

Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York on Wednesday, November 3, 1999, at 2:00 p.m.

Present:

Vincent Villella,	Supervisor
James Lull,	Councilman
Mark Kwasna,	Councilman
Christopher Kent,	Councilman
Philip Cardinale,	Councilman

Also Present:

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

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

Supervisor Villella: "The meeting is now open. Tim, can you please lead us in the Pledge of Allegiance?"

Thank you, Tim. Before we go into the call-- I mean to approve the minutes and everything, I just want to congratulate the winners from last night, the Republican team, for what they-- the sweep that they had so congratulations.

Okay, can we approve the minutes of October 19 and also the Special Board meeting of October 21?"

Councilman Kwasna: "So moved."

Supervisor Villella: "Is there a second?"

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The minutes are approved."

Supervisor Villella: "Barbara, would you read the Reports?"

REPORTS:

Building Department	Monthly report for September, total collected was \$23,391
Sewer District	Discharge monitoring report for September
Town Clerk	Monthly report for October, total collected \$9,357.17
Tax Receiver	Utility collections for October, total collected \$292,311.56
Bid Reports	For work clothes, opened on 10/25/99, one bid was received Ambulance bid was opened on 10/27/99 at 11:05, two bids were received Cliff Road West drainage opened on 10/22/99 at 11:00, four bids were received Second Street drainage improvements opened on 10/22/99 at 11:05, four bids were received

Barbara Grattan: "That concludes Reports."

Supervisor Villella: "Can you please read the Applications?"

APPLICATIONS:

Shows & Exhibition Permit	Tanger Properties on October 23 and 24 from 10-7 p.m., car show
East End Arts Council For Riverhead Theater Group	December 31, 1999 to January 1, 2000, Grumman Facility, New Year's Gala
Parade Permit	Jamesport Firemen's Association 10/31 at 6:00 p.m. parade

Shows & Exhibition
Permit

Sunny Acres, Dressage Horse Show

Barbara Grattan: "That concludes Applications."

Supervisor Villella: "Correspondence?"

CORRESPONDENCE:

Sal Mastropolo

Regarding the public hearing on
special permit petition of Willow
Ponds, Sound Avenue

Kevin Driscoll

Regarding letter of appreciation of
kindness and assistance recently
extended to him from the building
department

Richard Gambino

Regarding the preservation of the
grandifolia sandhills at Friar's
Head in Baiting Hollow

Fred & Sophia
John & Annie Biegler

Opposition to the special permit of
Jerome DiCecco

Riverhead Firemen's
Association

Sincere thanks to building and
grounds for all their help during
their motorized drill tournament

Barbara Grattan: "That concludes Correspondence."

Supervisor Villella: "Any committee reports?"

Councilman Kent: "I do have a report from the Recreation Advisory Committee. At our last meeting, the committee approved the purchase of four sets of bleachers for the soccer field and they approved an additional \$7,000 for the installation and modifications of playground equipment at Oakland Park off of Northville Turnpike.

They also approved \$2,000 for the installation of a water fountain in back of field two at Stotsky Park and the engineering staff will be writing a cost estimate for the placement of fencing and screens over the top of the dugouts at Stotsky Park for the little league. That was a real problem this year with foul balls and sun."

Supervisor Villella: "Okay, good move."

Councilman Kent: "And we're also doing investigative-- there's a video-- investigative information that's available on the roller rink that we're going to be building either at Stotsky Park or at Calverton. We haven't decided the location yet but we're working on that."

Also, I was told today that the construction was completed at South Jamesport for the tennis courts and the basketball courts. The light poles are up, the lights are in. They're waiting for the electric wire to be pulled through the conduit and then that will be fully operational."

Supervisor Villella: "It sounds like that committee has been doing a lot."

Councilman Kent: "And the next meeting is November 8."

Supervisor Villella: "Great. Good job. Any other committee reports?"

Councilman Lull: "Yes, I have one for the Public Parking District. We had a meeting two weeks ago, another meeting recently. We have been addressing the problem of the Ro-Griff (phonetic) parking lot as we call it, the parking lot between Roanoke Avenue and Griffing Avenue. Came up with several possibilities, one of which is going to be doing an estimate for the change in the dumpsters out there. Another one is to do better signage and another thing which we will talk about at the board level-- we'll talk about the possibility of one-way traffic there."

Also we have approved a handicap parking request from the firm of Twomey, Latham, Shea and Kelley for Second Street. There is no handicap parking on that street. We have approved that. And, excuse me, also discussions with the Bank of New York having to do with the confusion over the property. When the property was taken over by the Bank of New York, the parking lot there-- part of the parking was town parking and they didn't seem to know that and have appropriated it for bank parking. Laurie Dowd is at the present time in discussion with them in the way of-- to find a way of repaying the town parking lot-- for parking space, we hope, for that parking there."

Councilman Cardinale: "In regard to the Route 58 Committee, I

have a draft of the proposed report and we should be getting it to the Board-- I guess we'll have a meeting probably the week of the 15th, and by the end of the month you'll see the Route 58 report.

In regards to Cablevision, I think it is now eight weeks and counting since we proposed a contract to which they are utterly speechless. So they haven't made response. We're asking for a response and you'll be the first to know when we get it. That's it."

Supervisor Villella: "The response was refused."

Councilman Cardinale: "We got no response. We just proposed a contract and they're speechless."

Supervisor Villella: "Okay."

Councilman Kwasna: "The one thing I have is and I wish Cablevision was here so the whole town would know, the annual leaf pickup begins next Monday in Jamesport and the week after that it will be the Riverhead area and then the third week will be Wading River. So everybody in the Jamesport, Aquebogue area up to Route 105, get their leaves out by this coming Monday-- next Monday morning, so that they can be picked up by the Highway Department."

Supervisor Villella: "Okay, good committee report. Well, it's about time everybody spoke up about the committee reports. First time this year.

Special Board meeting resolutions. No, that's just-- I got those other ones over here, too. What's this-- there's three of them on the back of this. That's the same ones."

Councilman Kent: "This is actually the first three."

Supervisor Villella: "All right, good. Let's go into the public hearings."

Public Hearing opened: 2:30 p.m.

Supervisor Villella: "Let the record show the time of 2:30 has arrived. Can you please read the public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell

Avenue, Riverhead, New York at 2:05 p.m. on November 3rd regarding the special permit petition of Robert Andrews for expansion of a non-conforming use, a 120' by 98' extension to an existing plastic temporary greenhouse on premises located in the Residence A zoning use district, Sound Avenue, Riverhead."

Supervisor Villella: "Thanks, Barbara. Anyone like to speak on this public hearing?"

Councilman Kent: "Not all at once, please."

Supervisor Villella: "Rolph?"

Rolph Kestling: "Doesn't the applicant speak first?"

Supervisor Villella: "I don't know if he's here. There he is. There's the Andrews family. Okay."

Robert Andrews: "My name is Robert Andrews. I'm a farmer in Wading River on the corner of Sound Avenue and Hulse Landing Road and I'm putting in for the special permit which consists of 120 by 96 feet of an extension to an existing plastic greenhouse which is 11,520 feet. This is being put in because I rented the greenhouse across the street from me, the man died, they're in the process of coming down now and I'm increasing my place to bring us up to the same footage we were at before. And that's about it. And I'll be here if there's any questions, I'm glad to answer them."

Supervisor Villella: "That would be fine, Bob. Thanks."

Councilman Kwasna: "Bob-- before you leave, Bob, you said that you are moving the operation you have across the street over to your property-- "

Robert Andrews: "Yes, well, I have greenhouses on my place as it is and I'm just-- we had rented those-- "

Supervisor Villella: "And houses are going over there."

Robert Andrews: "-- and we are just putting up greenhouses to come up with the same-- "

Supervisor Villella: "Someone wants to buy the property and build a development."

Robert Andrews: "That belongs to them. The man died and his family is just-- "

Councilman Kwasna: "So they're selling the property to whatever?"

Supervisor Villella: "Yeah, there's going to be a housing development over there."

Councilman Kwasna: "So they were temporary greenhouses then?"

Robert Andrews: "Yes."

Supervisor Villella: "Yes, they were. It's just an exchange. Rolph?"

Rolph Kestling: "Rolph Kestling, Wading River. I looked up in the dictionary what a temporary greenhouse was-- I'm sure you gentlemen, too. It says lasting for a time only."

Supervisor Villella: "Go ahead, Rolph, go ahead."

Rolph Kestling: "Now, how long does Mr. Andrews intend to keep these temporary greenhouses there?"

Robert Andrews: (Inaudible)

Supervisor Villella: "Yeah, might as well stay-- "

Rolph Kestling: "Might as well stay-- I've got a couple of questions."

Robert Andrews: "I intend to keep them up there as long as I can make a living or if I leave the farm and then we'll sell them and that will be it. And I have the state code on me and if anybody wants to know exactly what it says, I have it. You know."

Rolph Kestling: "Now, these temporary greenhouses are like the Long Island Port Authority. It's got a life of its own. It started with the George Washington Bridge, now they own airports and everything else. It's just as bad as the Second Avenue subway.

Greenhouse, a glass enclosure, used for the cultivation and protection of tender plants. How come I see a lot of greenhouses

along 25, Sound Avenue? They don't grow plants. I see one that's got a boat in it, a couple of automobiles, assorted bric-a-brac. Up on 25 they use it as a retail establishment. They're not growing plants. Other people, they get approved temporary greenhouses, they rent them out-- I don't see any plants, it's retail.

Now, when it is granted, a temporary greenhouse granted, does the permit go to the owner or to the property? In other words, if the owner has a temporary greenhouse permit, he puts it up and all of a sudden he decides to move to another state or something, does the next person that has that property inherited the temporary greenhouse?"

Supervisor Villella: "It's a good question."

Rolph Kestling: "I mean-- like the town attorney says, there's a lot of inconsistencies with the law. Now, I went down to the assessor's office once on another subject and I asked them what constitutes a temporary greenhouse and they told me basically you stick a couple of poles into-- a couple of structural members into the ground and you cover it up with a piece of plastic. And no foundation. I've seen these-- temporary greenhouses going up with a foundation, so I want to ask Mr. Andrews does he intend to put a foundation-- you know, or put forms in, pour cement and anchor his structural members in it?"

Robert Andrews: "Our greenhouses are built right to the town code or the state code and it does not have a continuous footing. And as far as growing plants, my place is open for inspection for anybody, at any time-- "

Supervisor Villella: "We know you grow plants there, Bob."

Robert Andrews: "Right, to see what we're doing, that's our business. Three-quarters of our customers come out of the town of Wading River. We like them, they like us and they see just exactly what we've got here and you are welcome to come in there-- "

Rolph Kestling: "I've been there-- "

Robert Andrews: "Okay."

Supervisor Villella: "No, I don't think he's after your situation, he-- "

Robert Andrews: "No, I know, but I'm just-- "

Supervisor Villella: "He's talking about the whole situation throughout the town."

Councilman Kent: "Yes. Mr. Andrews, just for your information. Mr. Kestling has been before us speaking on this issue a number of times. He's not-- this is not specifically about yours. He's speaking in general. He'd like us to enforce the code for some other greenhouses in town that do have cars, or trucks, or bric-a-brac, as he says."

Rolph Kestling: "Okay. That's exactly where I'm getting to. Of course, the other thing is that I don't know how many people know, but I understand these temporary greenhouses don't pay any taxes. Now, there's something wrong in Denmark. That's all I can say."

Now, this extension here, 11,000-- I figured out 11,760 square feet to an addition-- he's probably got 20,000 square feet. Now, as I say again, I have nothing against greenhouses, but the way the law is written and it's inconsistent as the town attorney says, I think that the prudent thing to do, we put a moratorium on for 30 days, 60 days, whatever, get your act together, and then proceed. I thank you."

Supervisor Villella: "Thank you, Rolph. Joe?"

Joe Gergela: "Yeah, for the record, I'm Joe Gergela, Executive Director of Long Island Farm Bureau. Just a couple things regarding the greenhouse situation town-wise. Number one, agriculture is evolving out here. Greenhouses are becoming more important to the bottom line of our farmers, not only here but throughout the county, and the state code definition actually classifies temporary greenhouses and agricultural equipment. They don't even classify them as structures whatsoever."

About 10 years ago, maybe a little bit more than that, when I first came to work at the Farm Bureau, Monique Gablenz-- Pat Moore was town attorney at the time and myself, we actually worked on developing the greenhouse code for the town. And it may not be the most perfect piece of work in the world but it was a good starting point. And, you know, we hear-- there's some concerns about greenhouses, what's going on with them. What I would like to recommend to the Board is that if, in fact, you folks feel that we need to revisit this issue, we have an agricultural advisory committee in the town. It hasn't been very

active in the last year or so because we've been working on farmland issues-- you know farmland preservation issues, but we do have an agricultural advisory committee and we'd be very pleased to sit down with counsel, with the Town Board, town attorney, whoever necessary to take a look at it, and work with the industry to bring it up to meet the demands of what's going on in the town.

But it is very useful and important to the growers of this town, like the Andrews. I know the Andrews family, like he said, he knows plants. They need it to grow plants and they need this building as soon as possible.

Most of the greenhouses, they do have a life, and you have to change the plastic, maybe not every year but darn near every other year, so technically they do come down and go back up even though it may not be physically moved from one spot to another, which doesn't make sense. So there is some life to that plastic and it has to be changed.

As far as, you know, people using them inappropriately, that's something that, you know, we should look at-- "

Supervisor Villella: "I think-- "

Joe Gergela: "-- and correct that problem, you know, we heard what the gentleman said. Upstate New York-- now this is something that I learned that a lot of the temporary style greenhouses are being used in the dairy industry for calves. And you raise the calves to become full grown cows for milk. And they're using them because they're cheaper than building calf huts which are very expensive to build. So they're using them for a totally different purpose but it is an agricultural purpose. Just to point out that the things change.

But here in this county and in Riverhead, Southampton, Southold, where we still have to preserve our agriculture, that's the way that the industry is going. If we're going to have farming, we have to evolve with the times to the higher value commodity and you have to use greenhouses to start your plants to do what you do on a farm. And it's customarily done.

So, you know, I heard what the gentleman said. I'm just suggesting to the Board that if we need to do that-- "

Supervisor Villella: "I think that we should have a meeting.

Jake, you're on the committee. Maybe you can get some of the guys together and have this meeting."

Joe Gergela: "Certainly I would urge the Board to approve the permit because the need the building. We should deal with this as a bigger issue for the town."

Supervisor Villella: "No. His issue is no problem. I think where the problems come is town-wide what's going on."

Joe Gergela: "And, you know, we need to be sensitive to that-- the town and we can do that through the Ag Committee."

Supervisor Villella: "Okay, good."

Joe Gergela: "Thank you very much."

Councilman Cardinale: "Mr. Andrews-- I have a question."

Councilman Kent: "Wait-- Mr. Gargela, I also have a question."

Councilman Cardinale: "Okay, why don't you ask Joe."

Councilman Kent: "Joe, real quick. Are these seasonal in nature? You did say there's life to the plastic but it was my understanding and someone had mentioned it at a prior hearing-- public hearing we had on a prior application-- that these are seasonal, that the plastic is not up all year round. There are times when the rings are there without any plastic on them."

Joe Gergela: "It depends on the type of farming operation. As an example-- I'll just give you an example. Half Hollow Nursery in Laurel which is actually a field nursery where they grow a lot of plant product, they also grow a lot of container stock. They use (inaudible) houses which are temporary style greenhouses. They cover the container stock for the winter and then take it off in the spring. Other growers use it year round. They may have, you know, bedding plants in the spring and then go into fall crops such as mums which they'll put in greenhouses. They may go into poinsettias for the Christmas season. So some growers actually use them year round. But what I'm saying is that they're temporary by definition because basically what it means is that at the end of the day they can be taken apart and you would never know that they were there in the first place. But from our point of view and I actually worked with the

state legislature to amend the state building code, we got them classified as agriculture equipment because for us to be competitive across the country with other growing regions, that's how they view that.

And from a tax point of view, that's the other thing that the gentleman raised. They're farm equipment and if we had to start paying tax on temporary greenhouses we would not be competitive with other growing areas and we would be all done, we wouldn't be able to farm here. So it's a matter of-- that they really are considered a nontaxable piece of property."

