

Minutes of a Regular Board Meeting held by the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York on Tuesday, October 16, 1990 at 7:30 p.m.

Present: Joseph F. Janoski, Supervisor
 David Brown Supervisor of the Day
 John Lombardi, Councilman
 Denise Civiletti, Councilwoman
 Victor Prusinowski, Councilman
 James Stark, Councilman

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

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

Supervisor Janoski: "Ladies and gentlemen, allow me to introduce to you Mr. David Brown who is the Supervisor for this Day. David was part of the Riverhead Library reading program, summer reading program. And through his participation and work in that summer reading program, he was entered into the lottery and he was chosen through the lottery to be Supervisor today. We've had a very busy day today. And his last official act will be to preside over this meeting which he will do. Mr. Brown, it is yours.

Supervisor of the Day, Brown " Reports."

REPORTS:

Open Bid Report - Osborn Meadows - Request for Proposals
 Construction of 120 homes Filed

Bid Date: October 15, 1990
 14 Proposals Submitted

Open Bid Report - Office Supplies - General Town Filed

Bid Date: October 15, 1990
 4 Bids Submitted

#1 NAME: North Shore Business Products
 ADDRESS: Aquebogue, NY
 TOTAL BID: See file for items bid and price

#2 NAME: Patchogue Stationery

ADDRESS: Patchogue, NY
 TOTAL BID: See file for items bid and price

#3 NAME: Echo Printing & Stationery
 ADDRESS: Long Beach, NY
 TOTAL BID: See file for items bid and price

#4 NAME: Huntington Business Products Centre, Inc.
 ADDRESS: Huntington, NY
 TOTAL BID: See file for items bid and price

Open Bid - Janitorial Supplies - General Town Filed
 Bid Date: October 15, 1990
 2 Bids Submitted

#1 NAME: Center Moriches Paper Company
 ADDRESS: Center Moriches, NY
 TOTAL BID: See file for items bid and price

#2 NAME: Metro Maintenance Systems
 ADDRESS: Holbrook, NY
 TOTAL BID: See file for items bid and price

Supervisor of the Day, Brown, "Applications."

APPLICATIONS;

Parade Permit: Riverhead High School - 10/2/90 Filed
 Parade Permit: March of Dimes for 4/28/91 Filed
 Petition: 15 Residents of Sound Shore Road for
 water extension Filed

Supervisor of the Day, Brown, "Correspondence."CORRESPONDENCE

H2M Group	Advising of grant monies program to assist in landfill closures. Filed
S.C. Dept. of Planning	If no objections to Brookhaven Zoning Code received by 10/23/90, it will be assumed there are none. Filed
W.R. Civic Assoc.	Inviting Town Board to October 24th Meeting. Filed
N. Shore Sr. Citizens	Expressing appreciation to the Recreation Dept. for their services. Filed
Bill & Peggy McSteen	Opposes the application of Breslin to create a mall. Filed
7-11 Stores	Offering items to alleviate concern of citizens regarding proposed 24-hr. operation of store. Filed
Helen Silvestre	Opposes raising garbage fees as a burden on senior citizens. Filed
William Haugaard	Requests that Town Board approve application for sign permit & observes that ARB decision is not binding. Filed

Supervisor Of the Day, Brown, "The time for the hearing has not arrived. I will recognize anyone who wants to speak."

Alice Graff, Riverhead, "At yesterdays work session, Vic questioned whether there would be (what sounded to my ears) a discussion on salaries of elected officials. My concern, why is this discussion not open to the public? Especially in this day of recession, salary increases are a very important issue that concerns the average taxpayer. Is there a reason why this is not open to the public?"

Supervisor Janoski, "Yes there is Alice. The discussions of salaries are what are considered to be a personnel matter because we discuss not only elected officials.... The discussion of salaries not only concerns elected officials but employees of the Town. It was a very broad discussion. I think that you know that we can take no action if it is not public. And this evening we will be taking an action of calling a hearing with suggested salaries for elected officials. That is done very publicly. It is not hidden. People will have the opportunity on November 8th

to comment on those proposed salaries as well as the entirety of the budget. But when you're discussing salaries with regard to CSEA negotiations and the broad range of those subjects, we have to have the opportunity to be able to do that amongst ourselves."

Alice Graff, "I understand the union being in closed session. But as the elected officials, I thought that that would really be something that should be open to the public. That segment should be open."

Supervisor Janoski, "As I said, the result of the discussion is right here. So it's not secret and there are only proposals which are subject to a hearing. And they don't become official until January because the salaries are not set until January of 1991 at that first Town Board meeting."

Alice Graff, "Thank you."

Supervisor Of the Day, "Is there anyone else? Yes."

Cathy Casey, Wading River, "Just a quick question. Are we all coordinated for a week from tonight? Everything is a go for the Civic Association meeting?"

Councilman Stark, "Unless God takes me."

Cathy Casey, "Okay. Thank you."

Supervisor of the Day, Brown, "Yes."

Steve Haizlip, Calverton, "On applications I would like to ask about that parade permit. Was this request passe or is it for the future? It's dated 10/2/90. Then it's passe. But if it's for the future I think that maybe that they are talking about the 20th."

Supervisor Janoski, "That is for Saturday, it's the Homecoming Parade. It's just a typo."

Steve Haizlip, "Thanks. I just wanted to get it straight."

Supervisor Janoski, "That application was not acted upon by the Town Board. It was issued by the Police Department."

Steve Haizlip, "I would like to make a comment about a political aspect. I think that you Mr. Janoski, Mr. Stark and Mr. Prusinowski and so forth are pretty high up in the Republican Party. Maybe not high up, but known in the Republican Party pretty well. My question and my comment is why is the GOP sabotaging the State Gubernatorial Election. Four years ago they dragged up a drugstore cowboy. Nobody knew him. He went down. This year they are digging up an apartment dweller. Nobody ever heard or knows anything about him. I wonder if it's a strategy that the GOP is playing so that they can get defeated and then

they can blame it all on the Democrats and Governor Cuomo for the mess that we are in."

Supervisor Janoski, "I don't think that they are that smart."

