all interested persons who wish to be heard regarding the consideration of the repeal of Article 1 of Chapter 95, Senior Citizens Exemption.

The second Hearing is to be held at 7:20 p.m. on September 21, 1993, for the consideration of a Local Law to provide continued relief from the burden of real property taxes for certain elderly persons by removing the local option of increasing income limits and further to make permanent and run concurrently with the maximum allowable income under New York State Real Property Tax Law Section 467."

Supervisor Janoski: "Thank you. Is there anyone present wishing

to address the Town Board on these matters?"

Henry Pfeiffer: "Henry Pfeiffer, Wading River. The measure of this society is the manner in which it treats its members, especially its most vulnerable, the very young, the infirm and the elderly. The senior citizen is an integral, invaluable and inseparable part of our community and needs exactly the same thing as does a younger person, that is health, clothing, food, money and so forth and so on, self respect.

When we were younger, our parents spoke to us, cautioned us, admonished us, nagged us, about saving for our older age, save for a rainy day, provide for yourself and so forth, and after awhile, this sank in to us and we worked, planned and saved so that our later years might be spent in social dignity and economic security. But somewhere along the line the rules changed without concurrence. Suddenly, we are confronted with insidious inflation which has reduced the value of the dollar perceptibly. Our savings no longer draw the interest that helped us to provide for it. Our Social Security have been reduced to an imperceptible degree and Social Security earning income are now taxable. And that result is that some of our senior citizens, our older people, lack some of the basic needs to live a decent life. And I think that in passing this-- what is it-- New York State Real Property Law Section 467, to allow the maximum amount there for those senior citizens who by means testing become eligible for this would be a tremendous step forward to helping those people live a reasonable and decent life. Thank you."

Supervisor Janoski: "Thank you, Henry. Would you explain this for Steve, Victor?"

Councilman Prusinowski: "Steve, basically, when the State legislature increases the schedule of the deductions, for example, I think it goes up to \$21,000, or 10% and there's a sliding scale, this is a real estate property exemption for senior citizens. Whatever the State does, it would automatically kick into the general town tax base which affects our budget. So when the State legislature raises the exemption limits, it will automatically take effect in the town of Riverhead-- the town of Riverhead general town budget."

Supervisor Janoski: "Warren."

Warren McKnight: "Warren McKnight, Wading River. When this is

done, the money that has-- difference, where does that come from?"

Councilman Prusinowski: "Other taxpayers."

Warren McKnight: "In the town?"

Councilman Prusinowski: "Right. The impact for the 1995 budget will be \$37,000."

Warren McKnight: "I think there has to be another formula. I mean, maybe, with professional tax accountants, pro bono, or anything-- say somewhere along the line-- somewhere along the line a person's income, a person's expenses, and property tax, and of course the other taxes that a person cannot pay these. Or are having difficulty paying these, especially no matter who they are, especially when you get older, but if somebody gets sick, a child gets sick or somebody gets sick, other things. This, I don't have to tell you what's happening here, but something-- this issue has to be seriously addressed by all of us and I'm not going to focus on the people here, but this is a bigger issue than what's here-- it's Suffolk County and Nassau County and across the country. So this issue has to-- and as Henry said, but people, myself included, are having trouble paying our property taxes, and we work very hard, you know, and I'm asking you as our town leaders to have some answers and some serious suggestions on this."

Councilman Prusinowski: "If I were you, I'd go to the next Shoreham-Wading River school board meeting because I read in the Wading River Journal the salaries that they're paying the teachers up there, and now that the plant is coming off line, the Wading River people and the fire district in Wading River are going to get a tremendous tax increase, and don't confuse that with the general town tax increase. For many years a lot of people in this town did not want to live on this side of the town because of the Shoreham plant. And I just warn you that Brookhaven is getting a county tax increase which is miniscule. Your fire district taxes and your school taxes are going to go through the roof and it's a sliding 10 year scale that Mr. Kessel and a few other people negotiated with the governor with Lilco and there's a tremendous impact. And now is the time for them not to paying \$91,000 salaries for school teachers in the Shoreham-Wading River school district. So if you want to focus on why property taxes are going up let's start at the school districts, too. I'm not saying that all town governments and county governments are not at fault, but I was rather surprised when I read the article in the Wading River Community

Journal because it's pretty alarming."

Supervisor Janoski: "Do you want to throw something in there?"

Warren McKnight: "Well, according to Paul Henry, who is a tax accountant in Greenport, and he's not God, far from it, our taxes in Riverhead and in other towns, and we have a very low median income. Getting back-- Riverhead has the lowest median income according to the 1990 census. We have the lowest median income, our taxes over a 10 year period, people have all different figures, this is a conservative figure, 123%. The point is, each year my taxes go up. Each year our incomes go down, people get laid off from Grumman and everything else. We have to reach a point where we have to say, we have to put a cap on something, we have to cut services all over, we have to bite the bullet. You know, and we have to set priorities and we can't be scapegoating. We really can't scapegoat. There are lobbies, yes there are lobbies. There's an educational lobby, this lobby, there's all different lobbies. But the point is we don't have any more money. This is all I'm saying and we can't point fingers at other people. We all have to come together and focus on these problems. And this is what I'm asking you. Again, and again no matter what time of year it is."

Councilman Prusinowski: "When the town government is giving out pay raises to its employees at 4%, why is it okay for the school districts to give out employees' benefits 12 to 16 or 20% pay increases. That is the personnel cost, or the number one cost in all government budgets. I'm not scapegoating; I'm not pointing the fingers. We have a new school board down here, this side of town, and they're going to try to put together reasonable employee contracts. That's the number one cost to government. It's payroll. Payroll is the number one cost to government. In the county government, it's probably social assistance, but in the town governments and the school districts, payroll is the number one cost. And when you give out those type of raises, I'm telling you, Warren, that's one of the main areas of all of Long Island where that-- we have to start tightening our belts there."

Warren McKnight: "I'm focusing on my town taxes. My town taxes, I'm paying 123%, I'm saying \$40 of my taxes go to schools, \$40 every week; \$25 has to go to the town tax and it adds up and it's hurting and I'm looking ways at the town and we can improve. All of us, so I'm looking for those improvements."

Councilman Stark: "Warren, did your town taxes go up last year?"

Warren McKnight: "Yes."

Councilman Stark: "Your town taxes did?"

Warren McKnight: "Yes, my town taxes did."

Councilman Stark: "Your town taxes went up last year?"

Warren McKnight: "Yes."

Councilman Stark: "Your school taxes go up?"

Warren McKnight: "School taxes went up."

Councilman Stark: "Are you in the Shoreham-Wading River school district?"

Warren McKnight: "My children go to Riverhead schools."

Councilman Stark: "Okay, but-- "

Warren McKnight: "But this is-- look, don't-- we're talking about the town here. Let's not talk about the schools. And this is what I'm asking and-- not tonight-- "

Councilman Stark: "Well, I don't want you to confuse the issue with taxes going up. When you take a total tax bill, everybody looks at the bottom line, as I do, too, and compare it to what we spent last year in taxes and what did they go up to this year. County taxes went up last year, school taxes went up like what, four, five, six percent? Town taxes I believe last year were stabilized. I only ask you to look at your tax bill again. The county taxes are up, you know, general overall town taxes last year stabilized."

Warren McKnight: "Well, basically over a 10 year period, school taxes went up 129%, the town tax-- I'm just explaining it."

Councilman Stark: "Warren, you can't couple in school taxes, county taxes, and town taxes all together."