Councilman Lull: "Joe, they have to be just as versatile as your glass greenhouses do. I mean your glass greenhouses have their opening panels that sometimes you spray the outside to give it the needed shade, sometimes you put up shade, sometimes you light it at night, it depends on what you're doing at the time. So they have to be versatile and that's the same thing with the temporary-- "

Joe Gergela: "And, in fact, a lot of the larger-- we consider the more commercial growers that have very sophisticated glass greenhouses, a lot of the growers do feel that they, too, should even be considered temporary because where you really get into the permanent nature of a greenhouse would be the foundation. And as Mr. Andrews said, that basically they put in a couple footings to hold it together but there's no permanent foundation, you know-- maybe it's splitting hairs. But, I'm just saying that a lot of people in the industry even question whether the more permanent type should be considered commercial building. Maybe they, too, should be considered temporary.

But I think that some of the things that were raised are something that the Ag Committee could work on with Adam and, you know, the Town Board."

Supervisor Villella: "Thanks, Joe."

Councilman Cardinale: "Mr. Andrews, I have a question for the applicant. Okay. Stepping apart from the general issue of greenhouses, as I look at this special permit petition, it's for an expansion of a non-conforming use, 120 by 98 or 12,000 square feet extension to an existing temporary greenhouse in premises located in Residence A. So as I read it, you're attempting to get permission to put a 12,000 foot extension to an existing greenhouse in a zone that

does not permit temporary greenhouses. And I, unfortunately-- we're operating without Hanley here, our Planning Department guy, but is that accurate?"

Robert Andrews: "That is accurate."

Councilman Cardinale: "Okay. My concern is the non-conforming use aspect of your request. You're asking for 12,000 square feet. How large is the existing greenhouse you're adding to?"

Robert Andrews: "The existing is exactly 60 by 98."

Councilman Cardinale: "So that's about a 12,000-- 6,000. And there was something across the street that you were using previously?"

Robert Andrews: "Yeah, that was on (inaudible) property."

Councilman Cardinale: "And what will happen to those greenhouses?"

Robert Andrews: "I don't know what-- they're in the process of being taken down now so we really don't know what the status is."

Councilman Cardinale: "So I presume-- I presume that those are pre-existing also because by what I understand from my knowledge of the zoning code is if you have a non-conforming use, you have it because the present zoning doesn't permit that use. So, that's what concerns me, is extending the non-conforming nature of the use. Could you address that?"

Joe Gergela: "Bob doesn't know the whole history of it. We were there-- we were there farming and had greenhouses up when it was agriculture B and then our zoning was changed to what we have now. So we were there doing this-- we were at it before this zoning was ever changed. And as far as across the street, they have a different zoning. All they have to do is get a permit for \$5.00 and put it up and that's it."

Councilman Cardinale: "It's a different zoning across the street."

Robert Andrews: "A different zoning altogether."

Councilman Cardinale: "But in this area-- in Residence A, I

understand-- technically they don't permit greenhouses at all. Is that basically it?"

Robert Andrews: "It's a non-conforming use."

Councilman Cardinale: "If I-- if Rick were here and I think he still works here although I have my doubts, I would ask him what our criteria as a town is for approving non-conforming uses because then I would address that, you know, your permit in that manner. Look at what our criteria is and if you meet it, approve it. But I don't know-- "

Councilman Kwasna: "Well, it was a conforming use until the town changed the zoning."

Councilman Cardinale: "Yeah, but it was conforming as to 6,000 feet and now we're tripling its size. It's very much like what we've done-- with the dog guy-- the dog use when we had the dog pound situation in Aquebogue except that this is apparently not particularly offensive because that use was. I would like to get some sort of a standard that when these non-conforming use applications are made, we apply it and grant the extension of a non-conforming use as long as you meet that standard. I don't know what the standard is. So it's going to be difficult for me to make a decision on this."

Robert Andrews: "The only thing I can say is we went through the Planning Board and whatever and they have said that the site is particularly suitable for the location of such use in the community--"

Councilman Cardinale: "Good. That's helpful. They recommended in favor of it, is that what you're saying?"

Robert Andrews: "Yes, they recommended it and they said that the plot area is sufficient, appropriate and adequate for the use and reasonable-- reasonably anticipated operation thereof."

Councilman Cardinale: "Good. That helps. Their recommendation is-- I'd like to know what criteria they use but thank you."

Robert Andrews: "Okay."

Councilman Lull: "Phil, we had that at a work session, Rick brought it to the work session."

Supervisor Villella: "Yeah, but there was also something else on the work session that-- drainage problems coming off from the farmland or something. Was that brought up to the Planning Board? Anyone else like to speak-- Sal-- wait a minute-- I'm sorry, the lady-- you can be next, Sal."

Sherry Brezinski: "My name is Sherry Brezinski. My property borders (inaudible) directly behind and to the side of me. Before I continue, I'd like to ask Mr. Andrews where are the greenhouses going? Are they going directly west?"

Robert Andrews: "They're going west, yes."

Sherry Brezinski: "They're going-- okay, all right. Before a decision can be made, I'd like the applicant-- about this application-- I'd like you to consider the placement of the greenhouses. By the very description of a greenhouse that greenhouses are temporary structures, it is the impression that they bear little or no impact to their surroundings. But I'd like the Board to address the topography and the grading and regrading as it applies to this petition."

To give you a little background, I'm neighbors with them and I like them very much. I have no problem with their greenhouse operation only as it applies to the topography and the drainage. We've had numerous discussions about the flooding that's occurred in this area and I (inaudible) the Board to air our concerns. At one point we submitted pictures to document (inaudible)."

Supervisor Villella: "Excuse me, that I know was brought up and I don't know if that's going to be addressed but that's a minor thing, I think they can-- "

Sherry Brezinski: "It's not minor-- "

Supervisor Villella: "Is it that bad?"

Sherry Brezinski: "-- Avenue between my property and east, it's quite heavy."

Supervisor Villella: "Okay. I know there is a problem there of flooding."

Sherry Brezinski: "And I did not come before the Board probably as many times as I should-- "

Supervisor Villella: "Sal came for you."

Sherry Brezinski: "Okay, well, I come directly to Mr. Andrews and we've had like I said, numerous discussions and as neighbors we always thought we could work something out (inaudible)-- let you know that my property is continually flooded. At one point we had to (inaudible). At one point, Andrews farm and my property were originally part of a 30 acre parcel. I own a three-quarter acre parcel on the southeast corner. My (inaudible) is approximately 500 feet and if you stand on Sound Avenue and look north, it's on an upward grade. It was originally my husband's family's farm and in 1961, my husband's grandfather built a home on that three-quarter acre piece.

Farming has been an ongoing tradition on this parcel before, during and after this home was built and Andrews, himself, had rented the property at one time before they actually began farming in 19-- in the late 1980's. And there never had been any flooding on that property or through my property up to that time. It's only when the greenhouses were beginning to become erected and there are now eight-- seven plus one very large free-standing one, that the flooding has become quite severe and at one point it was so severe that we had several inches of water (inaudible) that we constructed (inaudible) along the entire northwest and about one-third of the southern end of our property.

(Inaudible) and with each additional greenhouse, raised beds, and additional soil and regrading that has taken place, such that a dam has been created across their property (inaudible) between my property line and their greenhouse. Because of the sheer volume of the water generated from their farm, it has caused water to overflow onto my property. (Inaudible)

It is not my feeling to put them out of business. They certainly run a class operation. It's just that I want the flooding problem addressed and with the addition of the other greenhouse there will be no way for that water to exit except through (inaudible)."

Councilman Cardinale: "Mrs. Brezinski, is the flooding you're talking about a result of flooding off of the farmland or off of the structures? Is it worsened with structures or-- "

Sherry Brezinski: "It's been worse with the structures. If you had a survey of both my property and their property, you would see

that it's all rectangle. I own one little piece of rectangle. And what's happened is that the greenhouses from east to west cover nearly all that property with only small avenues for that water to escape."

Councilman Cardinale: "Have those greenhouse structures been there for many, many years?"

Sherry Brezinski: "They're been there for a total of-- 1987 -- from there on."

Councilman Cardinale: "How did they get there? Are they-- were they pre-existing uses or were-- "

Supervisor Villella: "That's when they came there."

Sherry Brezinski: "No. When they bought the farm, I'm not sure."

Robert Andrews: "When we bought the farm, we had an (inaudible) permit for those greenhouses."

Councilman Cardinale: "Were they permitted by zoning at that time?"

Robert Andrews: (Inaudible)

Councilman Cardinale: "You must have gotten a permit for them as well, is my question."

Robert Andrews: "Yes, we have a permit for every one of them that's on the property."

Councilman Cardinale: "So that was to erect a non-conforming use?"

Robert Andrews: "Yes. It was."

Councilman Cardinale: "So the zoning never permitted the existence of greenhouses-- temporary or otherwise but you got a permit to put up the 6,000 feet you have now?"

Robert Andrews: "In the beginning when we first bought the farm, it permitted them. The first five greenhouses that were up, it was a permitted use."

Councilman Cardinale: "How many square feet is that, approximately?"

Robert Andrews: "Probably about 10,000 square feet."

Councilman Cardinale: "I thought you only had 6,000 on this piece."

Supervisor Villella: "No, no, that was-- "

Robert Andrews: "No, that's what we are adding to an existing greenhouse."

Councilman Cardinale: "Okay. All right, go ahead. Good."

Robert Andrews: "That one is about 6,000."

Councilman Cardinale: "And how many square foot of greenhouse exists on the property now?"

Robert Andrews: "Oh, that would be 10--12-- probably around 15- - 16,000 feet."

Councilman Cardinale: "So 10,000 of them pre-existed zoning."

Robert Andrews: "That's correct."

Councilman Cardinale: "The other 6 were put on by permit and you're seeking an additional 12 by permit?"

Robert Andrews: "That's correct."

Councilman Cardinale: "I understand what you're saying and I appreciate the answer. My concern is I think her drainage problems are being increased by the structures that are being built. The other factor is if we keep doing this, if we keep permitting in pre-existing-- in zones which no longer permit a particular use, we permit the expansion of that use-- we've effectively defeated the statute so maybe what we ought to do is if we feel that greenhouse ought to be in Residence A zone, we ought to put them in the zoning code so-- or if we don't feel that they belong in Residence A zone, we ought not to simply permit them by non-conforming use. And if I'm missing something, somebody tell me."

Joe Gergela: "When we were working on the greenhouse code, their particular zoning category was unique and we brought it to the attention of the Board at that time and mentioned to them that this was going to put a hardship on any farmer of that property because there was going to be a special permit requirement even though as of right and the rest of the farm zoning in the town would be as of right."

Councilman Cardinale: "Right."

Joe Gergela: "So they passed the zoning regardless and they put it in the code regardless of our issue with this. So really now there's no fault of (inaudible), it's just the way it played out."

Councilman Cardinale: "Yes."

Joe Gergela: "But now they have to get the special permit in order to expand the non-conforming use which I hear what you're saying, it is a problem."

Councilman Cardinale: "Yeah."

Joe Gergela: "As far as the drainage, I'm aware of the drainage problem. I've had conversations with Mr. Andrews and I've recommended to them that we get Alan Connell (phonetic) from Soil and Water over to the site and take a look at it and see what can be done to actually improve the drainage situation over there. This is not uncommon in many of the farms. And keep in mind that water moves a long ways. This is a long piece of property, the water comes from all over a long ways, and it all winds up out there, so there is a drainage problem but I think there's a way to deal with the assistance of the (inaudible) water district."

Sherry Brezinski: "Would the application be held up until (inaudible)."

Supervisor Villella: "I just want to-- Leroy, can I ask you a question? Come up here, please. Do you issue a CO temporary?"

Leroy Barnes: "Yes, we do."

Supervisor Villella: "You do."

Leroy Barnes: "And we also condition that on the building

permit application."

Supervisor Villella: "All right. The building permit application because of Bill Kasperovich, we have that little line on the bottom-- they-- "

Leroy Barnes: (Inaudible)

Supervisor Villella: "They-- whoever builds on that property, if there's any water problems, the owner has to take care of the problems."

Leroy Barnes: "Correct."

Supervisor Villella: "Okay. I just wanted to make sure that's intact."

Leroy Barnes: "And that would be on their application."

Supervisor Villella: "Which I think it would work out to help out the problems that you and Sal are talking about. They can't get a CO until they take care of the water problem."

Leroy Barnes: "The permit will be conditioned with the drainage issue."

Supervisor Villella: "It's a new town law that we put in."

Leroy Barnes: "I don't think it will hold up the permit but it will be conditioned on-- "

Sherry Brezinski: "It's not that I want-- "

Supervisor Villella: "No, no one does."

Sherry Brezinski: "It's just that I don't-- it's just that it's never been addressed, the topography, the lay of the land has been completely changed with each addition of each greenhouse."

Supervisor Villella: "This is something in the last three months. It's not just farms or any other property. I'm not-- this is houses that are being built now that they're building new houses, they're just messing up the whole-- "

Sherry Brezinski: "Yes, I realize that."

Supervisor Villella: "What's going on in this-- you don't know how many reports I get in my town-- in my office, all the complaints about drainage problems because builders are coming in building and they don't give a damn where the water goes."

Sherry Brezinski: "Yes, and I realize developers-- builders come before you, they would need to address drainage and-- "

Supervisor Villella: "They're supposed to but it wasn't. This is something that we're doing now."

Sherry Brezinski: "Well that has to fall to the Board. That's why I'm here to make sure-- a farming issue."

Supervisor Villella: "No. It's not the Board. The Board doesn't know anything about what goes on in that room. Leroy's addressed it and he's doing the right thing right now."

Sherry Brezinski: "And we don't have a map to even address-- so you don't know the layout of the greenhouse."

Supervisor Villella: "That's exactly what Bill Kasperovich is bringing in front of us. Both of you are on the same wavelength."

Councilman Kent: "Leroy, is there going to be a site plan required?"

Leroy Barnes: "Under the special permit application, no. If it were temporary greenhouses and any others, it would be."

Councilman Cardinale: "Why is that? What's the logic?"

Leroy Barnes: "It's the way it's written in the code."

Councilman Cardinale: "So there is no logic?"

Leroy Barnes: "No. We've talked about it through the Code Revision Committee and through Adam and we recognize that there's a need for change. I addressed this issue probably about nine or 10 months ago with the Farm Bureau and the Town Attorney and like everything else we have a very large agenda when it comes to changing the town code so it's one of the things on our agenda to discuss."

However, as an administrative policy, we've been dealing with making people sign actual statements when they file for their building permit and, in fact, it's in the form of an affidavit so-- "

Councilman Cardinale: "Is that generic, Leroy, not only in this but if you have a site-- a requirement to get a special permit, you get let off of the (inaudible)?"

Leroy Barnes: "I think the spirit of the legislation dictated that it went through a special permit, it doesn't require site plan. They put site plan in certain areas for temporary greenhouses, I believe because of other zones they could go up just with the building permit. And it became an issue with people-- "

Councilman Cardinale: "What I'm asking is you're saying to us that the site plan requirement is waived in this instance. Is that true of other instances in which a special permit is required?"

Leroy Barnes: "No."

Councilman Cardinale: "Well, then what is the logic that in this instance it's waived?"

Leroy Barnes: "I don't know. I didn't write the legislation."

Councilman Cardinale: "How long ago was it written?"

Leroy Barnes: "I think the temporary greenhouse was written in '90."

Councilman Cardinale: "So, wouldn't-- doesn't everybody agree that it would make more sense that they would require a site plan approval like with every other thing?"

Leroy Barnes: "I would think so. But the Hamlet Study in Wading River for Residence A suggested that and that was the result of discussions and hearings to go for a special permit application. That was the end result of-- "

Councilman Cardinale: "Yeah, but the special permit application does not necessarily preclude the inclusion of a requirement for site plan. What I'm interested in, is what was the logic behind a site plan not being required?"

Leroy Barnes: "That I don't know."

Councilman Cardinale: "In other words, nobody here can tell me there was a logical underpinning of this."

Councilman Kent: "Well, because then we could address the issues of the locations of the structures and how they were going to deal with drainage, that could be dealt within-- "

Leroy Barnes: "Right. You can do that through special permit."

Councilman Kent: "But we don't see-- we don't have a layout under the special permit-- "

Leroy Barnes: "You should have a copy with the Town Clerk. The Town Clerk has a copy. And you-- I would assume you could look at it."