Supervisor of the Day, Brown, "Anyone else?"

Supervisor Janoski, "We have about three minutes that have to be filled here. Henry is there anything on your mind?"

Henry Pfeiffer, Wading River, "At the meeting in August the Riverhead Senior Advisory Board proposed to the Board, the Town Board, that out of a vast pool of senior citizens, one of them be designated the Riverhead Senior Citizen of the Year. I think that this proposal was passed up the line to you. I have not yet seen a resolution approving that. Has that been approved sir?"

Supervisor Janoski, "No."

Henry Pfeiffer, "It has not."

Supervisor Janoski, "Not for any reason. It's just that we have been distracted."

Henry Pfeiffer, "I see. Thank you very much."

Supervisor Janoski, "Thank you Henry. Yes, way in the back there."

Member of Audience, "Would you please ask everyone to speak into the microphone, we can't hear back here. I know I can't."

Supervisor of the Day, Brown, "The hour of 7:45 P.M. has arrived. The Town Clerk will read the notice of Public Hearing."

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

Town Clerk, Irene J. Pendzick, "Mr. Supervisor I have affidavits of Publishing and Posting of a Public Notice for a Public Hearing to be held at Riverhead Town Hall at 7:45 P.M. on Tuesday, October 16, 1990 to hear all interested persons who wish to be heard regarding: **THE SPECIAL PERMIT APPLICATION OF WILBUR BRESLIN, 380 FULTON STREET CORP., KIMCO DEVELOPMENT CORP. & SHAMROCK PROPERTIES FOR RELIEF FROM MAXIMUM BUILDING AREA IN BUS. "B" ZONE USE DISTRICT.**

I have correspondence from Bill and Peggy McSteen dated October 10, 1990. They are unable to attend tonight's meeting, but want their opposition to a mall in Riverhead known. They say that there are approximately 40 vacant stores or offices in Riverhead and to consider the traffic implications. If the mall should be

approved they ask that the agreed upon buffer be mandated. They request a fence that blocks site as well as sound and they are against any density change."

Supervisor Janoski, "Okay. Ed, I see the attorney for the applicant through the glass there, I think you should tell him that he is on. Mr. Danowski is representing the applicant in this matter."

Peter Danowski, Esq., "I am Peter Danowski and I am representing Mr. Breslin who is present in this room as well as Vince Donnelly who is our engineering consultant from Nelson and Pope. By way of introduction this Town Board has already been through some detailed information with regard to this project, but for the benefit of the audience perhaps I should just for a brief moment recite some of the history with regard to this project.

The site is popularly know as the Demkin Duck Farm piece. Actually Tom and Ann Demkin raised ducks on it. It was the Shubert Family piece. I represented Mrs. Demkin when she finally sold the piece. It covers both sides of County Road 58, however there is a large culvert that goes underneath Route 58 through which water passes. A gentleman named Richard Carr had purchased the site from the Demkins. He also had an organization known as Shamrock Associates. He at one point came before a former Town Board and sought to have a piece of the property rezoned. Ultimately that Town Board that he came before rezoned the property and then Mr. Breslin took title. An application has been pending before this Board, but it began before a previous Board, which sought to locate the proposed retail business on this site. There were many altered ideas that were discussed both before this Board and before the prior Board. Some of those ideas included building on both sides of what is popularly known as a stream of Sawmill Creek. There were duck lagoons there. Duck wastes. There was an idea at one point to move the stream and put buildings on both sides of it. There was an idea to put office buildings on the north side of 58. There was an idea to put an office building behind the Norstar Bank. After a longwinded and I would say that it is working on several years at this point, environmental review process, the Town Board concluded the environmental review process with publication with what is known as a Finding Statement and not to quote verbatim from what they said, but in my words the basic report back to my client was we are directing you not to build on the north side of Route 58 and we are directing you to stay 100 feet away from wetlands vegetation on the southside of Route 58. In essence my client was told to build in a location on the western half the large parcel over toward Oliver Street. For those who may not know there are residences along Oliver Street to the back of them is the Caldor Shopping Center. It's probably caused a lot of comments from my client. He does not own the Caldor Shopping Center, but he has heard a lot of remarks about it.

What we are here for tonight is to follow that direction from the Town Board. The method by which we would build on this

site at the location per the site plan submitted would be to ask for extra density on the southside of Route 58 and we in turn as a condition to getting that density would offer for dedication to the Town the other parcel. We would also, if the Town wishes, offer for dedication the wetland area. It would be an offer of dedication because perhaps the Town Board might see fit to keep it on the tax rolls and tell us we can't use it, but the offer would be there if they wanted to accept it. We've been referred to the Town Planning Board. The Planning Board has recommended approval of the Site Plan. We have been necessarily referred to the Suffolk County Planning Commission on two occasions, one because of a Board of Appeals reference and one because of this application and the S. C. Planning Commission has recommended approval. I think it is fair to say that the trade off here and the reasons for the recommendations or approval are because my client has agreed to cooperate with the Town to save the wetlands areas and return as asked for the density on the side that he intends to build on. It should be pointed out, however, that the Riverhead Town Code calls for a maximum building of 15% of the total acreage. There is no discount or subtraction for wetlands areas. This application does not exceed the 15% of the total area for both sides of the street. This is in essence the method by which we accomplish what we've been directed to do as a result of several year application to the Town. We are here to have Mr. Donnelly answer any questions if we get specific questions. I'm sure that we may get far afield of the specific application. This is only limited to an application at this point to have the density built here with a noted sterilization of the other parcels. Later on should this be approved we will be into site plan review and be back before the Town Board again. With that said, Mr. Breslin may wish to speak at a later time or Mr. Donnelly may wish to speak, but we are here to hear any comments and address what we may."

Councilwoman Civiletti, "Could I ask you, Pete, a question for the record? Would you translate that into square footage?"