Warren McKnight: "Can I finish my sentence, please? I just want

to finish. Just let me finish my sentence."

Councilman Stark: "You're misleading in what you're saying."

Warren McKnight: "No. No."

Councilman Stark: "Yes, you are."

Warren McKnight: "He's not letting me finish. I just want to finish my sentence. School taxes were 129%, town taxes were 123% over a 10 year period. That's all I'm saying. I'm saying over a time, I'm looking for suggestions and help from the town board. That's all I'm saying. I really appreciate it."

Supervisor Janoski: "Councilwoman Gilliam?"

Councilwoman Gilliam: "Okay. Just to follow up what you were asking, Warren, in terms of the fiscal impact of this proposal, I do see our Chairman of the Board of Assessors in the back and I know the beginning of the year when I had proposed a similar Resolution at that time, information was not available as to the calculation of the impact and perhaps in this interim of several months, he has been enlightened and can add something to the record at this time as to the fiscal impact of this proposal."

Warren McKnight: "Thank you."

Leroy Barnes: "Good evening. As I explained in my memo, Harriet, the county of Suffolk increased the maximum income to \$21,300. So I already had those figures available from the past taxable status. So I was able to calculate the new taxes for this fiscal impact."

Councilwoman Gilliam: "Okay, and the impact that you arrived-- "

Leroy Barnes: "Well, as in the memo, I had put-- "

Councilwoman Gilliam: "Well, you keep referring to the memo, but the memo right now is not part of the record. We're holding a Public Hearing and I think it's important that we establish to the people here how you arrived at this figure."

Leroy Barnes: "I put in the memo that the additional loss in assessed value based on the 93/94 assessment roll, would be \$1,584,681."

That's using the county's portion of the assessed value. Utilizing the 92/93 town and highway tax rate of \$22.55 per thousand, that would give you an additional tax loss of \$35,744. I said keep this in mind that this figure is based on the current recipients of the senior citizens exemption who have filed applications with this office. It is unknown how many additional property owners may file for this exemption in future. So in the beginning of the memo, I stated that since the county has adopted the maximum allowable income level for the senior citizens property tax exemption, the fiscal impact to the town, should it be adopted to the maximum level, is relatively simple to calculate. And I have this memo here if anybody wants a copy of it, I'll be glad to give it to him."

Supervisor Janoski: "Why don't you submit the memo to the Town Clerk to become part of the record of this Hearing."

Leroy Barnes: "Okay."

Leroy Barnes submitted the memo for the record.

Councilwoman Gilliam: "Thank you."

Supervisor Janoski: "Steve?"

Steve Haizlip: "Steve Haizlip of Calverton. Right now the way this reads, it's a consideration of a repeal, right? In other words, you're thinking about repealing Article 1 of Chapter 95."

Supervisor Janoski: "Well, you have to repeal what's in the book now in order to replace it with what is proposed."

Steve Haizlip: "Oh. In other words, you're going to propose a new set of figures and then repeal this?"

Supervisor Janoski: "That's right."

Steve Haizlip: "All right. Now, like Warren spoke about the senior citizens. You know, when you are working and able to work, you make fairly good money and you can afford to pay the taxes and so forth that they ask. But when you retire, they reduce the money that you're getting, and so there's Social Security and so forth on. But it seems like all these branches of government is asking us, you know, to put out more in the way of taxes, the state, the federal, towns,

and so forth. So this here as he said would like to consider and help us whatever you can. Thank you."

Councilwoman Gilliam: "Mr. Haizlip. Just a point of clarification. The reason why part of this is dealing with a repeal is that earlier this year the Town Board did not vote to impose the state maximum at that time. So we are repealing what we did back earlier this year to now go ahead and give the full impact of the state allowable maximum ceiling for-- which would actually kick in in 1994."

Steve Haizlip: "So, in other words, we-- if I may ask, it will be more benefit, more beneficial to us. I see Mrs. Moore shaking her head in the affirmative. Thank you."

Supervisor Janoski: "Way in the back."

Janice Gilmore: "My name is Janice Gilmore. I live in Wading River and I'm in complete support of this proposal to change the policy of this Town Board in regards to the senior citizen partial exemption from real property tax so that the gross allowable income level would automatically remain at the maximum level approved by the New York State Legislature. I find it very reassuring that the town of Riverhead is seriously considering joining the other townships in Nassau and Suffolk County that have been automatically providing this maximum benefit to the low income senior citizens that reside in their townships."

As I am sure you are now aware, many senior citizens without this benefit pay 20% or more of their gross income in real property tax. No other group of residents fall in this unbearable tax bracket and it's so important that you approve the tax relief that you are empowered to provide. And I really implore that you approve this proposal."

Supervisor Janoski: "George?"

George Schmelzer: "Is this only town taxes you're referring to or all taxes?"

Supervisor Janoski: "The town can only act on town taxes."

George Schmelzer: "Oh, I was wondering. Unless you had a method to drop the assessed valuation, then that would-- you can't do that,"

can you? So, as I said before, the town government exists for its employees and the school exists for the teachers and managers. Too bad."

Supervisor Janoski: "Well, the school district does act on this and the school board does enact changes to the exemption as well as Suffolk County."

George Schmelzer: "I guess we're stuck. I think that's about it. We must be-- how Leroy Barnes will make out the tax bill with all this complicated junk increasing every year. Must be a mess. Thank you."

Supervisor Janoski: "Thank you. Is there anyone else present who wishes to address the Board in the matter of the senior citizens property tax exemption? Bill."

William Kasperovich: "My name is William Kasperovich. I live in Wading River. And I find that I must apologize to all the people that hear me for being somewhat long winded and somewhat hesitant. This is the only opportunity the residents of this township gets to talk into the record legally. And I feel that at 72 years of age, I qualify as a senior citizen. I also qualify for the Town Board, not to mention individuals, although the Supervisor has to be named individually, that I've been discriminated against because I'm 72 years of age. Discrimination is illegal by federal law, it's illegal by state law, and so the attitude of the Town Board rattles me no end. And with that attitude of the Town Board, I don't feel they're looking at the best interests of the senior people that lived here most of their lives."

I appreciate the other taxes besides the town tax can't be pulled apart because the money comes out of the same pocket and has to be paid at the same time. But the one thing that somebody has got to get up here and stand for the people whose fixed income and who is discriminated against by bureaucrats has to survive. The people with a good income, with valuable assets put aside have no problem about surviving. But this makes a general coverage. Your gross income could be under \$20,000 and you could have \$2,000,000 in assets. So it's not the person's wealth but it's the person's immediate public knowledge type income. And it doesn't-- these papers don't address that. Make a specific point of in order for a continuation a spouse has to be at least 62 years of age. You're telling people how much

difference there has to be between man and wife. We all know Bing Crosby, a senior citizen, married a youngster. But so what? Yet you make it specific. And I have to say that in a broad sense, this is not taking care of the poor people. People who are living on the edge.

And you want to pass it on to the state. We are here different from the other townships in Suffolk County. We are different from Nassau County. We in some sense are unique to Long Island. And in this uniqueness to pass on to a higher bureaucracy, I say: No. You people are elected by us. Almost everybody in this room will seriously consider what they're going to do in November. And to care for the people in this unique township, I would like to see that the people we elect take care of us, morally and in a dollar sense, and completely.

There is very little space for a poor person in Riverhead and this Town Board has made even less space and this is one of the steps that is little by little squeezing the poor man by making provisions on a general sense, on a broad scope in which well to do people find an easy way to get in and benefit from it. Thank you."