Joe Gergela: "I think that there's a particular part-- the special permit and why there wasn't a site plan required was an oversight at that time. When we worked on the greenhouse code it was kind of a thing that we came to an agreement on with the industry and with the town. The town wanted oversight about location and details about drainage problems and things like that. So the town wanted oversight over temporary greenhouses and we also talked about the need for the building permit fee, etc. So we kind of worked out an agreement to give the town oversight but not have the farmers have to go through-- mainly the cost of going through a full site plan review. So there was an agreement that there would be a modified site plan where a grower would come in, work with the Planning Department and show them where they wanted to put up their temporary greenhouses and Rick actually, you know, was the one who signed off on that and said, okay, once you do that then you go over to the Building Department, you get your building permit, the Building Department comes out and inspects and make sure everything is okay, and then the farmer is all set. But we never dealt really with the special permit thing and I really think that that was probably an oversight, you know, at that time. And I (inaudible) the reason for it."

Councilman Cardinale: "It kind of dovetails with Rolph's point that these temporary greenhouses aren't entirely temporary and they need to assess or address site plan issues. Adam, during your-- some part of your sunset months, could you devote a few moments to correcting, you know, proposing a correction to this?"

Adam Grossman: "Absolutely. I'll bring it up-- we have a Code Revision Committee meeting (inaudible)."

Councilman Cardinale: "Thanks. Thank you."

Supervisor Villella: "So the moral of the story is you have to take care of the drainage problems and you have your buildings."

Robert Andrews: "I have no problem with addressing the water (inaudible) but I have to say one thing that 95% of that water comes down from the woods and through all my (inaudible). And what happened is when the development next door to me was built, we didn't have that problem before. Of course, when they built the houses, they raised the level of the land so it all comes down through me and comes out onto the road. But as far as the greenhouses go, we can address that. I would do anything to take care of that."

Supervisor Villella: "Okay."

Robert Andrews: "And I want to get along with my neighbors. That's all I can say."

Supervisor Villella: "Sal?"

Sal Mastropolo: "Sal Mastropolo, Calverton. First of all, I'd like to echo Rolph's comments about the quote non-taxable status of temporary greenhouses and the fact that they're really not temporary. Okay, they last many, many years, okay."

Second of all, Rolph commented about temporary greenhouses being used for retail. Okay. Lewin got permission for three temporary greenhouses and then immediately rented them out and they are now retail establishments where they sell plants. I doubt that anything grows in them. Okay. They buy from wholesalers and they sell. All right. That's the second item.

The third item is I want to-- I also echo Sherry's comments. Okay. The problem with-- and I agree, Mr. Andrews runs a good operation. He's a good neighbor, I have no problems with the business he runs there. The problem is that if you add another 11,000 square feet of temporary greenhouse without requiring him to put in drywells, okay, that's 11,000 square feet of land that cannot leach water into it because the water can't get to it. It runs down the plastic greenhouses into channels between them, okay, and then comes down on

the ground and it runs down to the 20 foot between his property and hers, has eaten through all of the berms that they put there and proceeds to run down Sound Avenue and flood Sound Avenue. I doubt that the Planning Department has ever gone out, okay, to see the effect of the greenhouses on that property and the runoff onto Sound Avenue. Okay. The entrance to Gregory Way where I live, okay, on a heavy rain, has as much as a foot of water right at the beginning of the road because it continues to run down Sound Avenue east to the low point (inaudible) both sides of the road. Okay.

So I support the greenhouses and I support his business but I think one of the requirements should be that he be required to put in drywells to handle the runoff off his own greenhouses."

Supervisor Villella: "Well, this is all-- that's why we are having the public hearing and then when Rick-- whenever he's available-- "

Councilman Cardinale: "Comes back to work."

Supervisor Villella: "When he comes-- "

Councilman Cardinale: "Leroy-- "

Supervisor Villella: "Has the information-- "

Councilman Cardinale: "Can I ask a question of you? Do we-- we've focused on these problems, the non-taxable status, the fact that it's a non-conforming extension, and the fact there's a lack of a site plan, is it really non-taxable? You were the assessor. Do you tax these things?"

Leroy Barnes: "No."

Councilman Cardinale: "There's no tax?"

Leroy Barnes: "No tax."

Councilman Kwasna: "Joe said they consider it equipment."

Councilman Cardinale: "Farm equipment?"

Supervisor Villella: "This is to help out the farmers."

Councilman Cardinale: "I know it's to help out the farmers. I'm just trying to find the logic."

Leroy Barnes: "I understand the logic. In fact, I think that the state legislature should make it very clear in its legislation for real property tax law, I think-- and make it clearer-- "

Councilman Cardinale: "All right. But the thing about it is-- "

Leroy Barnes: "-- through the building code."

Councilman Cardinale: "If you look at this honestly, logically at least in my view, it's really not equipment. A greenhouse is much like land only it's more intense production space. So if you-- to not tax a greenhouse is about the equivalent of not taxing the land."

Councilman Kent: "A barn."

Leroy Barnes: "We try to look at greenhouses as an accessory use to the main use of farming and that this is an agricultural community. That's the way we try to-- "

Councilman Cardinale: "Yeah, but I think what we're getting here is a few objections from the non-agricultural community as to the non-taxable status of the greenhouse and they'd like to have their garages non-taxed."

Leroy Barnes: "Well, I think what Joe said is, you know, we have to create a conducive market for our farmers in this area. We already do it with open space, tax exemptions. Temporary greenhouses, if they were valued and taxable-- I don't believe they'd add that much to the assessment rolls-- "

Councilman Cardinale: "Is a minor concern. Yeah, that's a good point."

Leroy Barnes: "And would not be worth the administrative nightmare to deal with it."

Councilman Lull: "No, it wouldn't, Leroy. And what we're really talking about here, we're talking around the issue. We're really talking about use; we're not talking about what it is."

Leroy Barnes: "Right."

Councilman Lull: "It's not taxable because it's the same thing as an above the ground swimming pool or a large garden shed. You can walk off with it."

Leroy Barnes: "It meets an accessory use that could be considered personal-- "

Councilman Lull: "But what's important is how it's-- yeah, what's important is how it's used."

Leroy Barnes: "Right."

Councilman Lull: "I mean it's got-- it's got its tax break status because it is meant to aid agriculture. If it's not meant to aid agriculture, it doesn't deserve that status."

Leroy Barnes: "There's tax case law about dismantling -- it's like a pool which can be done within four hours is considered personal property and that test always exists through personal and real property."

Councilman Cardinale: "A pool, did you say?"

Councilman Kent: "You're talking about above ground?"

Leroy Barnes: "There's an actual case, a test case, that tested real property tax law when it came to being taxable as real property or personal property and they consider that to be personal property. So the Farm Bureau went to the state legislature to have the building code amended and said it was personal property. Which I agree with-- "

Councilman Cardinale: "I get it, I get it. Of course, I can't rent out my four foot pool."

Leroy Barnes: "Well, that's just case law."

Councilman Cardinale: "I understand."

Supervisor Villella: "That's enough."

Leroy Barnes: "Thank you."

Supervisor Villella: "George, you want to-- "

Sal Mastropolo: "Comment-- let's understand something."

Supervisor Villella: "Yes."

Sal Mastropolo: "The temporary greenhouses are not being used just to start plants early to go into the ground in the spring. Okay. The temporary greenhouse is likened to a manufacturing facility. Okay. You buy pots, you buy peat moss, okay, and you start plants that never go into the ground that you sell at the retail establishment or a wholesale. So I mean, let's be honest. Okay. We're not talking about starting seedlings and putting them out in the ground. We're talking about starting, taking them through full growth and selling them in a retail or wholesale business. It's the same as manufacturing."

Councilman Lull: "Well, what's to happen to them, Sal, after they're sold? Somebody is going to purchase them and put them in the ground. Is that right?"

Sal Mastropolo: "No, poinsettia plants for Christmas? They never go in the ground. Okay. You see my point? In other words, if-- "

Supervisor Villella: "That's a different-- I know what you're saying, Sal. Okay. We're going to-- George, do you really want to speak on this? You've got some logic you want to put into this?"

Joe Gergela: "Just one last comment-- real brief. The gentleman is incorrect in that people do grow the plants and transplant in the field. Granted that many other growers do grow plants that are sold for sale, there's no question about it. That's not the point with greenhouses. State law-- state code, temporary greenhouse means specialized agriculture equipment having a framework covered with (inaudible) polyurethane materials or materials of polyurethane nature lacking a permanent and continuous foundation which is specifically designed, constructed and used for the culture and propagation of horticultural commodities and that means fruits, vegetables, ornamentals, anything like that. A temporary greenhouse may include but is not limited to the use of heating devices, water, electric utilities and supporting poles embedded in noncontinuous concrete. In no instance will a temporary greenhouse be used for the retail sale of any farm or non-farm products. That's what the state

code says. It's pretty clear what it's used for."

Supervisor Villella: "Thank you, Joe, for clearing that up. George?"

George Schmelzer: "We're wasting almost an hour with this nonsense."

Councilman Cardinale: "You want to add a little more-- "

Supervisor Villella: "You want to add-- "

Councilman Cardinale: "-- what's the deal?"

George Schmelzer: "We're having a-- you're revising your so called Master Plan which is the master-- "

Supervisor Villella: "The master of (inaudible)."

George Schmelzer: "Why don't you get rid of this stuff? Just throw it out. Don't have to have this anymore. Why bother. You love bureaucracy. Boy you love that, don't you? That shows you power, doesn't it? Yes."

Councilman Cardinale: "Throw out what? What do you want us to throw out? I don't understand what you're saying."

Councilman Kent: "Temporary greenhouses."

George Schmelzer: "The code. Get rid of it."

Councilman Cardinale: "Don't have one?"

George Schmelzer: "That's right, about greenhouse. Just throw it out."

Councilman Cardinale: "I think you've said that about the zoning code in general so this does not surprise me."

George Schmelzer: "Well, naturally. May do a good job of it, be better off. If we could get rid of half the bureaucrats in town so that's why as soon as they moved them to this building, they had to fill it up with new bureaucrats-- got to justify the existence of this building."

Now as far as taxable stuff-- "

Councilman Lull: "George, are you suggesting that growing bureaucrats is an agricultural function?"

George Schmelzer: "Maybe it-- "

Councilman Lull: "Does it have to do with what composting you use or-- "

Supervisor Villella: "All right, we're off the track here. Let's go."

George Schmelzer: "Well, sometimes, yes."

Supervisor Villella: "George, we've got a lot of public hearings here."

Councilman Kent: "Some of us have more than others."

George Schmelzer: "I didn't make this nonsense, you did. So the law did so you have to suffer with it. That's what you deserve, I guess. So as far as taxable stuff, if a highway contractor puts up an asphalt plant or concrete plant, it's not taxed because it's temporary. It is. That's the way I understand. That's okay, though, huh?"

Councilman Cardinale: "Where did you find-- where did you hear that?"

George Schmelzer: "I heard it plenty of times."

Supervisor Villella: "This is George's reform platform."

Councilman Cardinale: "You're saying that an asphalt plant for the production of asphalt is not taxed?"

George Schmelzer: "If it's put up for the construction-- in conjunction with a highway building."

Councilman Cardinale: "What's a highway building?"

George Schmelzer: "Building a highway."

Councilman Kwasna: "Temporary-- "

Councilman Lull: "In other words, a temporary site to make asphalt."

George Schmelzer: "Anytime they build an expressway section they put up a-- "

Councilman Cardinale: "What we're talking about here is-- "

George Schmelzer: "You're talking about tax exemption."

Councilman Cardinale: "Yeah, exactly. And when you talk about tax exemptions, you lose contact with any logic whatsoever. It has to do with the strength of the lobbying group. We're very well aware of that and I think you made your point. You're right. You don't look for logic when you are talking about tax exemptions."

George Schmelzer: "So then-- "

Supervisor Villella: "George, we're going to have to continue."

George Schmelzer: "Wait a minute."

Supervisor Villella: "George-- "

George Schmelzer: "You give everybody else as long time they want-- when you cut me off, don't you?"

Supervisor Villella: "No. I'm not cutting you off. You've got something to say about this particular thing?"

George Schmelzer: "Yeah, they're saying the guy-- want him to put in the drywells? Why? If the water comes from the surrounding houses, let them put up an earth wall, let them keep their damn water. Why should he put up a drywell?"

Supervisor Villella: "Well, the engineer is going to make a decision on that."

George Schmelzer: "Engineer. Whose engineer?"

Supervisor Villella: "Yours."

George Schmelzer: "I ain't got no engineer."

Supervisor Villella: "Go ahead, Bill, you show them how to do it."

George Schmelzer: "You mean Ken down the cellar?"

Supervisor Villella: "No, that's okay, George."

George Schmelzer: "Really."

Supervisor Villella: "We're going to keep this public-- "

George Schmelzer: "You wasted an hour with all this damn nonsense bothering somebody with-- "

Councilman Cardinale: "I am so impressed that you are concerned about the waste of time."

George Schmelzer: "Next time you'll have to get a permit to buy a tractor, huh? Come on."

Supervisor Villella: "Thank you for your words of wisdom. That was good."

George Schmelzer: "Yeah. All right."

Supervisor Villella: "We're going to-- Mr. Andrews, we're going to keep this open for two weeks, the public hearing, and then we'll close it at the next Board and-- because we've got to talk to Rick Hanley, he's not here so we have to have a work session next week."

Robert Andrews: "Okay, I would appreciate it."

Supervisor Villella: "The only thing-- the concern of the residents is the drainage, you know, something has to be done. That's all."

Robert Andrews: "And if it comes to that, we will look into that."

Supervisor Villella: "Everything else is no problem. Okay. Thank you. So the next Board meeting. Okay."

Public Hearing opened: 3:15 p.m.

Supervisor Villella: "Let the record show the time of 3:15 has arrived. Would you please read the next public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York at 2:10 p.m. on November 3, 1999 regarding the special permit petition of Jerome DiCecco for the provision of live entertainment within an existing 2,900 square foot restaurant located on East Main Street, Riverhead."

Supervisor Villella: "Jerry, did you want to speak on that?"

Jerry DiCecco: "Hi. I'm Jerry DiCecco, I'm the owner of Jerry and the Mermaid Restaurant located on East Main Street in Riverhead. What I'm here for today is I had been asked to basically come and get a special permit for something that I have been previously (inaudible) for the past six years. I have no intention of doing anything in addition to it. I'm just strictly looking to help the town get their permits and come to do just kareoke which is presently done on Friday and Saturday nights and Wednesday and Sunday afternoons which I've been doing."

Supervisor Villella: "I don't even know why we have a public hearing on this."

Councilman Cardinale: "You've been doing it for six years?"

Supervisor Villella: "We've been doing this for-- we had a couple other proposals coming before us, we just did a resolution and it was fine. How did you get to have a public hearing on this?"

Jerry DiCecco: "I have no idea. I was asked to get a special permit so I applied for it."

Supervisor Villella: "Okay, all right. No problem. Anyone else like to speak on this? If not, we declare the public hearing closed."

Public Hearing closed: 3:16 p.m.

Supervisor Villella: "So it was a formality you had to go through?"

Public Hearing opened: 3:17 p.m.

Supervisor Villella: "Let the record show the time is 3:17. Can you please read the next public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York at 2:15 p.m. on November 3, 1999 regarding the special permit petition of Crystal Coast Communications, Inc. to allow the erection of a 141 foot high radio tower and attending site improvements upon property located at Middle Road, Riverhead."

Supervisor Villella: "Bruce, Vinny-- oh, he's going to take care of it today? You know what we talked about our fathers the other day."

Bruce Tria: "That's why we did it off the record. My name is Bruce Tria. I'm one of the shareholders of Crystal Coast, the licensee of radio station WRIV. We have sought a special permit to rebuild our radio tower on privately owned property on Middle Road in Riverhead. As the Town Board certainly knows, it had to be removed from its previous location at the sewer plant and we respectfully request that the permit be approved."

Supervisor Villella: "Thanks, Bruce. Anyone like to speak on this public hearing?"

Councilman Kent: "Nobody? Not everybody at once now, come on."

Supervisor Villella: "The time is 3:19. I declare the public hearing closed."

Public Hearing closed: 3:19 p.m.

Supervisor Villella: "All that work for that. They said that you were asleep for six months and we were trying to find a home for you."

Public Hearing opened: 3:20 p.m.