Peter Danowski, Esq., "It is on the face of the board. It's there and we have to differentiate retail space, mall space, to point that out too. It's 289,000 square feet of total building area. Don't stick me with 432 or something, but 289 and fractions. Mr. Hanley and the Planning Staff broke it down in his report to the Town, breaking it down to the retail space, storage space, and the open wall area. We should point out, probably over a year ago, the then existing Town Board, through work sessions and communications had asked my client to build a mall as opposed to a strip shopping center. The strip carries a certain identification that even I have about a pizza parlor and a video store and a fake manson roof. It is not something that he had asked for. It is not something that profits him. The strip in essence would be more profitable. However, we did agree and we've consistently followed through on that agreement to build the mall. We at that time asked any members of the Town Board if they wished to view any other shopping centers owned and

maintained by Mr. Breslin and some Board Members took us up on that offer and visited the sites. We also made that offer to one of the interested neighbors. This is a mall concept. The retail space is identified in detail on the site plan. We've done some detail landscaping plans, but the real issue tonight is to permit the density be placed on this site with the corresponding sterilization of the other parcel."

Supervisor For The Day, Brown, "Does anyone wish to address the Town Board? Yes."

Dale Young, Oliver St., Riverhead, "I'd like to just briefly go over the progress that we've made in the past five years since the conception of this project in 1985. So that you are aware of how the residents trying to work with Mr. Breslin together as one so that we can try to come to terms with this mall.

Over the years I've had numerous, I've had two meetings or more, I should say with the Town Board Members. Two meetings with the Zoning Board of Appeals. I've met with the Architectural Review Board. I've had a meeting with Joan Rogers, herself. I've met on several occasions with Peter and I also had meetings with Mr. Breslin. The neighbors of Oliver Street, last night, met with Peter and Mr. Breslin. We had a nice turnout, about 13 or 14 people there. I've met with the landscaper, Bob Maniello. I've met twice with Rick Hanley, the Town Planner. As I stated before we are trying very hard to accept this project. I've been speaking for a lot of the residents. Several of them are here tonight. The remainder are not here because as of last night's meeting we were told that we cannot discuss the buffer with you. Of course the buffer issue is very important to us because it is going to greatly affect us. I'd like to know when we would be able to sit down and discuss it with you, whether it be a public hearing or whether it be as we met before with the other Town Board, the residents here in the Board Room and we sat down and we discussed a few details to you. When the property was changed over from Residential "C" to Business "B" there was the buffer stipulation, the covenant there. That is threatened to be changed right now. I can't honestly give you my opinion of how I feel and how the residents feel about this special permit tonight because we know that with that permit that is going to affect that buffer a great deal. So if you can tell me when we can comment to you, when would be a good time, I'd be glad to set up a meeting."

Supervisor Janoski, "I don't know why that position was taken. This public hearing is on the question of the transfer of development rights. But that in fact does affect this buffer. Actually what I'd like to do is to ask the engineering consultant a question if I could."

Vincent Donnelly, Nelson & Pope, "Yes sir."

Supervisor Janoski, "The setback from the creek is 100 feet. Is that something which is set by New York State Law or is

it something that is movable to a certain extent. For example, I believe that we agreed to a seventy five foot buffer. Is that right?'

Dale Young, "Minimum of 70 and maximum of 100."

Supervisor Janoski, "Okay. If there is a 100 foot setback and we have 35 now and we added 35 or 40 closer to the creek. Is that possible to do?'

Vincent Donnelly, "If we were to do that, Mr. Supervisor, we would have to apply for a variance from the D.E.C."

Peter Danowski, "I think the real problem with that is the SEQRA process, for those who might want to throw a lawsuit on the Town at some point. To begin the SEQRA process all over again I think it is fair to say that the 100 foot buffer setback was something considered probably by every agency in making their determination. And to start again with a different setback would really cause a major legal problem. I would say, however, that Dale and I have sat down and the neighbors have as well and I'm more than welcome to sit down with the Town Board during the site plan review discussion. Because we've talked landscaping, fencing, heights, name a way because we would like to accomplish is what she would like to accomplish also and that is not to be able to see the back of the building."

Supervisor Janoski, "Well there is no need for a sequence of events here. The Town Board can hold this matter under deliberation until there is agreement on the site plan and once that has arrived then we can act on this application for the transfer of development rights. Continue Dale."

Dale Young, "Basically what we would like to do is sit down with you and make those comments. A lot of the residents are not here tonight. I can't say how they feel after last night's meeting because we finished later last night and I was working all day and didn't have the opportunity to speak with them. I'd like to comment on my own feelings. Last night when we sat down with Mr. Breslin and Peter, we discussed that 70 and 100 foot buffer that was promised by the Town. In the beginning, I believe, what was originally slated was maybe a thirty foot buffer, which we got the impression it was just going to be leveled and there was going to be an occasional tree planted. We fought very hard for that 70 and 100 foot because we felt that that would be better than just 25 to 30 feet of 6 foot high trees. The way it turns out now is that's threatened by 30 and 50. Mr. Breslin tells us that of course 30 and 50 would be much better than 70 to 100 because if we left 70 and 100 foot there all we would get is just the existing trees which we stated do lose the foliage in the fall and winter months and we have no protection at all. So he is stating to us that he can protect us better by planting additional trees 10 to 12 foot high. We've discussed that. As I have also made the trips to the nurseries to look at some of