Supervisor Janoski: "I can't explain what he said, Henry, if that's why you have your hand up. Did you wish to speak, Henry?"

Henry Pfeiffer: "Henry Pfeiffer, Wading River. I think that most of us agree that this provides for those who need, who are lacking something, and it is a (inaudible) tested thing which provides for those who lack certain basic needs, the ability to apply funds which might otherwise go for property taxes toward that need. What I listen to here and all the previous speakers, there seem to be vitually consensus that this was a good thing.

I was brought up in a very strict and rigid Teutonic family and I was taught a profound and abiding respect for those who agree with me. Thank you."

Supervisor Janoski: "Is there anyone else wishing to address the Town Board? Yes, sir."

Rolph Kestling: "My name is Rolph Kestling. I live in Wading River. I didn't intend to speak, but all of a sudden, Mr. Kasperovich, and I can pronounce his name, mentioned something and had me going through the things here. Now, I want to ask you a question. You want

to give up local options and take all the state options. Is there any way you can keep the local options and also increase the benefits and that way you would have more latitude to make certain changes, or do you have to accept the state and only follow the state and sort of wash your hands of local options?"

Supervisor Janoski: "That is exactly the subject of this Hearing. You hit it right on the head as to whether the state would (inaudible) an increase in the exemption, the income amount for the exemption as to whether it should take affect automatically. That's what is being proposed here, or the other side of it is, of course, that it remains as it is and the Town Board make judgment each time."

Rolph Kestling: "Well, for my personal view, I mean, all of a sudden I became aware of a certain article in there and (inaudible) the local option and just put it on the \$21,000 or whatever. I mean it's not my fault I robbed the cradle, you know, and I go. Right? Thank you."

Supervisor Janoski: "Nora."

Nora Durska: "Okay. I would like to ask this Town Board, what happened to the five minutes that was supposed to be allowed for people to speak here? Do you people realize that people have to go to work in the morning, and senior citizens have to go to bed in time. So, please, please, put the five minutes back into practice again. Thank you."

Supervisor Janoski: "Is there any other comments? Warren."

Warren McKnight: "To speak on a positive note, as I was sitting in the audience, I had some ideas and suggestions and maybe I'm not even aware of these things out here. People who can't pay their property taxes. Is there any way, or can there be any way for them, to get just like disasters that happened in Florida or on the Mississippi. This is a disaster to people. Is there any way or can we as citizens who care about each other, any way get some low interest loans to help these people? Especially if they have credit problems or anything else, which they usually do because they can't pay their taxes. So they don't get thrown out on the streets, so that families don't disintegrate. I implore you all to see this out, to help us out here. Any comments, any suggestions?"

Supervisor Janoski: "I know of no loan program that loans money to people to pay their property taxes through government."

Warren McKnight: "Do you think it's a good idea?"

Supervisor Janoski: "No, I don't."

Warren McKnight: "Why?"

Supervisor Janoski: "I haven't had too much time to think about it, but on the surface it seems to me that the tax payment is not something that government should be loaning money to people to handle unless, of course, you were talking about some emergency situation in which there was a disaster of some kind, but you know, government-- people demand so much from government then ask why it costs so much. If I think about it for awhile, maybe I'll think it's not a bad idea, but on the surface I don't think so."

Warren McKnight: "It seems to be a two way street here that, you know, they tax us more, we can't pay it, you lose your job, or you have a low income, you know, how are you going to pay it? You live in a house for 20 years, 30 years."

Supervisor Janoski: "I disagree with the entire system, but that's neither here nor there."

Warren McKnight: "Well, something has to be done. It's a problem, it's a dilemma."

Councilman Stark: "Are you a Conservative?"

Warren McKnight: "If we had (inaudible) government, we wouldn't have these problems."

Councilman Stark: "Are you a Conservative?"

Warren McKnight: "That's a facetious question. That is a facetious question, Jim. But, it's-- ideas are throwing out, we're asking for help, and let's get on with the Hearing, but I-- think about it as time goes on, ladies and gentlemen, the Town Board, and let us know and let me know. Thank you."

Supervisor Janoski: "Steve, did you have your finger up there?"

Steve Haizlip: "I want to reply to Warren. I'll be quick."

Supervisor Janoski: "How much video tape you got there?"

Steve Haizlip: "Steve Haizlip of Calverton. Mr. Warren McKnight has just stated that people in stress and hard to pay the taxes, about getting help from government. I want to inform Mr. McKnight that the county legislator over there don't care about us poor people whether we can pay our taxes. They just impose fines, I don't know, a hundred or so dollars, if you're late. So if they are caring about us, they are going to help us. But they don't. So they just want to push you down a little farther, and those legislators that's doing that, we all should remember them, and when November come, see if we can get them out."

Supervisor Janoski: "Well, it seems that we're getting off the subject here but, George, I'm sure you'll get us right back on."

Steve Haizlip: "I'm not getting off the subject, I replied to Warren."

George Schmelzer: "Get closer to the microphone so-- there is a class action suit pending against the county for this \$100 surcharge of late paying taxes. The lawyer is John Bivona (phonetic). He worked for the county before so he knows the ropes. I think he's going to beat them and he should. I think we should support him. I don't know what kind of thinking there is on the county there to impose such a tax. I hear they spent a quarter of a million dollars to knock the jail down. It's a better building they could build now, and they'll probably spend 10 or 15 million to build another house to keep archives. And I hear complaints, well, the roof leaked. You go to fix the roof and it was damp in there, well, there's no heat in there, naturally it's damp. Another excuse is we need a parking lot. They could have bought the patch of scrubs that was formerly the (inaudible) restaurant and make a bigger parking lot. So, there you go, they knocked it down already so that's too late."

This tax reduction, the town taxes, suppose somebody has an income goes up and down like waves, say some old farmer has a bad year, has no income, maybe a loss. Does that qualify him?"

Supervisor Janoski: "If he meets the age-- "

George Schmelzer: "Yeah, and next year he does good, his taxes go up again, then down. So it could vary like that, huh?"

Supervisor Janoski: "Yes."

George Schmelzer: "I feel sorry for Leroy. What a job he's got."

Leroy Barnes: (inaudible)

Supervisor Janoski: "What does that have to do with it?"

George Schmelzer: "Yeah, okay. The county-- "

Councilman Stark: "What Leroy was saying was a primary residence which is a single family housing versus a farm income, which you're referring to, versus the income if his house is separated from the farm, George, certainly he could apply. But if it's all one part and parcel-- is that what you're saying Leroy?"

Leroy Barnes: (inaudible)

Councilman Stark: "Somewhere in that ballpark?"

George Schmelzer: "Have to have a separate assessment parcel for it. Yeah, there's always a way to skin a cat they say, but cats got claws, too. Okay, thank you."

Supervisor Janoski: "Thank you, George. Is there anyone else who wishes to address the Town Board on the subject of this senior property tax exemption? That being the case, and without objection, I declare the Hearing to be closed."

P U B L I C H E A R I N G S C L O S E D: 8:10 p.m.

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P U B L I C H E A R I N G O P E N E D: 8:10 p.m.

Supervisor Janoski: "Let the record show that the hour of 8:10 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 Hearing to be held at Riverhead Town Hall, at 7:25 p.m. on Tuesday, September 21, 1993, with regard to the consideration of a

like kind exchange of the Riverhead Water District property located at Route 25, Riverhead."