Supervisor Villella: "Let the record show the time of 3:20 has arrived. Would you please read the next public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York at 2:20 p.m. on November 3, 1999 regarding the consideration of the adoption of the 2000 annual budget for the Town of Riverhead."

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

Councilman Kent: "Where's Bob?"

Supervisor Villella: "Who wants to speak on the public hearing? Budget. This isn't the final adoption. We're going to make some tweaks that's for sure."

Councilman Kent: "They spoke a lot about it (inaudible)."

Supervisor Villella: "How can we close it? We've got to keep it open because we're going to make changes."

Councilman Kent: "We'll keep it open."

Supervisor Villella: "We're going to keep it open until we close it with a vote, is right. Okay. What are you day dreaming? Oh, so, why can't we just keep it open? Right, exactly."

(There was some inaudible discussion among the Town Board members).

Supervisor Villella: "Right. So we'll keep it open for two weeks for anyone who wants to put some written requests on the budget, some information. So we'll keep that open for two weeks. You've got that, Barbara? Okay."

Public Hearing opened: 3:21 p.m.

Supervisor Villella: "The time is 3:21. Let the record-- you can just read the next public hearing."

Barbara Grattan: "Okay. I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York at 2:25 p.m. on November 3, 1999 regarding the consideration of a local law, the addition of stop signs, amending Chapter 101 entitled Vehicles and Traffic. Here's where they are:

Intersection Benjamin Street, stop sign on Wading River Manor Road, entrance from north and south.

Intersection of Francis Street, stop sign on Wading River Manor Road, entrance from north and south.

Intersection of Timothy Lane, stop sign on High Meadow Lane, entrance from west - two intersections.

Intersection High Meadow Lane-- I just said that

Intersection Peconic Bay Blvd., stop sign on Town Beach Road, entrance from south."

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

Councilman Kent: "Yeah, on these Wading River Manor Road, does anybody want to speak on these?"

Supervisor Villella: "I see all kinds of-- Rolph. Then Steve, and then Sal."

Rolph Kestling: "Rolph Kestling, Wading River. I was reading this and I think you've got to be kidding. You know, that road, you are waiting for the light-- without the stop sign you're waiting and waiting and waiting for a light. There's no place for a stop sign on Wading River Road-- not on Wading River Manor Road. You put it on Benjamin Street, okay, but not on the main highway like that. I think you better look it over again. I think you're-- I mean I use it practically every day. It's horrendous there-- unless there are certain kinds of stop signs disappear, that's something else, you know, and then you put them back after it slows down before 11:00 people going to the post office (inaudible). You've got problems."

Supervisor Villella: "The same thing for Francis Street? Both of them?"

Rolph Kestling: "Francis and Benjamin."

Supervisor Villella: "Right. Both of them?"

Rolph Kestling: "Both of them."

Supervisor Villella: "Okay."

Steve Haizlip: "Steve Haizlip of Calverton. Most of these streets on here, I'm not aware where they lay-- "

Councilman Kent: "He's going to talk anyway."

Steve Haizlip: "Since Rolph brought it up-- but what I'm going to bring up is any time that we can control and prevent accidents and it's through stop signs then I am all for it. But in New York State there's only one thing wrong with their stop signs. It should indicate full stop. Too many people pull up one second and go and they stop for one second. But if they make a full stop, then it gives them plenty time to prevent an accident. But I guess being as hard headed as the State of New York is, they just add the word stop and that will be it."

Supervisor Villella: "Thanks, Steve."

Sal Mastropolo: "Sal Mastropolo, Calverton. I agree with Rolph. Wading River Manor Road is no place to put a stop sign. It may even be more of a hazard with the stop sign than without it because if I'm not mistaken, I think it's Francis Street is close to the intersection of Wading River Manor Road and North Country Road and it's a blind curve coming up from the fire house. You come around that curve and somebody is stopped, I doubt that you'll have enough time to even stop and avoid rear-ending him. A lot of senior citizens drive that road, buses drive that road, and a lot of traffic is on that road."

I think it may be more of a hazard putting a stop sign than not putting it. If you want to put it on Benjamin and Francis so that you have to stop getting out onto Wading River Manor, that's fine. But to put it on Wading River Manor Road is a mistake."

Supervisor Villella: "Okay. Adam, can you make some corrections on this? Thanks, Sal. Who made the petition for this? We've got to check, like he says, on Benjamin and-- okay. Anyone else like to speak on this? These are petitions that come in from people that live in the area so we have to listen, you know, we have to acknowledge it, George. Just can't throw them under the rug."

Councilman Kent: "With everything else."

Supervisor Villella: "Okay. So what do we have to do if we are going to make corrections, we have to leave this open, too. No, let's close it. I changed my mind. 3:26, I declare the public hearing closed."

Public Hearing closed: 3:26 p.m.

Supervisor Villella: "Okay. The next portion of the meeting, public comment on any of the resolutions."

Councilman Kent: "Yeah, I'd like to move that we recess for just five minutes if we could. I'd like to take care of a couple things. And I also want to discuss-- "

Recess: 3:27 p.m.

Meeting reopened: 3:40 p.m.

Supervisor Villella: "Steve."

Councilman Lull: "Phil."

Councilman Cardinale: "Yes."

Councilman Lull: "Mark and I will do the one that's the budget transfer; you guys do the contract. There's only one copy of each, so."

Councilman Kent: "You can do it, Phil. I'll second it."

Supervisor Villella: "Go ahead, Steve."

Steve Haizlip: "All set to go here?"

Supervisor Villella: "Yes."

Steve Haizlip: "(inaudible) What is this here retaining like an RD? To me, that's research and development. Geronimo-- that sounds like the indians."

Councilman Kent: "No. RD is-- are his initials, somebody forgot to take the-- they put the finger on the shift of something and when you do that on a computer you get those little (inaudible) rather than a period."

Steve Haizlip: "Oh, all right."

Councilman Kent: "Okay. So whoever typed that just didn't know what they were doing."

Steve Haizlip: "Now it's with the condemnation and proceeding of premises Edwards Avenue. Are we going-- are we coming back to Donohue's (inaudible)?"

Councilman Kent: "Yes. This is another appraisal that's going to be used in the litigation on the condemnation action for the acquisition of Donohue property."

Councilman Lull: "I think Geronimo is an appraiser that we frequently use."

Supervisor Villella: "The first appraiser made a mistake, a pretty big mistake."

Councilman Kent: "Well, at the request of counsel, he asked that we retain another appraiser to do a new appraisal, an (inaudible)."

Steve Haizlip: "Okay. I know what it's all about. All right. Now, I wanted to ask you, 964 authorizing the shift of operation into an Economic Development Zone. This is something to do within the Grumman compound or I should say the Town of Riverhead compound now. I always refer to it as compound because it was enclosed. Now, these EDZ's were set up by the State, something like seven of them because the area becomes depressed, there's no manufacturing and no jobs. How does this apply here now?"

Councilman Kent: "Well, this is one of those companies that we authorize the Supervisor to execute the license agreement. About-- I don't know if it was last meeting or the meeting before-- "

Supervisor Villella: "Last meeting."

Councilman Kent: "-- and now this is the resolution authorizing

them to move into the EDZ zone. I think this is required under the Economic Development Zone, that we have to accept them."

Supervisor Villella: "We have three groups, companies coming in that are going to sign leases with the Town until the owner-- "

Councilman Kent: "License agreements."

Supervisor Villella: "License agreements. So the Town will be getting-- I think it's about \$25,000 a month, something like that."

Steve Haizlip: "Now, can I ask a little bit further? Does this set up any type of operation on manufacturing or the generation of any type of jobs or is it just a group sitting there using office space-- "

Councilman Kent: "No. They manufacture-- "

Councilman Lull: "It's Stony Brook Manufacturing Company makes sign poles and various sign--structures for signs."

Steve Haizlip: "Okay."

Councilman Kent: "And they're currently located on Wading River Manor Road and they're moving to inside the Calverton, and they employ seven people at this point."

Supervisor Villella: "And what's good about it, they make signs for New York State so if you ever need State signs, I think we have the right in now."

Steve Haizlip: "All right."

Supervisor Villella: "Maybe we could get the right handicap signs, right, George? The right color."

George Schmelzer: "(inaudible) A stranger comes into Long Island, Long Island, Pennsylvania, two different colors."

Councilman Kent: "That's great, George. Thanks for that input. Okay, Steve, anything else."

Councilman Cardinale: "Thanks for sharing."

Steve Haizlip: "I don't believe so. I just wanted to know about that-- "

Supervisor Villella: "You can come back up again if you see something else, Steve."

Steve Haizlip: "I thought I had another one marked, but-- "

Supervisor Villella: "No, you-- there's time. Sal?"

Councilman Kent: "George threw you off with that LIPA."

Sal Mastropolo: "Sal Mastropolo, Calverton. Resolution 961-- are we going to close the door after the horse gets out of the barn?"

Councilman Kent: "Which one is 961?"

Sal Mastropolo: "The car show tent sale was October 23 and 24. It seems a little ridiculous to pass a resolution now. And did they do it without approval?"

Supervisor Villella: "It's-- "

Councilman Kent: "Yes, they did."

Councilman Lull: "Their application was in. We did not act on it."

Councilman Kent: "We haven't had a meeting since then."

Councilman Lull: "Yes."

Sal Mastropolo: "962. Are you going to tell us how much you're going to ask for?"

Councilman Kent: "It's \$173,000."

Sal Mastropolo: "Okay, but that's not in the resolution."

Supervisor Villella: "We went over-- we had a public hearing on this last meeting. It was 173. They send it to us."

Sal Mastropolo: "No, but I mean it would be nice in the resolution, the amount of money that you are going to ask for is in

there, right?"

Supervisor Villella: "True."

Sal Mastropolo: "Okay. 971, the attachment. It's missing a word."

Councilman Kent: "Which one? I'm sorry."

Sal Mastropolo: "971. Route 25, second item down. Both from Doctor's Path intersection to 840 east. Is 840 a road number? Is it feet, yards, miles? See it? Location."

Councilman Kwasna: "Probably should be feet. I'm sure it is."

Sal Mastropolo: "I think so but I'm saying it's missing something."

Councilman Kent: "Could be a highway. 840 east."

Sal Mastropolo: "That's what I'm saying. Could be or could be feet."

Supervisor Villella: "A lot of feet."

Councilman Kent: "Okay."

Sal Mastropolo: "All right. 972."

Councilman Lull: "No. Jackhammer is not a person we're hiring."

Sal Mastropolo: "Tell that. It's a form letter and was H2M really involved in the purchase of a portable air compressor generator and jackhammer? Or did you just use a form letter? I mean I hope we didn't pay them fees to help us spec out a portable jackhammer."

Councilman Cardinale: "The jackhammer was \$50 but the fees were \$3,000."

Sal Mastropolo: "Yeah, okay."

Councilman Cardinale: "But a good point. Incidentally that letter you wrote to us was very well thought out on the scoping

hearing and I appreciate it."

Sal Mastropolo: "982-- "

Councilman Cardinale: "Of course I should have read it, but I didn't."

Sal Mastropolo: "Is the IRA out?"

Supervisor Villella: "Yes. From here on in we're going to have public hearings on all houses-- situations."

Sal Mastropolo: "Unfortunately I don't know where High Hill Road is in Wading River."

Councilman Kent: "Neither do we."

Councilman Cardinale: "And I think as Vinny knows, we have to do something because this doesn't do that."

Supervisor Villella: "No. We have to-- "

Councilman Cardinale: "This handles this one application-- "

Supervisor Villella: "This is just for this particular one but for town-wide we're going to have public hearings on every one. This way the neighbors can have, you know-- "

Councilman Kent: "At least for the next three meetings."

Councilman Cardinale: "At least we're going to do that through the end of this year."

Sal Mastropolo: "1005-- "

Councilman Lull: "Vinny-- I mean, Adam, would we call them a hearing or call them an informational meeting?"

Adam Grossman: "Yeah,-- "

Councilman Lull: "Because we have no say (inaudible)."

Councilman Cardinale: "It is kind of a waste of time, yeah."

Councilman Kent: "All right. 1005?"

Councilman Cardinale: "That (inaudible) criteria would be out of work."

Sal Mastropolo: "If you quickly add up the left hand side, the debit side and the credit side, the left side comes to \$315,900. The right hand side comes to \$59,400. I think there's an extra zero."

Councilman Kent: "Yeah, I think plant inspection-- "

Sal Mastropolo: "Or there's a missing zero."

Councilman Kent: "Plant inspections, I believe, is \$280,000, not \$28,000. Or maybe the appropriated fund balance is wrong."

Sal Mastropolo: "I don't want to make the assumption as to which one was wrong. All I know is one of them is wrong."

Councilman Kent: "It needs to be corrected."

Sal Mastropolo: "Okay."

Councilman Kent: "We'll get Jack on that right away. In fact, he already left the room."

Supervisor Villella: "Yeah, no, it's appropriated fund balance."

Sal Mastropolo: "1007."

Supervisor Villella: "It's appropriated fund balance. You're right, it's wrong."

Sal Mastropolo: "1007."

Councilman Kent: "Yeah, we already fixed that one. That's \$45.00 instead of \$5.00. I already amended that one, Sal. I spoke to Jack about it."

Sal Mastropolo: "I think that's it. Thank you."

Councilman Cardinale: "That's all right. I don't have to worry."

Supervisor Villella: "Thanks, Sal. Anyone else like to speak on this? Rolph, I'm sorry. And, Bill, you'll be next."

Rolph Kestling: "Rolph Kestling, Wading River. Just want to make a first comment before I get to this."

Councilman Kent: "Okay."

Rolph Kestling: "You know, two years ago when you started this comment resolutions before you voted on them, I think that was the best thing that ever happened and I hope that we will continue-- a lot of other things continue besides."

Okay. 996. I just want to make sure, is this on the southwest corner of 25A and Wading River Manor Road by-- across from the Hess station?"

Supervisor Villella: "Wait a minute, Rolph. 996?"

Rolph Kestling: "Yes."

Supervisor Villella: "This is right on the corner."

Rolph Kestling: "Yeah, that's what I thought. Because I've spoken about that once before and I was looking at it, I don't see any map up there. Remember I spoke about a lot of people want to (inaudible)-- "

(Some inaudible discussion by Councilman Kent)

Rolph Kestling: "-- and at that time I mentioned that I remembered during the Janoski administration there was a (inaudible), they need a certain distance to do it and Janoski cut a deal with-- if McDonald's opens up there, you can't (inaudible)."

Supervisor Villella: "No. I can explain the whole thing. We met with the DOT. I had Wading River Civic Association there, Wading River-Shoreham Chamber of Commerce, DOT, myself, Rick Hanley and what we did is that we mapped it all out it's all done. Dun Engineering did the report. There's going to be a right hand turn lane and-- "

Rolph Kestling: "On the east side, southeast side by-- "

Supervisor Villella: "Yes. Right. And there's going to be one

anyway."

Supervisor Villella: "And there's going to be one turning lane going left."

Rolph Kestling: "But then, in other words, Hess is in violation then with their tanks and their pumps? So Hess is in violation? Okay, thank you."

Councilman Cardinale: "Thank you."

Supervisor Villella: "But if you want to see the plans, they're all done. I mean-- there's no public hearing, but, you're right. When that comes up-- "

Councilman Kent: "Sal, the number was \$28,500 instead of \$285,000. Okay?"

Supervisor Villella: "Bill is next. Allen, did you-- all right, George, and then Allen."

William Kasperovich: "William Kasperovich from Wading River. Being from Wading River, I am curious and interested how this (inaudible) come to be. And I certainly expect that a site plan could be put up on the wall."

Supervisor Villella: "Our town planner is not here. Maybe we could get somebody else to do it? I'll see if I can get it, Bill."

William Kasperovich: "See what was finally set in concrete. All right. While we're waiting, just for whoever is interested--"

(Some inaudible discussion by Councilman Cardinale and Councilman Kent)

William Kasperovich: "-- piece of equipment by that manufacturer. So buying the same things would be an-- ease of transfer of parts or maintenance (inaudible). And I talked to several contractors on the outside. They said that model is a good-- "

(Some inaudible discussion by Councilman Cardinale and Councilman Kent)

Supervisor Villella: "That's where the problem is going to be."

The DOT-- that's the county's portion of the road. The state road is going to be fine. The county, we still have to work with. Bill, you want to look that over and come back later and talk?"