those trees, but they were very hard to find. But he said that they can be found; the landscaper told us. They also stated that maybe instead of a 6 foot fence we could go higher. I sent a survey around to the residents. They expressed a desire to have some type of baffled wall. When I met with Peter and the landscaper we just casually breezed over that because we never thought that the Board would entertain such an idea. However, we were all in favor of it and the Zoning Board also made the recommendations the other night that they think it would be a good idea. Mr. Breslin is stating that he would be willing to do that. The Zoning Board stated that they would like to see possibly a maximum of 15 feet instead of the 6 foot fence. Of course the higher this goes the better it is protection for us for the privacy. We don't have to look at it with the sound proof wall that may add to buffering some of that noise and we don't have to listen to it. We discussed a lot of litter problems that we've had in the past. He's discussed the fact that his dumpsters are inside the building and therefor litter would not become a problem littering the buffered area. We discussed security, we discussed the kids that we have the problems with now gathering in the parking areas. He assures us that he has 24 hour security that would eliminate this if this becomes a problem. He will work with us. These are all concerns, that of course we have, because we have Caldors behind us. I think it was a very successful meeting, however, I don't know how the residents feel about the buffer. I myself think that if the Town Board and of course you are going to have to make this decision for us. You're either going to give us 70 feet or you're going to give us the 30 and 50 because you have that decision to make. If you're going to give us 70 feet and there is just going to be the existing trees that are there, I don't think that is as good as the 30 and 50 foot buffer with the additional plantings and the buffered wall. However, if you're going to say to the developer, we promised the homeowners 70 feet. We in addition to that want you to plant extra trees and heavily plant that particular buffer and put in that buffered wall to add to the noise. Then I like that idea a lot better. Of course none of us want to lose because you have a tendency to think 70 feet is more than 30 and 50. But the way it looks right now between the two choices, I hate to say it but it is true, 30 and 50 feet sounds much better. But you have to decide. Are you just going to use these two choices or are you going to state, as I said before, 70, a buffer and additional trees? That is strictly up to you."

Supervisor Janoski, "Dale, one more time. Could you tell me the height of the wall that you want to go."

Dale Young, "Well originally the Town Code has a 6 foot fence. We thought that basically it was either 6 foot or 8 foot so we stated we'd like to see an 8 foot cedar fence. We had no idea that you would entertain such an idea as a buffer baffle wall, like they have on the expressways. When we had the Zoning Board meetings here, Pat or someone from the Board, I believe, made the recommendation that that might not be a bad idea. I

then told her we discussed it, but we don't know of anything in Riverhead here that I've seen that has that and we never thought that anyone would consider it. So Peter and I just breezed right over it and we decided to go for the next step better 8 foot. Well of course we didn't even know that you could go 10 foot, 14 foot, 15 foot. We didn't know that was possible. Pat made the comments that she would like to see it above the 6 foot with a maximum of 15 feet. It's in the decision from the Zoning Board of Appeals. The higher, the better. A sound proof wall, better. We need something that is going to last for many years. You know we have Caldors that was put in 25 years ago. Pat has been writing letters for me to try to get these people to fix the fence that is falling down in our yards and we can't do that so whatever is put up there has to last for many years. Because this mall is going to be there longer than most of us here in the Town of Riverhead. So we are just very concerned about it."

Supervisor Janoski, "Well Dale, why don't we set up a time and the Board can meet with you and I think I would like to have Vin Donnelly along with Peter to be part of the meeting because anything that we might negotiate or work out certainly has to be something that they are willing to do and is feasible. So we will do that tomorrow."

Dale Young, "Okay. Thank you very much."

Supervisor Janoski, "You are certainly welcome."

Supervisor of the Day, Brown, "Anyone else?"

Joe Caleo, 237 Lake Road, Riverhead, "It is my first time addressing the Board and thank you for listening to me. My comments are about Wilbur Breslin's development proposed project on Route 58. I have some text here that I would like to leave with you that I wrote this afternoon. When is development a good development? That depends on who is being served. Who is making money and who it costs? Development is good when it fills the need of a community and it is bad when it costs the community. The costs that are associated with this type of bad development are sometimes not recognized for years. There are hidden costs. The cost of additional traffic lights and the maintenance of them. Sewer lines, street lighting. Our fire and water district. Even our phone and auto insurance are increased and on and on. How about our Mom and Pop stores? How will they benefit from this project?"

Each year the Wildwood Lake Association solicits donations for gifts for the children of our community that aide in our environmental clean up. The people that contribute are the local merchants. The people in our community. The Vinnie Villella's, The Home Town Bakery, our shoemaker Henry, Carlucci, Vojvoda. The local stores that keep their hard earned money in our local banks and pay our local taxes and they live here with us. And they care. The Mom and Pop stores that buy the raffle tickets for our Girl Scouts, our Boy Scouts, support our local teams and our

volunteers. How will this project benefit them? And how much have they been benefited by the overdevelopment of Route 58? What about the environmental and quality cost of life? How can we put a price on that? Our landfills, water quality, congestion, our rural way of life and outside of coming here giving us something we do not want, we do not need and we didn't ask for it. Let us take the overdevelopment of Route 58 as an example. How have we benefited? How much better is the traffic situation? How many big jobs have we landed? How much cleaner is our drinking water? How much lower have our taxes gone? Our local merchants on Main Street were devastated by the overdevelopment of Route 58. How can we consider putting them down for the count so a hand full of outsiders can milk our community?"

Supervisor Janoski, "Ma'am, if you wish to speak I will recognize you and you can have the microphone."

Joe Caleo, "I'm a little nervous. I need all the support I can get."

Supervisor Janoski, "That's okay."

Joe Caleo, "The present merchants on Route 58 are here now and we welcome them and we support them. How can we consider doing to them what has been done to our Main Street? What will it take before we learn that we have too much traffic and congestion already?. When WRIV has a traffic helicopter?. We hope not. Local government needs to learn from its mistakes. If this project is built, it will demonstrate that we have not learned. The people of our community want lower taxes. They want local government to work more efficiently and cut costs. For 30 years local government has been yielding to the needs of a handful of development at any cost crowd. And it has cost the taxpayers plenty in higher taxes, polluted bays, poisoned drinking water and the traffic and congestion that was not known before to our community.

It is time to rethink our plans for development. Development is good when it fills a need, not only the need for the development at any cost crowd. We don't want it, we don't need it, we didn't ask for it. The people of our community do not want you to tell us what is good for us. We are telling you what we want. You must condemn this project.

I also have some comments that I want to make, I hope that I am not overextending my stay here. In regards to the local people in the community that live adjacent to this project. They need to think about the trucks, the garbage, the hangouts, the noise, the cars alarms going on at night, the trucks idling with their diesel trucks running all night long. Mr. Breslin hasn't any control over these things. He has very little control as time goes on, less control as time goes on. People adjacent to these areas where there are malls historically lose the value of their homes, lose any little compromises that are made. Just think about it. Just drive back 30 miles and look at the homes next door to the malls and particularly Mr. Breslin's property. After

you have done this, then you must go back and think. Think is that what you want for your family and your community? That's a comment I wanted to make just to the people who live adjacent to this proposed project.