Patricia Moore: "The Town Board is sitting as Commissioners of the Water District, has a piece of property that is next door-- a 50 foot strip-- that is next to Riverhead Motors, owned by Leo Sternlich (phonetic). Mr. Sternlich owns a piece of property that extends back adjacent to Stotsky Park and what is being proposed is an exchange of one property, or a portion of the property, for the other, both to benefit the exchange-- would benefit the Water District."

Supervisor Janoski: "Thank you, Pat. Is there anyone present wishing to address the Board on the idea of the swap with the property? Steve?"

Steve Haizlip: "Steve Haizlip, of Calverton. There are going to be an exchange of properties here between the town and Mr. Sternlich. I would just respectfully like to ask that when he gets the town property which has been tax exempt, is he going to pick up taxes and be taxed for this?"

Councilman Prusinowski: "No, we're going to give it to him tax free."

Patricia Moore: "No, no."

Steve Haizlip: "I don't want no (inaudible) of taxes here."

Councilman Prusinowski: "No, we're going to give it to him tax free."

Patricia Moore: "He's just joking."

Councilman Prusinowski: "Of course, it's going to go on the tax rolls."

Steve Haizlip: "Well, that's all I wanted to know."

Councilman Prusinowski: "And it's going to be re-zoned business and actually it will benefit the taxpayers even more because Mr. Sternlich owns commercial property on Route 58."

Steve Haizlip: "All right. That's all I wanted to know, Vic."

I just don't want any (inaudible)."

Councilman Prusinowski: "It's like somebody asked us when the Peconic Paddler was on the riverfront, they said, I heard a rumor that you're letting them tie up here for free and they're not paying any taxes and you're giving them electricity. You know, of course, we have a lease and they're paying."

Supervisor Janoski: "Is there anyone else who wishes to address the Board? That being the case, without objection, I declare the Hearing to be closed."

P U B L I C H E A R I N G C L O S E D: 8:12 p.m.

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P U B L I C H E A R I N G O P E N E D: 8:13 p.m.

Supervisor Janoski: "Let the record show that the hour of 8:13 p.m. has arrived. The Town Clerk will read the Notice of Public Hearing."

Barbara Grattan: "I have affidavits of publishing and posting of a Public Hearing to be held at Riverhead Town Hall at 7:30 p.m. on Tuesday, September 21, 1993, in regard to the increase and improvements of the facilities of the Riverhead Water District consisting of the construction of a new public water supply well No. 7-3 to be located at plant No. 7 at a maximum cost of \$470,000 to be paid from existing funds."

Robert Scheiner: "Bob Scheiner, partner of H2M Group, District Engineers for the Riverhead Water District. Mr. Supervisor, members of the Board. What is proposed in tonight's (inaudible) hearing is the addition of an additional well at Fresh Pond well site which is currently owned and operated by the Riverhead Water District. Basically, what we have in front of you is a demand chart showing the amount of pumpage over a period of time from 1985 to the present time and basically what it illustrates is that certainly everyone knows that this summer was an extremely hot one. The Water District at peak pumpage of 10.5 million gallons per day reached that on the week of July 13th-- I should say the day of July 13th.

This is all the wells within the Riverhead Water District working 24 hours a day, seven days a week."

Councilman Stark: "That wasn't a Friday, was it?"

Robert Scheiner: "I can't answer that, Jim. The bottom line is that the system as it currently stands does not permit any forgiveness in that if a well should get contaminated or a well should go down, and what we are asking for is the addition of an additional well at the Fresh Pond site, which I will show.

Basically, what we have here is the Fresh Pond landing site is south of Sound Avenue on the west side of Fresh Pond Road. It is currently owned and operated by the Riverhead Water District. And what we are proposing to do is to add a third well, well No. 7-3 on that (inaudible). The proposed cost, the total cost is not to exceed \$470,000 to be paid out of Riverhead Water District revenue-- current revenue. There is no need to raise Water District rates or tax rates. This is from current key monies that the Water District currently has. Superintendent Gary Pendzick is here with me tonight, any questions that the Board or the citizens may have."

Supervisor Janoski: "Okay. Thank you, Bob. Is there anyone present wishing to address the Town Board on the matter of this well?"

Terry Holme: "Hi, my name is Terry Holme and I think Mr. Janoski remembers me. I live on West Main Street, and we have no water. We have no town water and no town sewers. And if, you know, we're getting all this improvement in the facilities, how about somebody coming down and doing something for us?"

Supervisor Janoski: "Well-- "

Terry Holme: "I have maps. I have maps, we got a petition up in 1989. It was turned into, excuse me, I'm nervous, Mr. Pendzick, and as a result he sent us a map that shows the little part that doesn't have water."

Supervisor Janoski: "Gary, what's the situation here? Are those copies that you have, ma'am?"

Terry Holme: "Yes. I have a copy for each one of you."

Supervisor Janoski: "Okay, if you would give them to the Clerk, please."

Gary Pendzick: "My name is Gary Pendzick, Superintendent of the Riverhead Water District. Currently that section exists without city or sewers between roughly Blackmans on West Main Street all the way over to Carvel. That area is a bit sparse with respect to assessed value to support the construction of such mains. It doesn't mean that it can't be done, but to date, attempts to try to find the correct assessment or find enough assessment to pay for the installation along New York State Route 25, we've been unsuccessful.

That's a very expensive neighborhood to lay water main, not only because it's New York State Route 25, but also because it's close to grade water. Most of the main that would have to be laid would be laid in the dewatering condition, which is by the foot, very expensive."

Terry Holme: "But we still pay regular taxes, I mean, as if we had water and sewer. I'm sorry."

Gary Pendzick: "That's okay, but they do not pay Water District taxes because they're not within a District or served by it. If you some day, we could find a way to include you, then you would."

Councilman Stark: "The fire hydrants that appear on West Main Street, Gary, down by the old duck farm, are they just well fire hydrants?"

Gary Pendzick: "Those are well hits, right, for the fire department to hook to."

Councilman Stark: "How do you propose in the River Road Extension, where is that coming from?"

Gary Pendzick: "The River Road Extension, oh, you mean across from Holiday?"

Councilman Stark: "Yes."

Gary Pendzick: "That's being borne by the owner."

Councilman Stark: "I realize it's being borne, but where are you originating it from? Are you coming down from 58?"

Gary Pendzick: "It's coming right across the street from Holiday Inn. The main is already there."

Councilman Stark: "How do they-- where do they come in? Do they tie in at 58 or do they come down Kromer or-- "

Gary Pendzick: "They loop down around from off of Kromer and from around Route 58. It comes from behind to an easement behind Holiday Inn."

Councilman Stark: "In other words, we have a blank spot from Kromer back to Blackmans?"

Gary Pendzick: "We have a blank spot, yes, that's right."

Councilman Stark: "How about Mill Road? Come down Mill Road."

Gary Pendzick: "We have a blank spot, Mill Road, too, between-- we have several blank spots, one of which is Mill Road as well, north of the mobile home park there up to Middle Road. And, of course, you know-- "

Councilman Prusinowski: "So we did a review of assessment potential for the tax district?"

Gary Pendzick: "Yes, what it is is that-- if the assessed value there doesn't support the bond that it would take to pay for such a construction, they we don't get approved by New York State Audit and Control and without that approval, we don't move."

Supervisor Janoski: "George?"

George Schmelzer: "It looked like it took you a few seconds to make up your mind. With all the wells in town, is there any chance there would be a water shortage in town?"