William Kasperovich: "I've lived with these things for so long, I don't-- "

Supervisor Villella: "Blueprints he knows. Bill, why don't we-- "

William Kasperovich: "The area across the street from King Kullen (inaudible) we never considered."

(Inaudible discussion among Councilman Kent and Councilman Cardinale)

Supervisor Villella: "On the new plan-- "

William Kasperovich: "(inaudible) what does the state require and what it is we're doing. And we have a condition over there, we have a 45 mile an hour speed limit and you're going to make a right turn. You have no (inaudible), you have no turning lane-- accelerating lanes. Same thing-- "

Councilman Cardinale: "I think we should discuss it at a work session. I'll move to table it. Or you can move to table it, it's your (inaudible). We're going to pass this anyway. (Inaudible) overtime. That's what's her name."

William Kasperovich: "-- a 45 mile an hour speed limit is to me a right angle turn. The divider strip-- "

Councilman Cardinale: "Are you going to miss all this, Mark?"

(Some inaudible discussion among Councilman Cardinale and Councilman Kent.)

Supervisor Villella: "Why don't we continue, Bill, and then move on?"

William Kasperovich: "The Wading-- Manorville Road."

Supervisor Villella: "Right, it's a county road."

William Kasperovich: "Maintained by the town."

Supervisor Villella: "No."

William Kasperovich: "Yes."

Supervisor Villella: "Oh, you mean on the north side?"

William Kasperovich: "Wading River Manorville Road from 25A to 25 is a county road maintained by the township."

Supervisor Villella: "It's a county road, you're right."

William Kasperovich: "Are you surprised to hear that, that when I found out about it, it sticks in my memory. North of this intersection (inaudible) opposite (inaudible) this McDonald's traffic. Either direction and I see the same thing has occurred with the post office (inaudible). South of this road to the stop sign and the next big intersection, which is about 300 feet, 400 feet (inaudible)-- people put the pedal to the floor. People try to make up time for their stopping and (inaudible) to the traffic. This is a condition that has come up in not too many years or let me say since the post office was (inaudible) there. People travel around that road, think they are on the freeway in California and this is (inaudible)."

(Some discussion among the Board members)

William Kasperovich: "It's the people that live there, not transients and not people coming in from the city. That presents a problem and it's a serious problem and we don't want to wait for blood and gore before we do something about it."

Supervisor Villella: "We'll take that into consideration. But the Wading River Civic and also like I said the Chamber of Commerce, they-- once they saw the plans for the roads and everything, they were satisfied. Otherwise they weren't satisfied. The developer has to do a few extra things. But it's okay, the plan."

William Kasperovich: "Well, knowing that I'm (inaudible) about these things, I never get invited to these affairs so I never get notice that these affairs are going to be. Because they know where I've been and that I do speak up. Now, in the overall scheme of things, this McDonald's will be an asset to the town. However, I can't see (inaudible) an asset to the community at the price of

traffic (inaudible)."

Supervisor Villella: "You're right. It's going to be a problem there with that."

William Kasperovich: "We have to deal with McDonald's with other than residents, the people-- "

Councilman Kent: "We're going on 15 minutes here."

William Kasperovich: "-- other than residents, not residents, that this is going to compound a traffic problem in this layout."

Supervisor Villella: "Okay. We got that on record, Bill."

William Kasperovich: "And well-- "

Supervisor Villella: "Do you have any other resolutions?"

William Kasperovich: "-- we have to wait until hell breaks loose before we do something?"

Supervisor Villella: "No. It's up to the police-- the new supervisor will tell the police chief to have patrols there."

William Kasperovich: "How the police do their job is their business. Telling them the conditions that they have to tolerate-- that we have to tolerate, is your business, the Town Board."

Councilman Cardinale: "What does this have to do with this?"

Supervisor Villella: "Okay. Do you have any other resolutions you want to speak on? If not, I know Allen wants to speak."

Councilman Cardinale: "I know, what does it have to do with this?"

William Kasperovich: "Well, the Chinese have a proverb, (inaudible) worth a thousand words. I don't think people are relieved to feel (inaudible). I haven't been a draftsman for so many years, taking a picture of what is to be (inaudible). But I get up here continually and say this, I don't think anybody listens."

Supervisor Villella: "There's some things you've changed-- "

William Kasperovich: "You have a public hearing-- a little diagram would have saved a half hour of talking on where and what this extension would be."

Supervisor Villella: "What extension? Oh, the greenhouses? Yes, Rick Hanley is supposed to be in charge of that but he's not here."

William Kasperovich: "It has nothing to do with making a little-- "

Supervisor Villella: "No. No. All-- "

William Kasperovich: "-- scale diagram to show where it's going to be and what it's position on the property would be."

Supervisor Villella: "That's something that we've been talking about. You know that, Bill. You hit it-- "

William Kasperovich: "I know. But I may have to repeat it continually (inaudible)."

Supervisor Villella: "Thanks, Bill. Allen."

Allen Smith: "I would like to thank the Board on behalf of my client for your attention on the Applebee's application. Matters that I was going to address (inaudible)."

(Some inaudible discussion among the Board members)

Supervisor Villella: "Did you work out something? Chris, Allen said you worked out something."

Councilman Kent: "Oh, I'm sorry, I was discussing one of the resolutions with Jack Hansen. I did have a conversation I was going to put on the record when we brought this resolution up for a vote. I guess I can discuss it now. This application, there was an amended site plan that was distributed to the Town Board on October 28-- and to the Planning Department on October 28 which was referred to our consulting engineer. In Rick Hanley's absence I had a telephone conversation with Rick Van Dekieft at John Joseph Raynor's office, our consulting engineer, who said that the new site plan did comply-- did conform to the requirements of the Planning Board for the average of 35 feet of landscaping along Route 58."

Supervisor Villella: "Which resolution is that one?"

Councilman Kent: "This is Riverhead OC-- "

Supervisor Villella: "No, we've got two-- "

Councilman Kent: "OC Riverhead Route 58. This is the site plan, approving the site plan-- "

Supervisor Villella: "Not the special permit one, okay."

Councilman Kent: "No."

Supervisor Villella: "Okay, because I know I got this from Rick, it was on my voice mail."

Councilman Kent: "And then Rick called in a message to the Supervisor that said that Applebee's is not ready based on the Fire Marshal's requirements that have not been met. This was a message from Rick Hanley only. We haven't been able to speak to him in person."

Supervisor Villella: "So we can do that-- "

Councilman Kent: "But I'm just getting this handed to me for the first time. So-- "

Allen Smith: "It's very difficult to respond to scraps of paper-- "

Councilman Kent: "Well, no, we did get the approval on the 35 foot requirement which I said to you that I was going to look into but what's going on with the Fire Marshal?"

Allen Smith: "I'll try to explain the Fire Marshal issue. I wouldn't bother you with it at this hour but for the fact that you can tell we are running out of the building season to the degree that this project can begin within the next several weeks, it will, in fact, be a 1999 project and with some luck could be on the tax rolls come March 1 in the year 2000. If we wait a little while longer as the weather changes, it will not be-- you won't be able to start this job this year and it will not commence until the spring. I have had extended conversations with the Fire Marshal. The Fire Marshal issues with reference to hydrant location and things of that nature have been

resolved and are in compliance with the code. The issue that appears to be a miscommunication between the Fire Marshal, Rick Hanley and somebody else, is an issue that is occasioned by the fact that-- the requirement that I am about to describe with the Fire Marshal and it concerns him, is not codified. It's sort of something that everybody would like to have happen. It is also made of the same stuff as the 35 foot (inaudible). And as you move-- create that 35 foot (inaudible) buffer in the front, you keep moving the building around on the site.

The question is whether or not there is a turning radius within the parking lot of 50 feet. Again, as you move the building around on the site, you affect the turning radius. The 50 foot turning radius is (inaudible) the Fire Marshal-- what the turning radius will do if the truck that's called 6-2-6, is the new power ladder owned by the Riverhead Fire Department. I am a member of the Redbird Hook & Ladder Company and have been so for 22 years. That truck belongs to my particular company.

I point out to the Fire Marshal as a practical matter that the building involved is a steel and concrete building, fully fireproofed with a sprinkle system within it. It has a 20 foot (inaudible) on the front. To argue that you are going to use a 103 foot tower ladder to fight an alarm at that location just defies credibility. The fact of the matter is that the two first responding trucks to an alarm at that particular location would come out of Polish Town, Hamilton Avenue. There are two pumpers there, 3 and 4, at the moment is the numbers. Each of those trucks would lay in five inch lines as they pulled up to a fire, assuming that you had a major fire at that particular location.

The new truck lays, I believe, 68 tons or 78 tons, it is a very big and very heavy truck. You will not drive that truck over those hose lines, the five inch hose lines. You can't do it, you will break the connections to the hydrants and all sorts of other bad things would happen before you attempt it. So putting in the tower ladder which is the furthest truck away from Hubbard Avenue in there as a first responding vehicle just will never happen as a practical matter.

By the way, that truck has no pump on it. It carries zero water. So assuming that you could get it there first, you wouldn't put it closest to the building in any event because it has no pump. If you are going to fight a fire in that building you need a pumper up close to the building.

Now, we went through all of this and I point out that if you look at the site plan the reach of the new ladder is, in fact, 103 feet. If, in fact, there was some reason why you would need 103 foot aerial ladder to fight a fire in a building that is 20 some feet high, you could park it in Route 58-- "

Supervisor Villella: "He actually told you that was the-- they were going according to that?"

Councilman Kwasna: "That's the holdup."

Supervisor Villella: "They've been doing these site plans, the Commissioners of each fire district before that was in service, before you even bought that and they've been recommending Jamesport, Wading River and Riverhead, recommending 50 feet radius for turning. That's the reason why we couldn't build that hotel up there on Route 58 because there wasn't enough room for a fire truck to turn around in. That's what the Commissioners said."

Allen Smith: "Whether it is Mr. Danowski, or I, or Joe (inaudible), can help applicants and the Town Board deal with issues of this nature, when you codify it and if you hold hearings and if you raise issues of this nature, we can stand before you and say that the application of 103 foot aerial ladder for this type of application is crazy."

Councilman Cardinale: "Allen, the-- "

Supervisor Villella: "Sounds crazy, yes. It has nothing to do with it."

Councilman Cardinale: "-- the 50 foot turning radius-- "

Allen Smith: "I can't argue-- when I stand up here at a public hearing, okay, whether it's the 35 foot planting or this 50 foot (inaudible), if somebody will say something to the applicant, to Danowski, to Smith, to whomever whether it's traffic engineers or with, you know, experts in firefighting-- Mr. Van Dekieft for instance is one of the senior instructors at the Yaphank Fire School. He is a very knowledgeable gentleman when it comes to these issues. I asked him the last time I was before him what his opinion of this was and his answer to me was as a member of that fire company, if I can't get that truck in there I have absolutely no business driving it."

Now, the question, Mr. Supervisor, is this. Fifty foot turning radius from where?"

Supervisor Villella: "That's not a Board-- Allen-- "

Allen Smith: "Yes, it is, Vinny. You have to codify-- "

Supervisor Villella: "No, hold on a minute. You can say whatever you want. You're a Captain, you're a big shot in the fire department. Please talk-- "

Allen Smith: "I'm not a big shot in the fire department. I'm a firefighter. I'm a member."

Supervisor Villella: "Well, whatever. You do a great job. Please get in touch with the Fire Commissioners-- "

Allen Smith: "No, sir. This is the Board-- the Town Board-- "

Supervisor Villella: "The Fire Commissioners for a safety reason are telling us to use a 50 foot radius for safety issues. They just had a meeting with Tanger and Tanger-- we can't even get a fire truck up there because of the situation of traffic and everything. These are safety issues."

Allen Smith: "Mr. Supervisor, I train on the pumpers during the weekend. I can get a truck up in there. I don't know where you get that from."

Supervisor Villella: "Not when you have traffic. I'm talking about Fire Commissioners and Fire Chiefs meeting, setting the groundwork."

Allen Smith: "You get this stuff out of thin air."

Councilman Kwasna: "Leroy, is the Fire Marshal here? He's off today?"

Allen Smith: "We can't help this community build this type of good, clean industry-- "

Supervisor Villella: "No. There's nothing wrong with-- "

Allen Smith: "-- that will employ 70 some people-- "

Supervisor Villella: "Nothing wrong with what you're bringing in."

Allen Smith: "-- and site it out in a logical, authorized, deliberate kind of a way when you do this to us. I mean this comes out of thin air. I asked the Fire Marshal if this is a standard, and it is a 50 foot radius, how do you measure it? From what point?"

Supervisor Villella: "Good question. That I-- "

Allen Smith: "That is a great question. All right. Let us assume for the moment that there was a fire on this site and you had to put that ladder truck in there and you didn't have the hoses and everything else. I asked the ex-chief of Jamesport what he would do and he'd do exactly what I would do if I was driving the truck. I'd drive the damn thing over the trees. We do it. Done that. Worry about getting the truck out later. But this process will go on and on and on and we're going to wake up.

I simply submit to you and I'll call this to an end. That the applicant has done everything reasonable to meeting with every professional that this Board has put before them. They have accommodated every suggestion that they would want done. Okay. I would very much appreciate it if this site plan were adopted or if you wish to vote no, vote no."

Supervisor Villella: "No, that's not the problem. I'm just-- I know what you're upset about with the Fire Commissioners and everything. But-- "

Allen Smith: "I'm not upset with the Fire Commissioners. I'm upset with this Board."

Supervisor Villella: "We're taking recommendations supposedly from the professionals that know it."

Allen Smith: "Then hold hearings, codify it."

Supervisor Villella: "Make special adjustments for safety issues."

Councilman Cardinale: "Okay."

Allen Smith: "Hold hearings and codify them. Then the rules

will bind everybody equally and we will know and our design professionals will (inaudible) it."

Supervisor Villella: "Every site plan that comes in front of the Planning Department right now has that 50 foot radius there, so we should change it. So-- "

Allen Smith: "I cannot talk to any other application and/or whether the other applicant-- "

Supervisor Villella: "Every single one."

Allen Smith: "Mr. Villella, I cannot talk to any other application or to the fire hazards that are attendant to it or the clearances or anything else in any other application. I am here simply for Brasby. It is a fully sprinkled steel and concrete building with a 20 foot (inaudible) and to say that you're going to use a 103 foot aerial ladder to fight a fire in that structure is just nuts."

Supervisor Villella: "One hundred and three foot is nuts. You're right."

Councilman Kent: "Okay. We're ready to call the resolutions."

Supervisor Villella: "Yeah, let's go to the resolutions."

Councilman Cardinale: "Which one was that, anyway?"

Councilman Kent: "That's resolution 968 by the way, because we withdrew 968 and this was replaced."

Councilman Cardinale: "Go to the videotape."

Supervisor Villella: "All right. Here we go."

Resolution #960

Councilman Cardinale: "Resolution 960 is an order establishing extension 55 to the Riverhead Water District Maritime Funding Group, Ltd., which is going to be paid for by the developer. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #961

Councilman Kwasna: "This ratifies the approval of an application of Tanger Properties Ltd. Partnership. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "How come they did it before we voted on it?"

Supervisor Villella: "It was in but we didn't have a meeting in between, so."

Councilman Cardinale: "Okay. They did it already?"

Supervisor Villella: "They already did it."

Councilman Cardinale: "Yes."

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

Councilman Cardinale: "No?"

Supervisor Villella: "They did it wrong. What do you want me to do?"

Melissa: The resolution is adopted."

Resolution #962

Councilman Kent: "This authorizes the Supervisor to execute and submit a grant application to Suffolk County for fiscal year 2000 Community Development Block Grant Funds. So moved."

Supervisor Villella: "Can we amend it to put, I think Sal said to put the figure in there of 173?"

Councilman Kwasna: "It's even, 173, \$173,000?"

Supervisor Villella: "Yes. Okay. With the amendment."

Councilman Kent: "Okay. So we'll put that into the first Resolve clause, that the-- authorize the Supervisor to execute and submit a grant application for \$173,000."

Councilman Lull: "What about if they have more than that and there is more available? Are we limiting ourselves?"

Councilman Kent: "No. This is why we leave this open because we haven't-- "

Councilman Lull: "Yes. I wouldn't put a number in there. We might be able to get more."

Councilman Kent: "We haven't specified how we are spending the money or how much we are applying for at this point. I think we should leave the amount open. I think that's what's traditionally been done in the past."