I have one other thing that I put together, as you know I'm also a trustee from the Village of Pine Valley. In the Village of Pine Valley one of the few things that we unanimously agreed on. We unanimously condemned this project. Because we are adjacent municipalities, we have to respect one another's needs and the impacts that our development will have on the Community of Riverhead and the Riverhead Community on Southampton Town. I'm speaking on behalf of the Village of Pine Valley now of which I am a trustee. The people of my community know first hand the pressures of development. We paid the price, but not a tree was taken down, not a shovel had thrown earth and nobody lost their homes or compromised their quality of life. Not many people realized why we have zoning. Zoning was created to protect us, to protect the people that live here. What may have been appropriate zoning many years ago, may not be good zoning now. Information changes, new data is discovered every day. It was once thought that asbestos was safe, we now know it is not so. We once thought lead paint was safe, we know better now. Leavittown and malls in Nassau County were thought to be good zoning. We know better now.

Southampton Town Board has always been a forerunner and a champion for its taxpayers. It has offered a bond issue to purchase land that taxpayers do not want to destroy and I would like to urge the Riverhead Town Board to consider a similar bond issue that when a community is divided between the polarization between our local government and the taxpayers, the voters. Their polarized versus the interest of a developer. We need another tool. We need the tool to be able to buy that property. The developer deserves the right to earn his investment. He is a speculator. He deserves to make his money, but not at our expense and we need alternative solutions. I would just like to leave you with those thoughts and I thank you very much for taking your time."

Supervisor of the Day, Brown, "Anyone else?"

Jeanette Hallock, Oliver St., Riverhead, "My home falls in the range of the 30 feet. It falls in the area of 30 to 50 feet. I am opposed to it. I don't know about the quality of life for these other people. But the quality of my life will change. Mr. Breslin did meet with us last night and I thank him very much for his time. We spent a lot of time too. Dale has spent the most time and I appreciate everything that she has done. But I will speak for myself. I am opposed to it! And that is the bottom line. I think the quality of life will change for everyone on Oliver Street. We can barely get out of our driveway now. I can't see it getting any better. You can say 30 feet with a large wall, Berlin size, I would like to add is better than 70 feet. Well 70 feet is better at any price. He has to put up a fence. We know that. Maybe it would be of a smaller version, but naturally 70 feet is going to give a little bit more of an advantage to our

side. He bought a large parcel of land and he no doubt was given a lot of time by someone, a speculator of sorts, an engineer and he probably advised him what kind of a piece of property this was. Now Mr. Breslin has the property, now it's his problem. Your pushing the problem towards the people of Oliver Street. Thank you very much for your time."

Kenneth Tuthill, "I would like to say that I am for this project. I like the growth in this area and I think it will do everybody some good because it will open up some jobs in the area."

Supervisor of the Day, Brown, "Anyone else?"

Irwin Garsten, Owner of Garsten Motors, "I'm also the past president of the Riverhead Chamber of Commerce. I'm past president of the local Rotary Club. I say that because even though I am not wearing their hats today that I honestly feel that I represent the majority opinion of these two organizations. And that is that they favor this particular type of project. Let me tell you why. I heard some comments here a few minutes ago about the reduction of taxes. How in the world are you going to reduce your taxes unless you increase your tax base? This particular kind of project would generate a good deal of revenue for the Town. Mr. Breslin in my opinion has one of the best reputations of any developer and builder on Long Island. He has proven in the past to live up to what he says, back it with deeds and continually go out to the community and get their opinion before he does something. We cannot stop progress. If forty years ago people felt like some of the people feel now you wouldn't be here, because they would have stopped your coming in and living in the houses you live in presently right now. Route 58 probably would never have been built to begin with. Because Route 58 went through a swamp, went through a river. Progress is necessary and I'm not saying that it should be wild; it should be rampant. We should consider all the facts, the ecological factors involved, but we cannot stop progress. We must have growth. The Town has to increase its tax base. If not, you senior citizens and you business people, you are going to be out of business. The senior citizens are not going to be able to afford these taxes and I'll tell you right now mine keep going up and it's terrible. We need more industry in the Town. We need more business. This is the beginning of a project that I personally feel that the Town needs. Thank you."

Brad Berthold, Northville, "With all due respect to Mr. Breslin's reputation as a good developer and Mr. Garsten, I don't think this is progress at all. I think it is a very symbolic issue which may mean the death of the rest of downtown merchants that this Board to support for all of these years. I went to a planning conference out in Southold about two weeks ago and Lee Koppelman one of the most prominent planners in the Island and the State suggested that Western Suffolk now starts at the Southold-Riverhead Town Line. I was so much shocked and dismayed

to hear that opinion, but I think this is prime example of what he meant. We may be increasing the tax base to a degree, but if we destroy the downtown that has been there for hundreds of years and either force the businessmen who have put their lives and sometimes generations of lives into making Riverhead what it is today. To move to the mall or lose their businesses, because Riverhead will suffer from the diverted traffic. I think that is a shame. I don't consider that progress at all. I think we can do better than mall Riverhead. Mr. Breslin just went through a similar process with Brookhaven Town, our neighboring Town on the other side. There was a large opposition to some of the things that are proposed for that mall there. That's going to attract some shoppers from the Riverhead area and the downtown businesses, I believe as it is. But I don't think the Town Board should go along with developers who know what the situation is when they buy their land. Who have to ask for special permits, extra consideration, changes in the laws to enable them to make money. I don't know what Mr. Breslin's motivation is, but I don't feel that he has the best interests of the residents in the places that he builds his malls at heart. I think he is a businessman and that's what he wants to do. I don't think he has the Riverhead residents best interests at heart. I don't think that is progress and I think we should turn this down. Thank you."

Joe Sykora, Riverhead, "I'm against the mall for two reasons. One the Town Board-----"

Supervisor Janoski, "That's not the subject of the hearing. I would ask you ---the applicants have a permit application to transfer development rights from one side of 58 to the other. The question of whether the mall can be built is not an issue here. They can build the mall."