Supervisor Janoski: "George, what has been explained was that on that particular date there was a peak usage. However, I have to tell you that people are pumping water all over town, irrigating their lawns and the plants, so that if there was a crisis, the town would move to say, look, we have to cut down on irrigating lawns. And that would address it, but even-- and Gary will tell you-- that in my neck of the woods, the irrigation pumps for lawns was going like they were pumping water. The solution is that in a crisis situation, you let people know that they shouldn't be doing that kind of thing. It was an extraordinary summer as far as no rain and very hot. I don't know

that those conditions will present themselves again. What we are talking about here is having additional capacity so that should there be a situation or should something break down in the future, that we would have an additional well."

George Schmelzer: "I was thinking along the Peconic River, say on the Southampton side, from upper Mills west, there's nothing on the Southampton side, and a good part of Calverton, there's nothing on the Brookhaven side, so if you had the wells right alongside the river they suck half the water from the Brookhaven and Southampton side, see."

Supervisor Janoski: "Quantity is not a problem, George, if that's what your question is."

George Schmelzer: "Well, you go down a little deeper, that's all. And by the river, it's good water. Ask Gary, he knows. And the trailer park, there's very good water there. So go down a couple of hundred feet, don't need a pump to bring it up. It comes up by itself. So half that water comes from the hills on the south side of the river. It's just a thought to save the water here. They're not using it anyhow. And even Grumman maybe in Manorville, same thing, see. I don't know if you maybe got some aviation gasoline in the ground, I don't know. Okay, thank you."

Supervisor Janoski: "Thank you, George. Bill, are you wishing to speak?"

William Kasperovich: "William Kasperovich from Wading River. Are you with me?"

Supervisor Janoski: "You bet."

William Kasperovich: "I would like to preface what I have to say with two items, one of which is documents presented at Public Hearings should be shown out front before the meeting. If for nothing else but to avoid describing or any misunderstanding exactly where the area is. And I think this little bit of attention has been ignored in the past except by Kasperovich who gets up here and says this all the time."

Supervisor Janoski: "I know, Bill, and for 14 years I've been telling you that these things are published in the paper 10 days beforehand so that you can go to the Office of the Town Clerk or go and visit Gary Pendzick and look at whatever it is that you want to look

at. But let's not get into this."

William Kasperovich: "All right, this is the same answer you've given me and I still say there's no problem in posting it outside in the hall at the evening of the meeting.

Secondly, this problem of having areas in the township that don't have municipal water, I feel at this point in time, is inexcusable. We on the western end of the township have heard for decades that, hey, you can't get water out there. It's too far, it's too costly, it's too much. And yet today the westerly end of the township is with municipal water and we are surviving somehow. But the reason it's not done is because nobody has really addressed the problem. There are cities that are below the water table and they distribute potable water. There are all kinds of problems in this country where water is distributed under adverse conditions in the ground. There are some towns that have the water distributed above ground. So there are many ways to solve this problem. The fact that the solution has not come up is no reason to leave these people without municipal water."

Supervisor Janoski: "That, Bill, is not the reason and I think you misheard what Mr. Pendzick said. Mr. Pendzick talked to the difficulty because it is close to the water table in raising the cost of providing such an extension. But what he did point out was that area that the assessed value is not such that it could support the cost of the extension. Now, this is the Riverhead Water District, it is not a town water district, and we act as the Board of that district. So that when an extension is done, such as you point out in Wading River, the people there have an additional tax to pay off the cost of the bond, the borrowing of money for the extension. What we have to do and what takes the most time, is to submit the maps and what the assessed value is to the state comptroller. The state comptroller in turn gives us permission to carry out the extension if he feels that there is proper assessment so that it is not an excessive burden on the taxpayers within the extension.

And what the case is here, is that the assessed value in that area will not bear the cost of providing the extension. Now we have in the past received some grants from Suffolk County. Perhaps those monies might be available again and maybe there's some other sources of grants. But that's the only way that this can be done, is if there was an off-setting, a subsidizing of the cost of the extension. But what I ask you to remember is-- "

William Kasperovich: "All right. But this is a plausible solution. It's just a matter of getting it cornered and boxed in and done."

Supervisor Janoski: "Well, you see, don't confuse that this is the town doing this. It is not the town. It's Riverhead Water District. Two separate entities."

William Kasperovich: "Well, very well and good. The point you make is proper and clear. My position standing here is that these are people that live here and we've got to find some way to help them. Now, you come up with almost half a million dollars to put in another well. This means somebody has thought out how to get this money to put the well in. So somebody has got to think out some way to get some money to help these people that live in this township."

Supervisor Janoski: "The people who are in the district are going to pay the cost of putting in that new well. Our friend over here does not live in the district, therefore, she is not going to. But we are controlled by certain procedures and there's not a heck of a lot we can do with it except to seek some money in the form of a grant from Suffolk County Pure Water, which we've done in the past, or some other grant that I might not be aware of to help pay the cost."

Gary, do we have an estimate of the cost of that, do you recall it?"

Gary Pendzick: "Excuse me, Bill. Gary Pendzick, Riverhead Water. I don't have it on the tip of my tongue. I can look it up."

Supervisor Janoski: "Why don't we go over that and find out just what the situation is?"

William Kasperovich: "All right. And we come to another point. We talk about demand. Now, we're talking about potable water. For people who are not familiar with that word, it's drinking water. Water treated that it's consumable. We put somewhat like 13,000 gallons a day into the sewer system. Hey man, we're not short of water when we do things like that. I see you wrinkling your brow. It's something you haven't heard about."

Supervisor Janoski: "Well, yes, I'm aware of the gallons that we treated the sewer system, but you lost me-- "

William Kasperovich: "No, no. Drinking water used by the sewer system. Gary supplies, excuse me, our Water Superintendent, Gary Pendzick, supplies the sewerage plant with something like 13,000 gallons a day of treated, drinkable water. Does that mean anything to you? You look dumbfounded."

Supervisor Janoski: "Well, 13,000 gallons a day, well it may sound like a lot, it's really not. But, okay, let's say that that's true."

William Kasperovich: "Well, sewerage treatment doesn't need drinking water to put into the sewer lines. They can drive their own well and use the untreated water for this purpose. You only need drinking water for the personnel that work there."

Supervisor Janoski: "So we should drive a different well?"

William Kasperovich: "And let the Sewer Department get their own water so they don't have to treat it and they don't have to be concerned with its quality like all the other wells we have to be concerned with. Now, the specific or critical need for another well in this point of time as compared to the improving and updating the balance of the system in the entire township, to upgrade (tape change). I don't know the dire need for another well. Demand certainly doesn't sound like it is the criteria for this."

Supervisor Janoski: "Well, Bill-- "

William Kasperovich: "I'm-- for what has been presented, I don't see the immediate need and, of course, not being in the sewer system and not being in your engineering area in this Town Hall, no way to know what in the Water District or water system is needed. What I know from over the years from different involvement or concerns or being privileged to see, I do know that there have been many areas that could be updated. A lot has been improved in the water system that we-- "

Supervisor Janoski: "Bill, you're rambling on, Bill."

William Kasperovich: "No, I'm not rambling on-- you're just not listening anymore."

Supervisor Janoski: "Yes, I am listening, Bill. You've got about

10 minutes now and we're having a Hearing, the subject of which is to add a new well. Are you for it or against it? Do you need some additional information?"

William Kasperovich: "Yes, I need additional information."

Supervisor Janoski: "Thank you. Mr. Scheiner, could you give Mr. Kasperovich the demand figures that he needs?"