Supervisor Villella: "Take the amount out. Okay."

Councilman Kent: "So moved."

Supervisor Villella: "Is there a second?"

Councilman Kent: "As originally drawn."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #963

Councilman Lull: "Mr. Kwasna's time here on the Town Board is getting short and since the Millbrook Gables project has been his all

along, I prefer he make this resolution."

Councilman Kwasna: "963 is a resolution requesting properties from Suffolk County. Suffolk County owns a few properties that got took on back taxes in the Millbrook Gables area and we want to acquire those properties from the county so that we can build-- the Long Island Partnership can build new homes on them. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. Resolution was adopted."

Resolution #964

Councilman Cardinale: "Oh yes, this resolution, 964, authorizes the shift of operation into an Economic Development Zone for Stony Brook Manufacturing Company, Inc., which we welcome. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #965

Councilman Kent: "This application-- this resolution approves the application of the site plan for Calverton Links clubhouse addition. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #966

Councilman Kwasna: "This resolution amends the site plan of

Tricon which is Kentucky Fried Chicken. The amendment to the site plan is just to remove one window in the building. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #967

Councilman Lull: "Approves the temporary site plan permit-- site-- sign, sorry, sign permit of Tilecraft Marble & Tile on Route 58. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #968

Councilman Kent: "Resolution 968 is withdrawn and we have substituted it with a new resolution 968 which approves the site plan of OC Riverhead for the construction of an Applebee's on Route 58."

Supervisor Villella: "Are you going to move that, Chris?"

Councilman Kent: "I will move that resolution. So moved."

Councilman Kwasna: "I'll second it."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "This is the one we were just talking about, right?"

Councilman Kent: "Yes."

Councilman Cardinale: "If I understand this correctly, there's no codification of this 50 foot thing?"

Supervisor Villella: "No."

Councilman Cardinale: "We just kind of pulled that out of-- "

Councilman Kent: "You mean the 50 foot thing you're referring to, the radius-- "

Supervisor Villella: "There's no codification at all. It's just a recommendation from safety."

Councilman Cardinale: "If we're going to hold somebody to these requirements, I believe they should be codified. The Fire Marshal feels strongly about it. I'm all ears to codify it but until then I would vote yes on this."

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

Councilman Kent: "Yes, and I would ask that this matter be discussed at a Code Revision Committee meeting. We're having one tonight. Please bring this up."

Supervisor Villella: "Okay, good idea."

Councilman Kent: "I believe Bruce is a member of that committee? Okay. And I vote yes."

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

Supervisor Villella: "I have to abstain on the vote because I'm in the middle of this. It's a great project what's going on, what's coming into town, but I'm in-- I meet with the Commissioners, the Fire Commissioners, the Fire Marshal and they're telling me it's a safety issue. So I have to lean that way. But I don't want to vote no against it because it's a good project until we codify it but I abstain. I don't want to vote on it."

Melissa: "The resolution is adopted."

Resolution #969

Councilman Kwasna: "This reaffirms approval of the special

permit petition of OC Riverhead Route 58 LLC. This is the same project. Right."

Councilman Kent: "I think the reason that we had to reaffirm this was because the Suffolk County Planning Commission took action leaving it to local determination rather than-- "

Councilman Kwasna: "So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "My understanding is that we voted on this previously before the Suffolk County Planning Board had made that decision, correct?"

Councilman Kent: "Correct."

Councilman Cardinale: "So we were too quick, which is really unusual for us. Yes."

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

Resolution #970

Councilman Kent: "Resolution 970 declares the lead agency and determines the significance of special permit and site plan application of Al and Carol Hubbard and we determined that it's an unlisted action which does not require coordinated review in this instance and we are referring the petition for the bed and breakfast to the Planning Board. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #971

Councilman Lull: "Authorizes the Town Clerk to post and publish notice of a public hearing to consider a proposed local law for an amendment of Chapter 101 Vehicles and Traffic. This is a public hearing on the 16 of November to talk about four new stop signs which we will talk about at that time. So moved."

Councilman Kwasna: "Do we want to correct that one-- "

Councilman Kent: "Yeah, prior to it going into the paper, can you make sure that it's correct? It doesn't have to appear in the paper until next Thursday, so."

Councilman Kwasna: "I'll second it."

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

Resolution #972

Councilman Cardinale: "This resolution authorizes an increase and improvement to the Riverhead Sewer District for the purchase of a portable air compressor, generator and jackhammer."

Councilman Lull: "Isn't jackhammer one word?"

Councilman Kent: "He's a private detective, Jack Hammer."

Councilman Cardinale: "So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "That's a lot of money, \$29,000."

Supervisor Villella: "It's a special jack."

Councilman Cardinale: "Yeah, but just what is this? A portable air compressor and a jackhammer for \$29,000?"

Councilman Lull: "And the generator."

Councilman Cardinale: "Air compressor, generator. Is that a good deal?"

Supervisor Villella: "You buy the jackhammer, they throw in the generator."

Councilman Kent: "I think we still have to go out to bid on this. We're just setting up the-- it went out to bid?"

Supervisor Villella: "We can't go higher than \$29,000. It should be under."

Councilman Kent: "Steve, are you on top of this one? Because you're usually on top of these."

Supervisor Villella: "It can't be higher than \$29,000, Steve, so if bids come in higher, we can't use it. So remember it."

Councilman Cardinale: "All right. Well, in that case, yes."

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

Resolution #973

Councilman Kent: "Okay, Resolution 973 accepts another resignation of a public safety dispatcher in the police department. This is Elexis Romer. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #974

Councilman Kwasna: "This accepts the resignation of Laura Bartoszewicz, a detention attendant, in the Riverhead fire department - Riverhead police department. So moved."

Councilman Cardinale: "Seconded."

Councilman Kent: "Mark, you did well with that one."

Supervisor Villella: "Moved and seconded."

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

Resolution #975

Councilman Lull: "975 is a budget adoption for CAL Hollow Farms land preservation, a \$206,000 amount from the New York State aid and \$22 from serial bond proceeds for the acquisition and fees for CAL Hollow Farms. So moved."

Councilman Kent: "I'll second it. This is another acquisition of development rights under our Farmland Select Program. So, I second it."

Supervisor Villella: "Moved and seconded."

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

Resolution #976

Councilman Cardinale: "This resolution authorizes the attendance of a senior auditor at the appropriations law for grants seminar in Vienna, Virginia, on November 8. So moved."

Supervisor Villella: "Make sure it's Virginia."

Councilman Cardinale: "Who is this?"

Councilman Kent: "Second."

Supervisor Villella: "Charlene."

Councilman Lull: "Charlene."

Supervisor Villella: "She gets us a couple million dollars in grants."

Councilman Cardinale: "Did you want to vote?"

Supervisor Villella: "Yeah, we already started. Moved and seconded."

Councilman Cardinale: "Okay, seconded. Yeah, right, whatever. Voted on. Yes."

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

Resolution #977

Councilman Kwasna: "This resolution authorizes the Town Attorney to commence litigation in Supreme Court against John Orfino. This is in reference to violations at #1, 5, 7 and 9 East Main Street which continue to exist and the property owner has not made any attempt to bring the property into compliance with the Riverhead Town Code. I move this resolution."

Councilman Lull: "I'll second that one."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "Does this indicate the futility of the Justice Court?"

Adam Grossman: "Yeah, when we have people that don't show up and we just have to make this thing (inaudible) when we can't get a hold of them."

Councilman Cardinale: "Can't we hold them in contempt?"

Adam Grossman: "They are limited as to what they can do, the Judges-- arrested, but if we can't locate them."

Councilman Kent: "He's in Coram so I don't think our police go out of the town to go out and pick these people up."

Councilman Cardinale: "That is a problem. In that case, yes."

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

Resolution #978

Councilman Kent: "Resolution 978 readopts local law to amend Chapter 64 entitled Fire Prevention of the Riverhead Town Code."

Councilman Cardinale: "Seconded. And why do we have to readopt?"

Adam Grossman: "Because the State of New York is requiring us to in order to make sure that everything is in conformance with the State building code."

Councilman Kent: "Don't we do this annually?"

Councilman Cardinale: "Thank you. Yes, I vote yes in that case."

Supervisor Villella: "It's moved and seconded."

The Vote: "Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. Resolution is adopted."

Resolution #979

Councilman Lull: "Is an authorization to publish bid for building materials. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #980

Councilman Cardinale: "Authorization to reject and rebid work clothes."

Councilman Kent: "Take a holiday."

Supervisor Villella: "You talked about that last time."

Councilman Cardinale: "So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Kent: "The reason we didn't accept the bid is because the person who was the low bidder required our employees, I believe, to travel to Mineola or Hicksville to be measured, to Nassau County to be measured for these work clothes. And we want them to come here. I suggest that we do like we do with our children. Lay them down on the ground and sketch their bodies and then send the sketch in. That's what we do for Land's End. I don't know why we can't do that for work clothes. But that's the reason for this rejection of bid."

Supervisor Villella: "Thanks for the info."

Councilman Cardinale: "Sharing that with us."

Councilman Kent: "I think if George can share the LIPA."

Councilman Cardinale: "If George is your model, we're all in trouble."

Councilman Kent: "I think I'm going to amend my platform to do everything George has been pushing for the last 50 years. Okay, George, so we'll work on that after the meeting tonight."

George Schmelzer: (Inaudible from the audience)

Councilman Cardinale: "All right. For the year."

Councilman Kent: "Okay, and I vote yes."

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

Resolution #981

Councilman Kent: "Now, I don't know why we're rescinding and rebidding the milk one."

Supervisor Villella: "Sour milk."

Councilman Kent: "There was a sour bid, I think."

Councilman Cardinale: "There have been mandates requiring the consumption of milk other than whole milk that are not in the original bid for milk."

Supervisor Villella: "Right, yes."

Councilman Cardinale: "Yeah, they have to order skim milk."

Councilman Kent: "We're going to go with 1% or 2% I think. So we will rebid this. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes."

Councilman Kent: "Are we getting chocolate milk?"

Councilman Cardinale: "I can't imagine how much money we're wasting in advertising."

Councilman Kent: "I want chocolate milk."

Councilman Cardinale: "But I hope we do it right this time and I vote yes."

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

Resolution #982

Councilman Kwasna: "This authorizes Town Clerk to publish and post public notice in connection with individualized residential alternative for the developmentally disabled. This is the Group Home Living and this is the one in Wading River, High Hill Road, Wading River."

Councilman Kent: "High Hill Road."

Councilman Cardinale: "Seconded."

Councilman Kwasna: "The public hearing is going to be the 16 day of November at 7:15 p.m. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #983

Councilman Lull: "You know, 983 through 987 are all awarding bids for snow plow and spreader parts. Can we accept them all at once?"

Councilman Kent: "Yeah, I think we should move them as one resolution."

Councilman Lull: "I move them as one resolution-- "

Supervisor Villella: "Sounds good."

Councilman Lull: "-- 983 through 987."

Supervisor Villella: "We can do the second batch the same way."

Councilman Cardinale: "I think these are the kind of resolutions that bring the percentage of agreement between the wings of the Town Board. We vote yes."

Councilman Kent: "I second it that we move 983 through 987 as one resolution."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. Resolutions are adopted."

Resolution #988

Councilman Cardinale: "These resolutions, 988, 989, 990, I would move together for award of bid for snow fence, stakes, posts and wire ties."

Councilman Lull: "So seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent."

Councilman Kent: "I used to wear wire ties. I vote yes."

The Vote (Cont'd.): "Kwasna, yes; Lull, yes; Villella, yes.
The resolutions are adpted."

Resolution #991

Councilman Cardinale: "This awards a bid for liquid calcium chloride. What do we do with that?"

Councilman Kwasna: "That keeps the sand-- "

Supervisor Villella: "The sand."

Councilman Kwasna: "-- from freezing."

Councilman Cardinale: "Okay. So moved."

Councilman Kent: "He's up on this stuff."

Supervisor Villella: "He better be up on it."

Councilman Kent: "I'll second that."

Supervisor Villella: "Moved and seconded."

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

Resolution #992

Councilman Kwasna: "This awards bid on one dual gun airless paint striper so that the lines of the roads will be straight from now on. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "And if anyone has seen the Peconic Bay Blvd. after we repave that, not a moment too soon will this dual gun airless paint striper come-- just take a look. Enough said. It's incredible. So, yes, I vote yes, they certainly need this."

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

Resolution #993

Councilman Kent: "This accepts Suffolk County National Bank irrevocable letter of credit and certified check of Zoumas Contracting Corp. (Stoll Associates). So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #994

Councilman Kent: "Okay. I'll move this resolution because George would want me to. It supports the closure of the entire Millstone facility in Connecticut and requests the monitoring of Long Island, the Long Island Sound and other waters at the expense of the owners/operators of the Millstone facility under the Nuclear Regulatory Commission's direction. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "Having just seconded this resolution, I would urge the public not to wait with bated breath to see this happen tomorrow but I will vote yes."

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

Resolution #995

Councilman Lull: "An order establishing Extension 56 to the Riverhead Water District for Sunken Pond Estates. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #996

Councilman Cardinale: "996-- where the hell is 996? Approves the site plan of McDonald's. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #997

Councilman Kent: "Resolution 997 approves the site plan of Riverhead Landing Phase II. Are we prepared to do that at this point?"

Supervisor Villella: "Yeah, we went through at the work session. Is there a second?"

Councilman Kent: "So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "I think I'll abstain on this because of my comments at the time of the special permit."

Councilman Kent: "We're missing something here in the Whereas clause, the one, two, three, four, fifth Whereas clause."

Councilman Kwasna: "What that is, Chris, is they haven't figured out the fees yet. I looked into that before the meeting."

Councilman Kent: "So do you think we can pass this without a required fee-- I thought we were going to have a fee in here."

Councilman Kwasna: "They said they've done it in the past that the fee usually in there (inaudible)."

Councilman Kent: "Well, let me ask the question to the applicant. Are you prepared to write a blank check? We're going to leave a blank in the resolution."

(Unidentified) "Well, (inaudible) just gave me the number and Bobby's bringing the check out tomorrow."

Councilman Kwasna: "You want to reveal to us what the number is?"

Councilman Kent: "Hold on a second, please. Andrew, Andrew, could you step up to the microphone or have Charlie step up to the microphone or both of you come up as a team and do a little routine for us here? Well, we need a straight man and a comic. So-- Charlie's more like the straight man."

Charles Cuddy: "I understand from Andrew that the map is \$2,700 and-- "

Councilman Kent: "Unacceptable, total."

Charles Cuddy: "We're prepared as he said to deliver a check to the Town within the next day for that amount."

Supervisor Villella: "Good, that's fine, \$2,700. Everybody, the change."

Councilman Kent: "Okay we're going to put the-- we're just telling you here we're going to pass this without an amount and the amount is going to be put into the resolution after today."

Charles Cuddy: "We understand and (inaudible)."

Councilman Kent: "Okay. Tomorrow it could be more."

Charles Cuddy: "Hopefully it will not be but we understand that and we accept that."

Councilman Kent: "Okay. All right."

Supervisor Villella: "Good, thank you. Has it been moved?"

Councilman Kent: "So moved. Yes, it's been so moved and I second it. Phil, you abstained."

Councilman Cardinale: "I indicated I would abstain in view of my comments on the special permit resolution."

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

Resolution #998

Councilman Kwasna: "Approves the special permit petition of Pamela Boyle. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Seconded. Moved and seconded."

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

Resolution #999

Councilman Kwasna: "It's a Youth Court Scholarship Fund budget adjustment of \$1,100. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #1000

Councilman Lull: "Riverhead Water District budget adjustment from \$163,000 in appropriated fund balance to various Riverhead Water District expenses. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1001

Councilman Kent: "This is a nutrition site council budget adjustment from gifts and donations into contractual expenses, \$2,400. So moved."

Councilman Kwasna: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1002

Councilman Cardinale: "This resolution is a recreation programs fund budget adjustment and it moves-- "

Supervisor Villella: "It's all within the same--"

Councilman Cardinale: "-- \$13,250 within the department. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1003

Councilman Kwasna: "Child care center building fund budget

adjustment, \$350.00. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #1004

Councilman Lull: "Also a budget adjustment. This one in the Joint Scavenger Waste District. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1005

Councilman Cardinale: "This resolution is a Sewer District budget adjustment. I offer it with an amendment, that second line of the-- I guess it's the fifth line, to \$280,000-- "

Councilman Kent: "No, \$28,500."