Joe Sykora, "I know that. I'm not arguing that point. What I'm trying to get across is: The Town Board keeps saying that they want to build up downtown Riverhead. If we allow this mall to go in we are going to kill, I know, I've been hearing everybody else talking against the mall. Why can't I?"

Supervisor Janoski, "I'm sorry Joe, go right ahead."

Joe Sykora, "If we let this mall go through we are going to kill downtown Riverhead. We have traffic problems now on Route 58 and you can imagine the traffic problems we are going to have with that mall. It's going to be a hundred per cent worse than what it is today. Thank you."

Rosemary Pottelbaum, Atlanta, Georgia, "I've seen growth ruin a community. We have had a mall built two exits from our rural community in Georgia. We now have 35% increase in taxes. We have increased traffic, major construction on the roads and we've had crime, increased crime in the area. I'm just visiting here and I love this community and I don't want to see it ruined like my community in Georgia. Thank you."

Vinnie Scandola, Board Member, Village of Pine Valley & Former Chairman of the Zoning Commission for that Village, "I would like to start by stating my strong opposition to the proposed Wilbur Breslin Shopping Mall on Route 58. As chairman of the Zoning Commission we researched the effects of development on the area quite extensively. We received our information from over 75 different sources. Such as federal, state, county and town planning departments. Private planning and zoning consultants, planning boards, zoning boards of appeals in both public and private utilities and environmental groups. Our findings were quite different from what some politicians and their developer friends have been telling us for years. I quote, "development will lower your taxes." In fact it is just the opposite. Development will increase taxes. Cost for services for that development far outweigh any taxes that are generated by that development.

Other facts that we discovered: Development causes traffic and congestion. One only has to drive just a few miles west to Brookhaven and Nassau County to see the results of development. Traffic is so bad in these areas that it is now spilling not only from the primary roads, but onto the secondary roads as well. If you think traffic circles are bad now, wait it will be like Friday night in the summers, 7 days a week. Pollution. Thousands of cars will be driving through our area each and everyday. Thousands of people will be utilizing their restroom facilities everyday. Hundreds of tons of garbage will be generated daily and must be trucked away. If it is trucked away, where will they take it. Crimes, statistics prove, that the more you increase the density, the higher the crime rate. Malls and overdeveloped shopping areas become a hangout and haven for undesirables. Ruination of downtown shopping areas. The approval of this mall will surely be the last nail in the coffin. Please don't kill Main Street. Economics. Developers tell you that malls create jobs. In fact malls create very few jobs and the ones that they do create are of minimum wage. Most of the management is brought in from the outside. The owners of most stores in these malls do not live in our community. Malls benefit no one but the developer who builds and the shop owners who rent from it. So then what is this mall all about. It is about economics. The personal economics of the developer and the politicians that make deals with them versus the taxpayer. If you listen to the people----"

Supervisor Janoski, "Sir, I love having you here from Pine Valley, but you are talking to the Town Board of the Town of Riverhead. This Town Board does not make deals and I wish that you would-----"

Vinnie Scandola, "That was a general statement sir."

Supervisor Janoski, "Thank you sir, but you are in the Town of Riverhead addressing the Riverhead Town Board and I wish that you would show us the respect that we deserve as we will show you the same."

Vinnie Scandola, "Can I continue. If you listen to the people then you know that they don't want it. If you do your homework you know that it does not make economic or environmental sense so why do we need it. The answer is we don't. Listen to the people now or don't expect the people to listen to you in November. Thank you."

Supervisor Janoski, "Thank you."

Supervisor of the Day, Brown, "Next."

Warren Goldstein, Executive Director of the North Fork Environmental Council, "It's a shame that that drawing over there isn't actually in front of the folks right now. Those that can see it, I wonder if you could just look at it for just a minute and what do you see there? You see a lot of green, see trees, I don't think you see any cars. I don't think you see the garbage, I don't think you see the money, where it is going. So I want you to look at that and just think about it for a minute as we talk about this permit application.

On behalf of the NFEC I'd like to ask the Town Board to deny this special permit for East End Commons. It's not a mystery why we oppose this absurd project. The project is based on faulty reasoning and bad planning. It shows no respect for the economy or for the environment of Riverhead Town. The collapse of the defense boon has depressed the real estate market right now to its worst point in nearly a decade and this shopping mall proposes for its own success a level of population growth in the next eleven years of one third, a 33% increase in population growth. Even during the boom years of 80-86 the population of Riverhead didn't increase that much. Now with no one buying houses and if you have driven around Riverhead or walked around lately you can see the For Sale Signs everywhere. They are everywhere. People aren't moving in here now and yet for this mall to be a success, for the mall not to have empty store fronts in it in a couple of years you've got to increase the population of Riverhead by one third in the next decade. Think about that and think about what happens to that picture if the population increases by one third. As this Town struggles and I have to say really struggles well and shows incredible leadership in how to deal with its solid waste in light of the landfill closing law. How can it think so little about the waste which will be generated by this shopping center for it to be successful? The Town has been struggling to breath new life into downtown Riverhead as many of the speakers have said tonight. And who would not be excited about the possibility of the Suffolk Theater downtown reopening. I was very excited to see that the Supervisor has ideas on how to do that; in last weeks paper, it's a very exciting development. I would think that a lot of us would be excited about that. This shopping center as many people have pointed out will simply destroy the economic viability of downtown Riverhead. Does the Town Board really want to increase the number of bleak empty storefronts and boarded up windows downtown? If the Town is serious about revitalizing the downtown

area then it will stop the project now.

Now who in Riverhead or who in this room has not spent a ridiculous amount of time trying to make a left turn off Route 58 or a left turn on Route 58 in the past three months? I would think that if I were an elected official I'd be wary of running on a record of increasing traffic on Route 58. It's the kind of thing that ordinary citizens, those of us that spend too much time in our cars already start to get upset about. As we are all now faced right now with the cumulative impact of Long Island's overdevelopment in the last ten years we wonder why we didn't see these things coming. We now know that it was our failure to think about the cumulative impact of many projects over time that lead to suburbanization of most of Western Suffolk County. That's why it is a matter of the utmost importance and the highest responsibility for the Town Board to weigh the cumulative impact of East End Commons and the four other major projects planned for the Saw Mill Creek Flanders Bay Area. To do otherwise is simply to give up on the Critical Environmental Area and guarantee that in ten years people will be in this very same Town Hall wondering how the leadership of this Town could possibly have been so shortsighted.