Robert Scheiner: "Bob Scheiner, H2M. As District Engineers for the Water District, first of all the Riverhead Water District is probably the finest Water District on Long Island. And I think most people realize that. We do a master plan on a regular basis for the Water District which talks about extensions, it talks about additional capacity by adding storage tanks, and it talks about wells, maintenance of wells.

The industry standard in calculating the proper operation of a water district would indicate that there is no flexibility right now with current demand granted at a high rate at the summer peak. But we have to always design the system for the worst case scenario. Okay? We realize that the 10.5 million gallons per day that was pumped on July 13th was also pumped close to that on the 9th and the 10th of July. This is an unusual high, there's no doubt about it, but as District Engineers, it's our duty to make sure that the system is designed for the worse case scenario. And right now the system does not allow for a well to go down.

As I said before, there are currently one, two, three, four, five, six, seven, eight wells within the town of Riverhead. On the 13th of July, all eight wells were pumping full speed ahead, 24 hours a day, in order to meet the demand. Could the demand be cut back? Absolutely. You pointed that out. But industry standard the way water system is calculated, you use your 80% of the utilization of the water system, subtracting out your largest well, which in this case is a 1,200 gallon per minute well. And based on that, it shows that the system is under-sized. By adding this additional well, we have that capacity along with other improvements that we're considering, like a storage tank in Northville that will add to the system, the safety of the system, to the proper operation of the system. Extensions to the District, and I may add the extension that the lady brought up, was evaluated by our firm in 1989 along with a bunch of other small areas, and Gary just mentioned to us that we'll re-look at it again. But it is a

function of as you very, very easily pointed out, is a function of a mathematical formula based on the assessed valuation whether or not the State of New York Comptroller's Office will approve that extension, not the burden on the people who live within that district. And unfortunately it didn't meet the test at that point. Maybe there's another way that we can make it work. And we will look at that, like we always do. I mean, these are constantly looked at. And I think it's the goal to try to get everyone served if possible. So, I mean, this is one upgrade of the system amongst a number of items that is being done. The reason for it is a requirement of state law to hold this Hearing, to put on the record that no increase in taxes in the District is required, no increase in the water rate is required. This is from existing funds and it is for the proper operation and as the District Engineers, that's what we are recommending. Thank you."

Supervisor Janoski: "Thank you, Bob. Mr. Kasperovich, if you could sum up your remarks."

William Kasperovich: "Everything Bob Scheiner says is true. I can't help but have to comment on this point that we let an excellent mind leave this Town Hall and go work for somebody else. But I'm sure he looks after this township with a very clear eye and head because he's lived in this environment long enough."

The aspects that I brought forth are not necessarily outweighed by the demand. There are aspects that are technical in nature. My person, and I'll conclude if I may, that when I worked for American Cyanamid (phonetic) when we put in wells, the instrumentation we had with each well, made Riverhead's well looking like something in the log cabins. And so this makes me aware of the sophistication of control in measurement and safety that can be applied to equipment which we haven't done by nature of getting more water to more people. And that makes sense."

Supervisor Janoski: "Thank you, Bill. I'm sorry, your name again, yes?"

Terry Holme: "Terry Holme."

Supervisor Janoski: "Terry, yes. As Mr. Scheiner said, we'll take another look at that extension. The other possibility is that somebody may want to do something in that area, like build a building, and very often that's how we get other areas served that we get a

business to pay for-- "

Councilman Prusinowski: "That's how we got the water in the town now."

Supervisor Janoski: "That's right. To pay for the extension."

Terry Holme: "You know, this started in 1989. Now, it's 1993-- "

Supervisor Janoski: "Well, time has nothing to do with it, Terry. Terry, what we're trying to explain is that we are under certain rules. The state of New York must approve us doing this Water District. They didn't for the reasons of what the ability of the properties in the area is to bear the taxes. So, we'll see if there is some other way that we can approach it, but we'll try it. Thanks. Steve."

Steve Haizlip: "Steve Haizlip of Calverton. I would like to ask if our community development officer may be able to help apply for some money or a grant as you call it towards those people on the West Main there."

Supervisor Janoski: "I would expect that that could be investigated."

Steve Haizlip: "Thank you, Joe."

Supervisor Janoski: "While you're up there Steve, how do you feel about the well?"

Steve Haizlip: "Okay. I feel-- I feel that you have-- "

Supervisor Janoski: "I mean this is a Hearing on the well. I thought that you might want to say something about it."

Steve Haizlip: "You asked me, Joe, and I'm going to reply."

Supervisor Janoski: "Okay."

Steve Haizlip: "I've worked in public works and-- "

Supervisor Janoski: "Everybody has to tell a story."

Steve Haizlip: "Well, a little bit input of my background and

my life history may help here, if you'll just allow me."

Supervisor Janoski: "Okay."

Steve Haizlip: "Fifty years I was out there in the work force. It all depends on who you got at the top, how a business and an enterprise and even if it's public service or government, how things go. I put my confidence and trust in Mr. Pendzick, that he is the officer and he is the man for the job."

Supervisor Janoski: "Thank you, Steve. Is there any other comment on the additional well? That being the case, without objection, I declare the Hearing to be closed. Thank you Bob, and thank you, Gary."

P U B L I C   H E A R I N G   C L O S E D :   8:44 p.m.

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Supervisor Janoski: "Let us take up the Resolutions."

(Unidentified): Barbara, you didn't give us Resolutions this time."

Barbara Grattan: "Resolutions didn't come down to me 'til very late this afternoon. That's why you haven't got a copy."

(Unidentified): All right, we'll forgive you this time.

Barbara Grattan: "Thank you, very much."

Resolution #596

Councilman Prusinowski: "This is an order calling for a Public Hearing for the increase and improvements to the Riverhead Parking District. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #597

Councilman Stark: "Authorizes the Supervisor to execute the contract with the Civil Service Employees Association. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #598

Councilman Creighton: "This adopts an amendment to Chapter 101 Vehicles and Traffic, Section 101-3 of the Riverhead Town Code regarding stop signs. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #599

Councilwoman Gilliam: "Adopts an amendment to Chapter 101 Vehicles and Traffic, Section 101-10.1 of the Riverhead Town Code. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #600

Councilman Prusinowski: "The landfill will be stopping on October 10th for burying garbage-- October 8th-- and beginning on October 10th, we will be transferring the msw garbage that's the

garbage less the recyclables, begin our contract with OMNI Technical Services, which means we have to put the garbage on a trailer and ship it out of town, something that we've been trying to avoid for four or five years in this town. However, the landfill will be closing, we've run out of room, regardless of the Landfill Law, so we have to readjust the tipping fees at the landfill to comply. We have a department cost which will be in effect for 18 months until the plant will be open and operating in Calverton. At that time, the department costs will be eliminated from these tipping fees and the prices will drop. We've tried to adjust the prices to encourage recycling, especially in the business and commercial area, and shortly the town will be-- we will begin our re-education program on our recycling program for the homeowners and the business community. So I move Resolution #600."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam?

Councilwoman Gilliam: "I just want to draw your attention that there is a typo in the first Resolve clause. It refers to typing fees. I'm sure you are talking about tipping fees. Okay. And, all right, I'm voting no on this Resolution because there is one provision in here that I cannot support, which is the \$15.00 composting fee which will have an impact on those individuals who live in the mobile home parks, whereas the yard waste delivered by district homeowners would still be assessed at a zero charge."

During the course of the negotiations with OMNI, I made a point about the commercial haulers who service the mobile home parks receiving the same treatment or terms as those of the residents and this \$15.00 composting fee per ton would have an impact on the mobile home park owners. So I vote no."