Supervisor Villella: "No, \$28,500."

Councilman Cardinale: "I'm sorry, \$28,500. I'm sorry, the adjustment is at the first line and it should be not \$285,000 but \$28,500. Gee I would have spent a lot of money if I would have done it the other way. Say, boy, you really have to fix some plants there for \$280,000."

Supervisor Villella: "I know we've got a big fund balance but don't (inaudible) it."

Councilman Kent: "This is all within the Sewer District."

Councilman Cardinale: "With that amendment I move the resolution."

Councilman Kent: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #1006

Councilman Kent: "This is a variety of budget adjustments within the general fund. So moved."

Councilman Kwasna: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "A little discussion on this. I think what we're doing here basically is (inaudible) the police to pay the increasing litigation expenses we've been having."

Councilman Kent: "That's correct."

Councilman Cardinale: "Sounds like a good idea to me. No. I'm concerned about any adjustments outside the budget of the department where the adjustment is being made. However, since litigation expenses are unpredictable, as we have all learned because we don't know who's going to sue us, I will vote yes."

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

Councilman Cardinale: "Besides, I love raiding the police budget."

Resolution #1007

Councilman Kent: "1007 needs an amendment. Under longevity, it should be \$45 and with that amendment I move the resolution for the budget adjustment to the public parking district. So moved."

Councilman Kwasna: "I second it."

Supervisor Villella: "Moved and seconded."

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

Resolution #1008

Councilman Lull: "Appoints Frank Phillips as a Recreation Aide in the Recreation Department. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1009

Councilman Cardinale: "This appoints a part time bus driver in the Recreation Department. So moved."

Councilman Kent: "It's Ernest Mosley."

Councilman Cardinale: "Ernest Mosley."

Councilman Kent: "So moved. Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes."

Councilman Cardinale: "We seem to be doing a lot of hiring in the Recreation Department. Do we have problems keeping people or-- "

Supervisor Villella: "No. This is-- we have those new buses. We didn't have any drivers. That was from the nutrition center we hired a lot."

Councilman Cardinale: "So this is a new job for a bus driver?"

Supervisor Villella: "Yes."

Councilman Kent: "But I think we budgeted for this. We

expected to receive those buses this year."

Councilman Cardinale: "Okay. I'm comforted to hear that. Yes."

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

Councilman Kent: "Ernest drives a bus."

Resolution #1010

Councilman Kwasna: "This ratifies the appointment of a fill-in guard in the Recreation Department. It's Kevin Cheshire."

Councilman Kent: "Fill-in guard? What are guarding? This isn't a life guard at this time of the year."

Councilman Cardinale: "Does anybody know?"

Councilman Kwasna: "Somebody we have at the-- "

Councilman Kent: "Jack, do you know what this fill-in guard does for the Rec Department?"

Councilman Lull: "Probably at the teen center."

Councilman Kent: "Oh, that's correct. It is. It is. At the Jamesport Community Center."

Councilman Lull: "And you're right, Phil, by the way. We do change a lot in the Recreation Department but we pay \$8.62 an hour for a fill-in person-- "

Councilman Kent: "The other was a bus driver that we were talking about."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Councilman Cardinale: I've always thought we needed Russell back."

Resolution #1011

Councilman Kent: "Oh, this was something we discussed probably two or three months ago out of the Rec Advisory Committee. We have approved monies to repair the sidewalk in front of the Jamesport Community Center. This is the appropriation of the monies. So moved."

Supervisor Villella: "Jack, is this coming out of which budget? Is it coming out of Rec or is it coming out of the serial bond for sidewalks? This is a mistake here."

Councilman Kwasna: "Serial bonds here."

Councilman Kent: "No. I think we appropriated some monies out of the Rec fees and some out of the serial bonds."

Councilman Kwasna: "Was the project more than \$17,500?"

Jack Hansen: "I'm sorry."

Supervisor Villella: "Come up here."

Councilman Kwasna: "Was the project costing more than \$17,500?"

Supervisor Villella: "Wait until he gets up here."

Jack Hansen: "It's costing a little bit less than \$17,000."

Councilman Kent: "So why is this coming from serial bonds? Because we had approved the expenditure from-- of Rec fees for this."

Jack Hansen: "No, it was supposed to be because Park and Rec fees-- the sidewalk in front of that building would not require to park. Therefore, the request was it had to come out of the bond issue."

Councilman Kwasna: "Are we repairing the sidewalk from the road to the building?"

Jack Hansen: "No."

Supervisor Villella: "No. Straight across. Then it's okay. That's okay then."

Jack Hansen: "And along Main Street, 25. That's outside the park. Nothing on the-- "

Supervisor Villella: "We're just happy to see it done, that's the main thing."

Jack Hansen: "Right. It's taking the asphalt that's there now-- "

Councilman Kent: "And we talked about this for almost the whole year, the Rec-- and we finally decided to get it out of this though. We got it from the-- "

Jack Hansen: "They believe there was an issue there as far as safety."

Councilman Kent: "Okay. Glad to see it."

Supervisor Villella: "It's moved and seconded."

Councilman Kent: "So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "It was moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "This resolution Community P.E.T.S. budget-- "

Councilman Kent: "We're voting."

Councilman Cardinale: "Oh, you want me to vote on this? Yes, fine."

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

Resolution #1012

Councilman Cardinale: "Okay, this is-- I was anxious to get to this because of my affection for pets, dogs and cats in particular. The Community P.E.T.S. budget adjustment by which \$375 of gifts and donations from the public is being directed to miscellaneous expense. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1013

Councilman Kent: "Pay bills. So moved."

Councilman Lull: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "Yes, there are no difficulties in the procedures by which these bills were submitted?"

Supervisor Villella: "They're all taken care of."

Councilman Cardinale: "Yeah, fine, yes."

Supervisor Villella: "We have a big bunch in surplus. What's our budget-- hey, we have a nice budget surplus coming the end of this year? Thank you."

Councilman Cardinale: "A lot of good it did you."

Supervisor Villella: "Huh?"

Councilman Cardinale: "I said a lot of good it did you."

Supervisor Villella: "Well, if I had that to do the advertisement, it would have been all right. Go ahead."

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

Villella, yes. Resolution is adopted."

Councilman Cardinale: "Now we can spend it."

Resolution #1014

Councilman Kent: "We have a couple of them coming off the floor. I'll move Resolution #1014. It appoints a member, my neighbor, James Cain, to the Conservation Advisory Council. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

Councilman Kent: "We're doing some (inaudible) finally. It took us two years and I finally got this guy in, \$250 he's going to make."

Councilman Cardinale: "Annually."

Councilman Kent: "Annually."

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

Supervisor Villella: "I hope they continue using this group because we started them two years ago, well, actually, a year ago, and they're doing a great job for the wetlands and all the projects that come in front of us, so Mr. George Bartnick (phonetic) is doing a tremendous job. He's in charge of it and I vote yes on this."

Councilman Kent: "Yes, James, by the way, is a retired scientist, if anybody cares. Okay."

Resolution #1015

Councilman Kent: "Resolution-- I think the next one, 1015, Jim you were going to move that one."

Councilman Lull: "Mark has 1015."

Councilman Kwasna: "Landfill capping and closure capital project budget adjustment of \$155,000. So moved."

Councilman Lull: "Second."

Supervisor Villella: "It was moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "I didn't see it."

Councilman Lull: "No, we only have one copy of this."

Councilman Cardinale: "Oh, it's like this one?"

Supervisor Villella: "The one that-- yes."

Councilman Cardinale: "The \$155,212.50. Yes."

Supervisor Villella: "The landfill."

Councilman Kent: "We're not giving it to you."

Supervisor Villella: "Was it moved-- it was moved."

Councilman Kent: "Moved and seconded."

Supervisor Villella: "And seconded."

Councilman Kent: "Phil is about to vote."

Councilman Cardinale: "Yes."

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

Councilman Kent: "Now you've got to move this one."

Resolution #1016

Councilman Cardinale: "The-- thank you. There's-- the next one. Oh, I'm going to move resolution #1016 which is related to the last and which awards the bid for landfill reclamation field investigation project in the sum of \$150,212.50 which is apparently a good bid because it's made by Terry so one wonders whether it will be completed but we can hope. So moved."

Councilman Kent: "Seconded. This is the next step in reclaiming the landfill or at least making a decision whether we're going to reclaim the landfill. This is the field investigative work that's required for us to proceed and I second the resolution."

Supervisor Villella: "Moved and seconded."

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

Councilman Lull: "This is one of two bids. This one was \$150,000 and I believe the second bid was \$399,000. We didn't have a lot of trouble making that decision. Yes."

Councilman Kent: "Except you get what you pay for."

Supervisor Villella: "Yeah, as long as he does the work."

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

Supervisor Villella: "Is there any others?"

Councilman Kent: "That's it."

Supervisor Villella: "Let's go into public comment. Allen? He--"

Councilman Kent: "No. Allen already spoke on what he-- he wanted to speak about Applebee's."

Supervisor Villella: "George Richmond."

George Richmond: "I'll be right there. Good afternoon."

Supervisor Villella: "Good afternoon."

George Richmond: "I have two things I would like to present to the Town Board. Number one, yesterday when I went to vote at the Jamesport Community Center or the George Young Community Center, I don't know what it's called anymore-- the two signs for the handicapped are in the wrong place. One sign is in front of the parking space, the other sign is in front of the access aisle for wheelchairs. And when I was coming out, a woman was coming in in a wheelchair within the proper parking space, and as we came out my wife

had to park further away because they were filled when we first pulled in, there was only one space-- two signs, one space. A lady, an elderly lady, was pulling into the access aisle. And I pulled up alongside her. I said you can't park here, this access aisle has to be kept clear for wheelchairs or the lady that just went in with the mobility scooter, and she has a lift on her car. In order to get in it, (inaudible). I said yes, you're right, the sign is right there. Technically you're right, you can park there. I says but legally you can't park here.

Now I spoke to Charlie, the custodian down there and this isn't the first time I spoke to Charlie, and I asked him to relay it to whoever he answers to and I asked him yesterday, who do you answer to? And he says Buildings and Grounds. Well, I looked on the front page of today's agenda and I don't see anybody that's in charge of Buildings and Grounds. So who's in charge of Buildings and Grounds?"

Councilman Kent: "Ken Testa, Town Engineer."

George Richmond: "Town Engineer is in charge of Buildings and Grounds. Well, is it possible that somebody up there can-- I've been bringing this up now for almost four years-- can move that one sign over and put two parking spaces in there. It means painting one more blue line and just moving the sign over. I don't care about the colors in the signs anymore. Put any color sign you want in there. But can you move the sign over, please, so you have two parking spaces for the people that are using that building?"

Supervisor Villella: "Can you get Ken on-- "

George Richmond: "It's not that much to ask."

Councilman Kent: "No, he's not here. Kim, can you just take a note."

Supervisor Villella: "I want this taken care of."

Councilman Kent: "Yeah, we'll write a memo. We'll write a memo down to him, okay."

Supervisor Villella: "How long has this been?"

George Richmond: "It's gone on four years. I mean-- Mark, I'm not putting you on the spot but you know we've talked about it many

times."

Councilman Kwasna: "I've told him many times to correct the problem."

George Richmond: "I know you have. There's a lot of things you've tried to help us out with. We certainly appreciated what you did and what you couldn't do, we appreciated your trying. But the bottom line is we're not asking for anything that expensive, like jackhammer. I mean we don't need a jackhammer. We just need somebody with a paint brush. Okay. The signs have to be raised up seven foot but if you want to leave them at four foot, I don't care. I can't fight you guys."

Supervisor Villella: "No, no. It's seven foot it has to be."

George Richmond: "I come before you and I ask you if you want me to kneel down here and pray at the altar here, I'll do that, too. I can kneel down as long as I have something to lean on. But I don't think you want to see me to do that, the indignity of me getting out of my chair to do that, begging you, please, as a taxpayer."

I am not the only person that's handicapped in this township. Eighty-five percent of your senior citizens are handicapped. Eighty-five percent of your senior citizens have those tags hanging from their windows and if I am wrong, I would expect Barbara Grattan to correct me. But as we all get older, we all start getting arthritis, rheumatism, bursitis, whatever it may be, or disabilities. Nine years ago if you told me I would be in this chair, I would tell you you're crazy. I couldn't wait to retire. Had a beautiful golf bag, beautiful golf clubs for retirement gift. I couldn't even hit the ball once. One month after I retired, I wound up into this thing.

I'll tell you about being handicapped. It took me two and a half years of going through psychiatric treatment just to accept this stupid chair that I'm sitting in. But I respect my chair now and I respect it when I see people with handicaps. Now that's number one.

Number two, and I'm not picking on any department head but it just bewilders me coming here, giving you reports, and reports and the liaisons that work on our committees and the clerk that works on our committee, all you people know what we've been talking about. We're talking about curb cuts, we're talking about access ramps. You go up to King Kullen's, there's no curb cut there. It's macadam built up,

hugh, but it's a fire lane. Now in your town code nothing is supposed to be in a fire lane. Fire lane is supposed to be clear. I'm sorry the Fire Marshal is not here tonight because I did ask the Fire Marshal kind of off the record if he was chief of a fire department and he had to move his ladder truck in, put his outriggers down, and he was fighting the fire with his tower ladder or his pipe, and the chief says to him, look, I want it moved up 10 feet, he can't very well just move it up 10 feet. He can lift his jacks up a little bit but he can't do anything with the outriggers other than to fold them all the way back up again, move the truck up 10 feet, and start all over from scratch and put his outriggers down, put his jacks down on the pads to lift the truck up off the wheels. Am I right or wrong, Mark?

So the bottom line is-- and I'm talking to a fireman that understands what I'm talking about. I, too, am an ex-chief as you know. These macadam strips that are being put in these malls-- I don't know why we can't go in there and just tell them, they've got to come out. They're got to be taken out. The owner of these malls have to be told. You can't ask them, you've got to tell them. This is our code. The fire lanes-- nothing blocks the fire lanes. These asphalt strips that we have to use to get up onto the sidewalk, yeah, they get us up on the sidewalk, otherwise we wouldn't be able to shop in any damn stores in Riverhead, but a curb cut, what is it going to cost the guy? Maybe \$300? \$500? \$1,000 plus jackhammer, jack out the macadam and cut out the concrete like you have at each end of the sidewalk here in front of the building. Just a little cut out. Not a big deal.

I don't know who to speak to or how to go about getting that done. I mean I realize these things have been in for a long time. But that doesn't mean they necessarily have to stay there. They can be removed. You've got a code that says that the fire lanes should not be blocked. Well, unblock it, please. I'm begging you. Unblock it. Put curb cuts in these stores. These little macadam strips going up are no good and I would like to ask one last question if I may. I have been up to the Ramada Inn many, many times and I know that's been undergoing continual renovation. Is there any way of knowing if there is still an open building permit on the Ramada Inn?"

Councilman Kent: "You have to ask Leroy Barnes."

Councilman Lull: "There is a way of knowing, yes."

Councilman Kent: "There's no open building permit?"

George Richmond: "If there is no open building permit, I still look at the place and I brought that up many times at our meetings, Mr. Supervisor and Mr. Kent, Mrs. Grattan, you've heard me talk about the Ramada. You've heard Charlie talk about the Ramada. There is no handicap accessibility. Once you get in that building. If you want to go downstairs to a wedding or whatever, there's nothing in there for handicap. When that building was being renovated from Holiday to Ramada, that was the golden chance to get that stuff done. I'm not looking for an elevator that holds 14 people. I'm looking for an elevator that holds a wheelchair and maybe two people. A man sent a letter in return to our letter and, Adam, what did he say it was going to cost? About \$138,000 and he couldn't afford that. \$138,000. New York State firemen just had their annual convention down here in August and they held it in all of the hotels back in Hauppauge, the Icelandia, the Marriott, and all the rest. On the top five lists of hotels in the area on where to stay, for the (inaudible) convention, the Ramada in Riverhead was one of them. Rated one of them. And the room rates at the time that he put in the (inaudible) magazine, I believe you get that still, Mark-- is \$225 a room. I feel sorry for that man that he can't afford to put an elevator in that building.