Finally I would just like you to think about the peculiar name of this project. East End Commons. It's an odd name for a project that will damage the East End while providing nothing for the common good. New England towns and villages frequently had a Commons at the center of Town. It was a place where people would market and gossip and worship and walk and do the things that people do in a community. This project is no Commons. It will seriously damage the center, the downtown of this Town and make it harder for public life even to take place in Riverhead. You see all that green now tells a different story than what is going to happen there. It is going draw the people out of the Common area in downtown Riverhead. So you are not going to be able to have a Commons. It is not a benign project. It's not a benign artist conception. It will seriously damage the economy and the environment of this Town. Please turn down this special permit. Thank you."

Supervisor of the Day, Brown, "Anyone else? Yes."

Charles Cetas, Howell Ct., Riverhead, "I'm against the special permit to increase the density of the proposed East End Commons Mall for many of the same reasons that have already been mentioned. It seems to me that Mr. Breslin is simply asking the Town and the people of Riverhead to bend over backwards so that he can maximize his return, especially since he is also asking for variances of the Towns requirements for buffer zones, parking and fencing. What would Riverhead be getting in return for such special consideration? A mall that is too big which Riverhead doesn't need, doesn't want. Probably can't even support. In a word gridlock on Route 58. Probably increased traffic on other surrounding roads, such as: Middle Road, Kings Drive, Elton, Doctors Path and Ostrander. Have traffic studies in relation to the mall been done for these roads been done as well? There is

probably going to be potential damage to Sawmill Creek a critical environmental area. The building, from my understanding, many from the Architectural Review Board seem to think that there is a great deal to be desired. There is going to be potential negative impacts on Riverhead's established businesses especially Main Street. Potential negative impacts on surrounding residential neighborhoods, especially Oliver Street. I don't know, or even if Mr. Breslin knows what kind of stores who are going to this mall. But I've heard that the main draw for this strip mall, it's just a strip mall (they used to call it a strip shopping centers, now it's just a strip mall) it may be just another supermarket. What a bargain. If Mr. Breslin is not willing to bend over backwards for Riverhead, why should Riverhead bend at all for him? To say the least I strongly urge the Town Board to reject this special permit."

Supervisor of the Day, Brown, "Anyone else. Yes."

Kelly Schuk, Oliver Street, Riverhead, "I can't imagine why we are even discussing this. I think the people who live on Oliver Street should have gotten up in arms a little awhile ago. I can't understand why Mr. Breslin bought this property without the permission to do all of this which he was going to do from the beginning. Those ducks were moved years and years ago so I don't know what we are even doing here. The people on Oliver Street, I hope you know are going to have a tough time trying to sell your homes. I hope you are aware of the rat problem and this picture here, I don't think it will look anything like that when it is finished. I mean a lot of that greenery will be gone because that is what always happens. I moved to Riverhead because I liked the area. I liked the way it looks. I liked the country feel. That's all gone. It's only in five years. Are you planning on any exits coming onto Oliver Street? Because I really can't believe the picture. Because I have a blind drive now and I hope it doesn't get any worse. I'm going to sell my home and move. And by the way I hear all this rhetoric about how our taxes are going down. My taxes went up \$700.00 just this year alone. I can't afford to live here anymore."

Edward Schuk, Oliver Street, Riverhead, "As you heard most of the comments tonight were against this project. Maybe you should take it into consideration during this next election because if it goes through you are definitely not going to get my vote."

Sherry Johnson, Manorville, "I have to say that I agree with most of the people who have spoken tonight, the majority. I do hope that you will deny this special permit for this application. Basically my angle is that there are unique constraints on this 32 acre triangular shaped site. I simply don't believe that it will handle any additional development. Whether or not the site can even adequately handle what is currently allowed without obtaining the special permit is questionable in my mind. The constraints on this parcel which

limits its development capabilities include that the S. County Dept. of Public Works has asked for portions of the site along both County Road 58 and Northville Turnpike to be set aside for possible future widening of these roads. The self imposed constraint on the site is the one of the applicants original proposal I believe in the deed to leave the 70 foot buffer on Oliver Street which we already know can't be met. As evidenced by the application to the Zoning Board of Appeals for the reduction. The existence of the first flowing stretch of the Saw Mill Creek along the eastern boundary of the site means that the Fresh Water Wet Lands Act must be complied with as stated by Mr. Donnelly. And the depth of the ground water on the site which is 0 to 30 feet further limits the flexibility to develop the parcel which might possibly be achieved if this were a different site. Because so much recharge area is to be lost here and because of this project the ability to handle and control storm water runoff is reduced and thus poses a threat to the quality of Saw Mill Creek system. Because of these factors the proper approach to development at this site should be to reduce what is already allowed. I hope that you will keep that in mind. Thank you."

Supervisor of the Day, Brown, "Anyone else? Yes."

Nancy Luce, Riverhead, "I have lived in Riverhead almost all of my life. I was born here and I grew up here. I've never testified at a hearing before. Maybe if more people like me had been testifying over the years, our Town would not be in the shape that it is now. It has been a sad thing to watch over the years to see Main Street fall into a kind of decay. It has been wonderful recently to see the flower boxes and the other new signs of life on Main Street. I've belonged to the First Congregational Church on Main Street ever since I was a kid and that Church, my Church lives downtown. All of us have a stake in making sure that downtown is a healthy alive place to be. This mall on Route 58 will hurt downtown Riverhead and how can anyone be in favor of hurting downtown Riverhead. It just doesn't make any sense to me or to a lot of people I know. I hope that you will reject the special permit for this project."