The Vote (Cont'd.): Creighton, yes; Stark, yes; Prusinowski?

Councilman Prusinowski: "The reason the tipping fee on the district homeowners is zero because the homeowners pay a tax in which that service is included. The mobile home parks are commercial accounts and we've been able to accommodate them up until this point by accepting their yard waste at no charge. The \$15.00 is only our handling cost to-- we have a machine there and it has to-- the material

has to be processed through the machine, make a compost, and we've tried to make it less cost-- we tried to reduce the impact. The \$15.00 also applies to all the commercial landscapers and business who will bring the compost to the landfill. But the district homeowners already pay for that service, that's why it's not proper to charge them through their district tax. I vote yes."

The Vote (Cont'd.): Janoski, yes. Resolution is adopted.

Resolution #601

Councilman Stark: "Authorize the Town Clerk to publish and post a help wanted ad for Assessment Assistant. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #602

Councilman Creighton: "This adopts an amendment to Chapter 101 Vehicles and Traffic Section of the Riverhead Town Code regarding parking lots at Central Suffolk Hospital. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #603

Councilwoman Gilliam: "This Resolution authorizes a provisional appointment of an Account Clerk-Typist. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #604

Councilman Prusinowski: "Grants parental leave to Mary Beth Vail. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #605

Councilman Stark: "Appoints part time clerk to the Justice Court. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #606

Councilman Creighton: "This corrects a mistake in a tax map number on a previous Resolution. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #607

Councilwoman Gilliam: "Resolution authorizing the reassignment of an employee in the Nutrition Center. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #608

Councilman Prusinowski: "Grants leave of absence to Glenn Magee. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #609

Councilman Stark: "Authorizes property and casualty excess insurance policies submitted by Arthur J. Gallager and Co. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam?

Councilwoman Gilliam: "I'm voting no. At this point while I am mindful and concerned about saving costs with regard to insurance, there still are some unanswered questions from the Work Session in that I had asked for an exact breakdown of the services that Gallager would be providing and the fee for each of those services, and I have not seen that document.

I also have some concerns about the working arrangement between Gallager and Michael Clifford, who handles our claims now. I have not been able to reach Mr. Clifford because he's been on trial the last several days in the city, but until I have my questions answered, I will vote no at this time."

The Vote (Cont'd.): Creighton?

Councilman Creighton: "I'm also voting no. When we hired-- at the last Board Meeting, Arthur Gallagher Co. as the broker of record for the town, I voted no indicating that I thought it was a very precipitous action, that we have not considered any other brokers. I have the same sense with respect to going forward with these policies with that broker, not having heard proposals from any other broker. And in this case, it involves premiums in the neighborhood of \$418,000 a year. I think that at least since we have had a self-insurance program for six years now, that we-- there is no reason to go forward this quickly without hearing other sources of bids to handle our risk coverage-- our excess risk coverage, since we do remain self-insured for most liabilities.

I see that this Resolution indicates that the policies have been forwarded to the town, that we're authorizing to be purchased today and, in fact, it was my understanding that as of this afternoon, we don't have these policies. I think at a minimum that our-- we hired a consulting firm, an insurance consulting firm about a year ago, McRoss, Kelly (phonetic) and at a minimum we should have a written evaluation of this program from McRoss, Kelly. To the best of my knowledge, we do not have that, or some other competent insurance specialist since these are complex policies and there's a lot of money involved here.

I also note that we're-- that these policies are effective this month. That we, in fact, have not budgeted for this, for this year, and we have about three months left in the budget year. That this would make these policies renewable at this time next year, and presumably each year annually thereafter. That it wouldn't be until approximately this time of the year that we found out whether or not these premiums would increase based on experience, creating an impossible budgeting situation, since we create our budget and enact it on the first of the year. It would make far more sense to implement these policies with the budget year-- the beginning of the budget year.

And, finally, while we may have funds available to cover this policy at this time, and I'm not sure of that, I would like to know more about the impact on the budget a year from now and two years from now before going forward. In other words, I still think that we're moving too quickly on this and we need to look at other options from other vendors and that's why I vote no."

The Vote Cont'd.): Councilman Stark?

Councilman Stark: "Arthur Gallager came to me as a world renown company. Probably one of the largest brokers in municipality insurance in the world. What Mr. Creighton fails to put forward in his comments is our estimated workman's compensation premium for the year 1994 will be \$560,000. These policies that we're talking about here today, this is not the service contract, it's the policy, give us excess insurance, give us inclusions of many coverages that are unable to buy under our self-insurance program. There's a world of difference. It covers this town approximately \$418,000, which also covers workman's compensation.

There is a savings immediately in the general fund of over \$130,000 to \$140,000. There also is an immediate savings that this town and next year's general town budget will not have to reinstitute a half million dollar charge to the taxpayers and add it to the general fund. That can go off of that general fund, thus having another savings to the town of Riverhead.

This whole package, which has taken a year and a half to bring about, by probably one of the most renown and best brokerage companies in the country, it has come to this point where this town (inaudible) considerable amounts of money. And my co- (inaudible) Mr. Prusinowski says in these hard economic times. And I think it's a duty that this Town Board take advantage, bring this town this excess insurance, and have a huge savings to the taxpayer. Therefore, I vote yes."

Councilman Creighton: "I'd like to respond to that."

Councilman Stark: (inaudible) "-- chance to vote-- "

Councilman Creighton: "Well, you commented on my comments so I'm going to comment on yours."

Supervisor Janoski: "Go ahead, Mr. Creighton."

Councilman Creighton: "Thank you. The so called savings in this year's budget, you know, these premiums are not appearing out of nowhere. They're coming from somewhere and we're not getting something for nothing. I think we'll find that we have built up a substantial reserve balance so to speak in our self-insurance risk program. We're in fact, planning to dip into that insurance balance to pay the

premiums in the near term, that is this year and perhaps next year, it's subsequent to that that we will be incurring a bottom line cost of somewhere in the neighborhood of half a million dollars for this solution to our insurance program.

Now, that may be okay, all I'm saying is if we haven't examined this and we don't have expert testimony independent of the broker to say that this is the best way to go and the most economical, that's all I'm saying. And I think we should take the time because of the numbers involved here and the seriousness of it to get that kind of expert testimony aside from the interested parties. Thank you."

Councilman Stark: "I believe we have received that expert testimony."

Councilman Creighton: "Well, I'd like to have it on record."

Councilman Stark: "Fine."

Councilman Creighton: "Do we have it available?"

Councilman Stark: "If you show up at the Work Sessions."

Councilman Creighton: "No, no. This is the Public Hearing. This is the--"

Councilman Stark: "This is not a Public Hearing. This is a vote."

Councilman Creighton: "This is a public Board Meeting where these things are put on public record and is there a document that analyzes this?"

Councilman Stark: "This is a vote. Right now. You voted no. Miss Gilliam has voted no. I voted yes. And I request the Supervisor to continue the vote."

The Vote (Cont'd.): Councilman Prusinowski?

Councilman Prusinowski: "I just want to point out that one of the reasons why it's effective October 1st, is unfortunately our workman's comp policy must be renewed so we have to give them 30 day notice. The workman's comp policy is renewable October 1st. Years ago we were shut out of the excess market because the insurance

panies no longer wanted to insure municipalities. In fact, one Connecticut General showed up here right in this room, and tripled our premiums up to \$1,000,000 a year. Since then, we have been putting away in addition to our workman's comp premiums of around 100,000 per year, we have been putting away for our self-insurance and \$250,000 to \$700,000 per year in a self-insurance fund so that when claims are brought against the town and they're litigated, we pay those claims out of that fund.