I go back to about 1965 when I was chief in Roslyn Village, we had a similar situation but it was shortly-- about three weeks after Port Jervis had a fire and 225 people died in that fire, they were trampled to death trying to get out of the place. Now if that's what Riverhead wants and that's what Riverhead is waiting for, you have a ticking time bomb for the man that's renting those banquet rooms that can't afford to put an elevator in and/or another exit for way of getting out. And getting into his place. Here's a handicap parking spot on the-- I'm trying to figure out my north and my south, my east and my west-- I guess it would be on the south side of the building. You've got one parking space. He's got a macadam ramp that you can go up with with the chair. But if somebody pulls into that space ahead of you that's handicapped, puts their handicap thing on the mirror, there is no way that I can get my chair onto that ramp to get up onto his sidewalk to get into his front door.

If you come in the other way, he has a cut out in the concrete. You get up on there and you come as far as the first pillar and you can't go anywhere else because you can't go to the left because the bushes are there. You can't go to the right because there's only four inches left where you go to the curve and fall off into the driveway.

Now, I really don't care who this man is and I really wouldn't care if he was sitting here today. I'd tell him. You've got to be a God damn idiot in plain English. Put a cut out in front of your front doors where people can get in and out with walkers, wheelchairs and whatnot. And, I mean, I'm not trying to tell anybody how to do their job here or anything like that. I'm not looking for anybody's job; I'm not looking for anything. When I came here I tried to help. I wanted to volunteer to help. But I don't see nothing getting done. And in many cases, it's really, it's tragic, you're just waiting for, in fact, I'm going to put you on notice today, I would like this to be put on notice, if anything ever happens up in that Ramada Inn downstairs, with any kind of fire, accident or anything else, you people are on notice as of today that that place is not adequately equipped to get people out of that building in the case of an emergency. And you will have a Port Jervis, New York problem on your hands. Now if you think I'm kidding you about Port Jervis, I would gladly write to Port Jervis, I will get you the newspaper clippings of it. Mark, do you remember that fire? That made a discoteque on the bottom floor.

I had a similar situation in Roslyn and when I called the Fire Marshal from Nassau County and I asked him to close the place down, he says I don't have the jurisdiction to close places down. I called the Building Department and the head of the Building Department for the Village of Roslyn code enforcement, I told him close the place down. He says I don't have the jurisdiction. I said okay, fine, if you want to play games with me, I'll play games. I called Troop K up in Poughkeepsie of the State Police, they were the nearest State Police Department, I said I need a trooper in Roslyn Village to close a building down by New York State fire law. The trooper says to me just a minute, I'll have to look it up. He looked it up. He says, okay, I'll get a trooper. He says it's going to take about two or three hours for him to get down there. I says well, I don't expect a tragedy within two or three hours but I want to prevent one in the future. He did come down and that trooper closed that building down. I had 500 people out on the sidewalk wanting to lynch me from the highest tree. But I did my job and if I saved one life, I'm very happy I did it and I didn't care who was mad at me.

You gentlemen sitting up there, you're charged with a responsibility and I know you all think logically, you all think a little differently. There's many ways of looking at a lot of things. The department heads here think logically and differently also. Maybe the codes are logically and differently. When something is brought to

your attention that's existing and it's a violation, a clear violation, you are leaving yourself wide open. Please, if nothing else, if you do nothing else in the time you sit up in those seats for however long you are going to sit in those seats, please, think of the handicapped people. We didn't ask to be handicapped. We didn't ask to have arthritis, rheumatism or anything else. We didn't ask for any of this. Because you, too, will join us someday and I hope your days are a lot easier than mine. I thank you."

Supervisor Villella: "Thanks, George."

George Richmond: "Mr. Kwasna, can I speak to you after the meeting is over, please?"

Supervisor Villella: "There was two things that he mentioned, the signs, seven foot, let's do that, and of course there's no one in - it's after four, I wouldn't knock on the door, there's no one in there, so. I mean this has to be on site plans, curb cuts make a hell of a lot of sense-- "

Councilman Kwasna: "Well, the curb cuts are on all new site plans. That's state code. He's talking about all existing buildings."

Supervisor Villella: "We'll have to send the code enforcers over and the fire-- Leroy, can you give that message to your man to check all the shopping centers? Okay. Bill."

William Kasperovich: "William Kasperovich from Wading River. It's a hard act to follow. Plead before you people to do something. We have a unique situation here and the newly elected Highway Superintendent, if he follows his predecessor, we'll never see him at the Town Board again. We'll never see him in the Town Hall active in different situations. He walked out-- back, but I'd like to (inaudible).

We have in the Highway Department two retirees, one, the Superintendent, and two, the number one senior man, Tim Benton. Two most knowledgeable individuals in the township. Now, the locations and listings of the different catchbasins, the different leaching covers and places that need to get periodic attention are being fed into the computer. Are you with me, Mr. Kent?"

Councilman Kent: "Yes, I am. They are going to be put into the

computer."

William Kasperovich: "This is not completed as yet and I believe in the best interests of the township, that this should be completed before these two men leave their post. If necessary, the Town Board should assist to facilitate this accomplishment. Because it's hard to believe that there were places to be cleaned up that last week, two weeks ago, they didn't even know they existed. Now, if it's not in the computer, the same thing will continue. And, in addition, there are (inaudible) situations between the town and the Town Board and the Highway Superintendent who is the only man that's alert to the highway work in the township. That anything being done from one side to the other side, there should be written information exchanged. If the town is doing something they should be on written record and convey it to the Building Department, to the Highway Department, so that they have (inaudible), that they forgot or were misinformed or what have you, there'd be no way out. If there is any infraction of the law in any situation that might possibly lead to litigation, that they should in writing inform the Town Board whether it's through the Supervisor or each member of the Board individually.

By the grace of God, we've been fairly lucky. But this township is changing complexion of people living here and passing through here every day. Very visible on weekends how we have more people in the township that are total strangers and they all use the roads. And on the Town Board now the shift over to another location as Highway Superintendent, he should certainly appreciate what I'm talking about because he has heard it up there on the podium. And I would expect him to accommodate all the shortcomings and all the improprieties of the past history of the Highway Department. Thank you."

Supervisor Villella: "Thanks, Bill. Anyone else like to speak? Steve?"

Steve Haizlip: "Steve Haizlip of Calverton. I wanted to inform you-- I told you that I wrote a letter to the FCC about the-- where the town could use help in determination. Well, they ignored me. You don't get no mail back from them. They have one way down in Washington. Like the British overseas aircraft corporation, they used to say (inaudible). Well, down there they say citizens send us your money and from there you don't get no response."

Councilman Kent: "Are you talking about the cell tower issue?"

Steve Haizlip: "Over at the Boy Scout camp in Wading River where the gentleman stood up and said that you couldn't-- the Town Board couldn't use health issues in their determination. That's wrong as far as I'm concerned. We have to look out after our people. They don't give a damn because they're after the buck and the FCC-- "

Supervisor Villella: "You're right."

Steve Haizlip: "-- they rule the same way. They're down in Washington and they could care less. Just like Millstone is up there but they're safe in Washington.

Now, does anyone know about the big sump on Route 58, west of Tanger? There's a crew working in there and it looks like they're putting down grading and excavating and putting down macadam, like a little trail or road. I don't know if that's a county sump or town sump or it's quite deep and it's got a fence around it. I just wonder if anybody knows what's going on there."

Councilman Kent: "Where is it located? West of Tanger, on 58. That's in where the-- "

Steve Haizlip: "On the east lane coming into town."

Supervisor Villella: "Isn't that the mini-storage place? There was supposed to be a mini-storage--"

Steve Haizlip: "No, no, no. That's on River Road. This here is on Route 58 as you go under the bridge going east up on the right."

Supervisor Villella: "Oh, going east, I'm sorry."

Steve Haizlip: "Yeah, a big hugh sump in there."

Councilman Kent: "We'll have to go take a look at that. That is a county road. That's a county road and a state road that connect and the Long Island Expressway is the overpass so I don't know whose project that is, but we'll take a look at it."

Steve Haizlip: "Yeah, it looks like it's private people in there or something, you know. All right. Well, it seems to be-- oh, yeah-- George has spoken about-- George Richmond was talking about the handicapped. When I go around into these parking lots, you know, Waldbaums, King Kullen's, wherever I have to go, the plaza up by the

North Fork Bank-- I sort of observe those spots and they've got a (inaudible) area for the van people and in those areas when a van pulls up and a door opens, the ramp comes down and they roll out. People with handicap permits should know better but they will take that (inaudible) out area for the van and park there. Now, I would like for the police to take notice of that when they are patrolling. I have one such number I'm going to turn over to George and let him contact the person and just put him on warning I wouldn't do this again.

And the curb cuts that he spoke of, they have it at North Fork Bank and then over by that new Produce Warehouse. That's all. Thank you very much."

Supervisor Villella: "Thanks, Steve. George?"

George Schmelzer: "How are you coming with this expressway committee?"

Councilman Cardinale: "There isn't any expressway committee."

George Schmelzer: "You ought to know. Aren't you the chairman of it?"

Councilman Cardinale: "Route 58 Committee."

George Schmelzer: "Well, whatever you want to call it."

Councilman Cardinale: "Were you here at the beginning of the meeting?"

George Schmelzer: "Huh?"

Councilman Cardinale: "Were you here at the beginning of the meeting? Because I said at the beginning of the meeting that we were-- that I had in my possession a draft-- "

George Schmelzer: "Talk into your microphone, please."

Councilman Cardinale: "I had in my possession a draft, I said this, but I'm repeating it because you're here, and I commend you for staying 'til 5:20-- that the report was in draft in my possession, I was reviewing it."

George Schmelzer: "Who made the draft?"

Councilman Cardinale: "No, Lou (inaudible) drew the draft and I am now supposed to look at it. I am supposed to have a meeting of this group, this committee, get a vote and then submit it to the Town Board who will then determine what action to take. I expect that to be done by the end of this month. And we'll defer to the incoming Board or take action ourselves. But that's the status."

George Schmelzer: "Well, this Board-- "

Councilman Cardinale: "And I wouldn't expect as I said earlier-- don't expect any earth shattering revelations."

George Schmelzer: "When did this Committee start, last year?"

Councilman Cardinale: "The Committee started in May, which is pretty quick as committees go."

George Schmelzer: "In May?"

Councilman Cardinale: "Yeah."

George Schmelzer: "I thought it started before that."

Councilman Cardinale: "No. You were wrong, but that happens a lot. You were wrong, it was in May."

George Schmelzer: "You're ahead of your time then if it only started in May."

Councilman Cardinale: "Yeah, yeah."

George Schmelzer: "It usually takes about a year."

Councilman Cardinale: "But, of course, the quality of our work may reflect the speed at which it was done."

George Schmelzer: "Yeah. What's happening-- well, can I look at that thing?"

Councilman Cardinale: "Yes. As soon as-- I tell you what. After I-- I want to get it approved by the Committee which I expect to be easy because there isn't much disagreement."

George Schmelzer: "How many hundred pages is it?"

Councilman Cardinale: "It's not very long. It's probably going to be-- I write very, very succinctly. It might be three or four pages."

George Schmelzer: "Double space, triple space?"

Councilman Cardinale: "Maybe a thousand words."

Supervisor Villella: "Tell him you talk more than you write."

Councilman Cardinale: "I talk easier than I write. I try to be precise when I write."

George Schmelzer: "Okay."

Councilman Cardinale: "I'll give it to you if it's okay with the rest of the Board at the same time as I give it to the Board."

George Schmelzer: "All right."

Councilman Kent: "Tonight, afterwards-- "

George Schmelzer: "Thank you. Those pictures any good to you?"

Councilman Cardinale: "Yes, they were helpful in giving us a, you know, giving us an overview that we didn't have before."

George Schmelzer: "Those are the latest pictures, not years ago either."

Councilman Cardinale: "Yes. They were good, too, because they were new."

George Schmelzer: "I hope nobody stole them."

Councilman Cardinale: "I hope you're right."

George Schmelzer: "Somebody stole the map, that disappeared."

Councilman Cardinale: "If you left that, it's a possibility. I don't know people do with these things but they don't always stay there."

George Schmelzer: "I didn't give you those, I lent them to you."

Councilman Cardinale: "Gee, I hope they're still there. If they are, I think I see them."

George Schmelzer: "They're in Mark's-- "

Councilman Cardinale: "Mark's office?"

George Schmelzer: "Yeah."

Councilman Cardinale: "Good. Well, he's real protective."

George Schmelzer: "And what's happening to that appeal with that Wading River suit against the Town of Brookhaven?"

Supervisor Villella: "Adam, you've got anything new on that?"

George Schmelzer: "Nothing?"

Adam Grossman: "It's being perfected."

George Schmelzer: "Huh?"

Adam Grossman: "The appeal is being perfected (inaudible)."

George Schmelzer: "I don't understand why you-- the same time you sue the lighting company, you keep the part of the street open which is not correct and you don't ask them to dig out the part of the street where it was. You're going in both directions at the same time and you accomplish nothing is the way it looks. How about it?"

Adam Grossman: "George, you're talking about the two lawsuits, the Lilco-- on the-- "

George Schmelzer: "Yeah. If you want to use the stream as to what's original, why are you suing the lighting company over this one? Tell them to get the other one out and fill this one in."

Adam Grossman: "The two lawsuits-- the first lawsuit on the dredging issue was because Lilco had previously been dredging Wading River Creek and they stopped dredging-- "

George Schmelzer: "Yeah, but the power plant is gone. There's no (inaudible) there. There's no purpose in having the old (inaudible) stream filled in."

Adam Grossman: "Well, I'll tell you, George, you may disagree with some of these issues associated with it but we're probably looking at a multi-million dollar judgment for the Town of Riverhead and the Riverhead residents as a result of-- "

Councilman Cardinale: "Against them or for them?"

Adam Grossman: "In favor of this town."

Councilman Cardinale: "Oh, good."

George Schmelzer: "Who's got that judgment against the town?"

Adam Grossman: "We're looking at a very, very strong likelihood of a substantial judgment-- "

Supervisor Villella: "We're going into deposition now."

Adam Grossman: "You might disagree with the rationale-- "

George Schmelzer: "Because of the (inaudible) stream?"

Adam Grossman: "That's correct."

George Schmelzer: "The lighting company."

Adam Grossman: "Because of all the repercussions of their decision to stop dredging the creek in that area and what has happened as a result. The people in the Wading River area have-- "

George Schmelzer: "Maybe your luck is changing, huh?"

Adam Grossman: "No comment."

George Schmelzer: "Oh, okay."

Councilman Kent: "Luck has nothing to do with it unless you're before Judge Berler."

George Schmelzer: "I don't know what else to ask you, maybe I

forgot it. I didn't write it down."

Supervisor Villella: "We've got a meeting in two weeks. You can be prepared, be a good Boy Scout."

George Schmelzer: "Boy Scout. What about them?"

Supervisor Villella: "Nothing. They're fine. They're good."

George Schmelzer: "I'm saying why are you picking on Millstone for? Supposed Connecticut say we don't want something you're doing here. It's none of our business what they do up there. Is it? Millstone is far away and (inaudible) takes care of that."

Supervisor Villella: "That's why you wear green a lot of times."

George Schmelzer: "Green, yeah."

Supervisor Villella: "Radioactive George. That's why your hair got like this the other day."

George Schmelzer: "Want me to tell you why my hair stands up? Well, we used to raise ducks, see."

Supervisor Villella: "You put it in your hair."

George Schmelzer: "No. I used to know the government always grows grass so good so I figured if I put it in my head my hair grows good. That's why the hair grows-- "

Supervisor Villella: "You were right. Okay, George. Anyone-- Sal, did you want to speak?"

George Schmelzer: "Supposed someone in Connecticut started complaining about us what we do here, you wouldn't like it, would you?"

Supervisor Villella: "I don't know what they would-- they complained about Shoreham, they help close that baby up there."

George Schmelzer: "That was crazy."

Supervisor Villella: "Why is it crazy?"

George Schmelzer: "All the politicians when they started off, no dust, no smoke, no ash, this is wonderful and then somebody got an idea to get elected by complaining about it. If the price of oil went up, you'd see what would happen. Yeah. Okay."

Supervisor Villella: "Thank you, George. Okay. Is that it? We've got to go."

George Schmelzer: "You've got to go. I've got to go, too."

Meeting adjourned: 5:27 p.m.

Barbara Huston
Town Clerk