Always knowing that if we lose the big one, we would have to bond for that payout. The purpose of this excess insurance is to protect the taxpayers from that. Also it affects our bond record. Secondly, this is for one year and based on the fact that we can get the workman's comp paid for, plus the excess insurance, \$418,000, the fact that Michael Clifford will continue to do what he does for the town. One of the good things about this is over the six years, our experience for the town of Riverhead has been excellent, mainly because of the efforts of Michael Clifford & Assoc., who have been our attorneys, who have litigated claims, justifiable claims against the town have been paid. Unjustifiable frivolous claims have been litigated to the taxpayers benefit. So based on all these facts, I reviewed the documents, and my knowledge of the town budget, I'll vote yes."

The Vote (Cont'd.): Supervisor Janoski, yes. The Resolution is adopted."

Resolution #610

Councilman Creighton: "This authorizes the acceptance of a surety bond on behalf of the Unique Sanitation Co., Inc. of \$7,500. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Musinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #611

Councilwoman Gilliam: "Authorizes the acceptance of a surety bond on behalf of Detail Carting Inc. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #612

Councilman Prusinowski: "We are doing another surety bond for overhead Sanitation. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #613

Councilman Stark: "Authorizes the filing of an appeal by the law office of Smith, Finkelstein, Lundberg, Eisler & Yakoboski. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #614

Councilman Creighton: "This Resolution calls the bond on the Two Bears Estates. This bond in the amount of \$780,000 covering the cost of site work, construction of roads, drainage, and so forth. I don't see anyone think that this is going to be an immediate solution to our Two Bears problem, what it does mean is it will probably throw the issue into court and we will seek to get-- recover costs to do the work as we believe the specs require it to be done. The bonding company will undoubtedly force us to prove that before a judge. So it's not an immediate solution but it does take a step toward resolving

hat issue. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #615

Councilwoman Gilliam: "Authorizes the appointment of Edward Branch to the Senior Citizens Advisory Council. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #616

Councilman Prusinowski: "Authorize the Town Clerk to publish and post Public Notice to consider amendment to Chapter 108-56 Signs of the Riverhead Town Code. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #617

Councilman Stark: "I propose that this Resolution be tabled for this particular meeting and held over. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded to table."

(Unidentified): What is it?

Councilman Stark: "Authorizes the appointment of Commonwealth Electrical Inspection Service as an electrical inspector for the town of Riverhead."

(Unidentified): Thank you.

Councilman Prusinowski: "There is some information that-- an interested party came into the town today to bring some information before the Town Board that might affect the Town Board's ability to vote on it. So they asked that it be postponed. Actually, they came to the Building Department-- I'm seconding the motion."

Barbara Grattan: "The vote to table. Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution to table."

Resolution #618

Councilman Creighton: "This appoints a part time Outreach Worker, Martha Sullivan. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #619

Councilwoman Gilliam: "Appoints part time food service worker at the Nutrition Center. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #620

Councilman Prusinowski: "Authorize the establishment of a worker's compensation reserve fund. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

Councilman Gilliam: "A question on the Resolution."

Supervisor Janoski: "Yes."

Councilwoman Gilliam: "Is this-- being as this is a new Resolution that was not part of the work packets, is this a Resolution pertaining to the excess coverage?"

Barbara Grattan: "Councilwoman Gilliam?"

Councilwoman Gilliam: "Well, consistent with my position on the other Resolution concerning the excess coverage and the fact again that we should get all the questions answered, I vote no on this Resolution."

The Vote (Cont'd.): Creighton?

Councilman Creighton: "No, for several reasons."

The Vote (Cont'd.): Stark?

Councilman Stark: "Yes, for similar reasons."

The Vote (Cont'd.): Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #621

Councilman Stark: "With the Board's agreement, we have 621 to 642, which are recreation aides, instructors, we would like to move them all at once. Does anybody have any objection to that? I move 621 to 642, which appoints many recreation aides, instructors for our winter program. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. The Resolutions are adopted.

Resolution #644

Councilwoman Gilliam: "Appoints part time assistant Recreation Center Manager. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #645

Councilman Stark: "In lieu of calling the bond on Two Bears states and with the knowledge that we will end up in court somehow in litigation, we in this Resolution, will authorize the retention of Allen M. Smith to represent the town as special counsel in this particular litigation. So moved."

Councilman Prusinowski: "I'm seconding this motion, but the main reason we need a special counsel is unfortunately our town attorney will probably be called as a witness, so she'll have to disqualify herself from handling this case. I second the motion."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam?

Councilwoman Gilliam: "I vote yes on the Resolution, but I would ask that the hourly rate for Mr. Smith be placed in the Town Clerk's Office as indicated in the Resolution, and also I would like some idea as to a ceiling as to what we're agreeing to in terms of legal fees. And I would hope that the town attorney would vigorously pursue looking into ways that the town can recoup the cost of the legal fees that the town has to incur in order to go after Two Bears to do what they were legally responsible for doing under the contract, so that this money is not-- so that the payment of the legal actions

re not borne by the taxpayers to force Two Bears to do what they are opposed to do under the contract. I vote yes."

The Vote (Cont'd.): Creighton, yes; Stark, yes; Prusinowski?

Councilman Prusinowski: "Yes, and the scope of that lawsuit will also include the recouping of the time and money spent by the Planning Board Engineer who took the time to put together various proposals in this matter. I vote, yes."

The Vote (Cont'd.): Janoski, yes. Resolution is adopted.

Resolution #646

Councilman Creighton: "This authorizes the acceptance of a surety bond on behalf of Motion Carting, Inc., \$1,500. So moved."

Councilwoman Gilliam: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #647

Councilwoman Gilliam: "This is a budget adjustment for the sewer and Scavenger Waste Department. So moved."

Councilman Creighton: "And seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Resolution #648

Councilman Prusinowski: "Budget adjustment for the general town and highway. So moved."

Councilman Stark: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution is adopted.

Councilman Stark: "Mr. Supervisor. At this time I'd like to recall Resolution #587, which was tabled. So moved."

Councilman Prusinowski: "And seconded."

Supervisor Janoski: "I have a motion to take from the table, #587, is moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Stark, yes; Prusinowski, yes; Janoski, yes. Resolution to take off table.

Supervisor Janoski: "On the question."

Councilman Stark: "I move Resolution #587 for a transfer of funds in the Highway Department which was the repairing of our sweepers rather than purchasing new and Charlie spent \$30,000 to replace rather than something about \$110,000. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

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

Resolution #649

Barbara Grattan: "Pay bills."

Councilman Stark: "So moved."

Councilman Prusinowski: "Seconded."

Supervisor Janoski: "Moved and seconded."

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

Supervisor Janoski: "Okay, before we end, the town of Riverhead, the Riverhead Town Board, and PFC Garfield Langhorne Monument Committee announces the monument dedication ceremony in memory of PFC Garfield M. Langhorne will be held on Sunday, October 3rd, at 3:00 p.m. The keynote speaker will be Assemblyman John Behan and it will take place here at the Town Hall, over at the southwest corner of Howell Avenue and Main Street.

Of course, you all know that this monument is being dedicated in memory of Garfield Langhorne as a Congressional Medal of Honor winner for actions above and beyond the call of duty in the Viet Nam confrontation.

Without objection, the Meeting is adjourned.

Meeting adjourned: 9:15 p.m.

*Barbara Guttan*  
Town Clerk