Betty Brown, Peconic Bay Blvd., Aqueboque, "I have a few comments, but before I begin I would like to challenge Mr. Irwin Garsten's statement that he represents the Rotary and the Chamber and I challenge him to support his statement that they support this Breslin project. I would imagine that the Board would also like to know that information this evening."

Councilman Stark, "I don't think that is what he said Betty."

Irwin Garsten, "I didn't say that."

Councilman Stark, "He said that he was a former president of both organizations."

Audience Speaking with much confusion.

Supervisor Janoski, "Ladies and gentlemen we have this on tape and the record will show what he said and we appreciate your observation. I would like to know the same thing concerning your organization sometimes too, Betty, but proceed."

Betty Brown, "I think it is very important that that be followed up. We've come a long way since the scoping session here in this room to address the environmental impacts of this project. Rumors of the developer and his plans to reroute Sawmill Stream had many of us almost breathless. Can you imagine a serious proposal to do just that? And yes, other plans of a wonderful strip shopping center that we supposedly needed. That would give us a grand total of 6 strip centers on the same road. Then this concern over the adjoining residential neighborhood. How ever would they be able to maintain their integrity sandwiched between two malls? Buffers. Buffers were certainly the answer. A past resolution from a previous Board resolved that they must be a minimum of 70 to 100 feet in order to protect the residential neighborhood. I mentioned we came a long way since that application, but let's autopsy this one. One last time. The good news is we didn't fall for the Saw Mill story that Mr. Breslin was going to create a better stream and replace the one that was originally there. Fortunately neither did the DEC. So in fact that plan was withdrawn. More news. The plans for another wonderful strip center changed into a mega mall. Even larger than we had ever dreamed possible. Let's look a little closer at this buffer issue. We thought Oliver Street families were going to be protected. Well unfortunately Mr. Breslin wants a variance so that he does not have to give the adequate buffer that the residents were so counting on. That leaves us with the remaining concern that such a large scale project having so many stores may have an adverse impact on downtown shops. Will more be boarded up? After all how many shoe stores can Riverhead have?

Mr. Breslin doesn't seem to be concerned and he is now asking our Town Board if the development rights from a parcel he owns on the northside of the road can be transferred over in order to get more stores, more traffic and more blacktop at this mall site. I urge the Board to end these outrageous requests right here. I and my neighbors care about the revitalization of downtown, the traffic on Route 58, the Saw Mill Creek system and the Oliver Street residents. It's time you showed if you care. Vote no. Thank you."

Supervisor of the Day, Brown, "Is there anyone else?"

Reba Melvin, Oliver St., Riverhead, "I am the oldest resident on Oliver Street and my father developed the land there many years ago into lots. I was born in the big house at the corner where Oliver Street begins and I've lived there all of my life. I have enjoyed the quite and I hope to enjoy it the rest of my life in peace and quite. Thank you."

Ed Smith, Aquebogue, "Many days around 3 o'clock to 5 o'clock I want to come out of Church Lane and come up into 58. Sometimes it takes as much as a half an hour or an hour to get from Aquebogue to Roanoke Avenue. What is it going to take? How much pollution from cars is going to be generated by putting another shopping center, another mall on Route 58? Are you going to make 58 wider? Are we going to double deck it? We have to do something in order to accommodate the traffic that has to go up and down Route 58. Thank you."

Supervisor of the Day, Brown, "Anyone else? Yes."

Alice Graff, Riverhead, "At this time there will be a lot of traffic, but the shopping place will probably be half empty stores, because there aren't enough people to support it. Thank you."

Supervisor of the Day, Brown, "Anyone else? Without objection I declare this hearing to be closed."

Supervisor Janoski, "The hour of 8:51 has arrived. We are going to recess."

R E C E S S

Supervisor of the Day, Brown, "The hour of 9:11 PM has arrived and the Town Clerk will please read the notice of Public Hearing."

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

Irene J. Pendzick, Town Clerk, "I have affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall at 7:55 PM on Tuesday October 16, 1990 to hear all interested persons who wish to be heard regarding: THE SPECIAL PERMIT APPLICATION OF LEBANON CHEMICAL CORPORATION FOR EXPANSION OF A PREEXISTING NONCONFORMING WAREHOUSE USE OF A THREE ACRE TRACT OF LAND LOCATED ON THE NORTHSIDE OF SOUND AVENUE."

Harry Mathys, L. I. Manager for Lebanon Chemical Corp., "Lebanon Chemical has applied for a special permit for our Sound Avenue facility. Our overall plans call for reduction of use of our Jamesport operation. Based on the Town Code we are aware that there are specific issues that must be reviewed by this Board. We currently operate a storage facility on the Sound Avenue property which has been upgraded and meets the Suffolk County Department of Health Article 12 requirements and also has been inspected and approved by the Riverhead Building Department. We want to locate more of our operations on Sound Avenue because it would better serve our agricultural customer base and reduce our overall operations in the residential area of Jamesport. Additionally, the Suffolk County Department of Health in a letter suggests that

we do move our operations to Sound Avenue, and they in fact strongly encourage us to do so. A copy of that letter can be supplied upon request.

Additionally, we believe that the intended use is consistent with current use, and does not alter the manner of use in anyway. In fact since some of the surrounding property is agricultural the proximity of our operation would actually enhance these neighboring uses. In our view this move has definite advantages for the community including the local farm community and the residential community of Jamesport.

Regarding the health, safety and welfare of the community we have submitted plans and received approval of such plans from the Suffolk County Department of Health to upgrade the remainder of our Sound Avenue facility in order to meet Article 12 requirements which by definition protect the health, safety and environment of the public. Comfort and convenience will result from reduced operations at Jamesport and better service to our agricultural customer base. One final point. Lebanon Chemical Corporation has allocated significant dollars for a site upgrade including beautification, building upgrades, landscaping, etc. Overall we sincerely feel that this move will benefit all involved in the Sound Avenue area and the people of Jamesport. Thank you for your consideration of this application. I'll be happy to answer any questions that you might have."

Supervisor of the Day, Brown, "Does anyone wish to address the Town Board? Yes."

Steve Haizlip, Calverton, "The gentleman mentioned about permitted use and continuance of permitted use. I would like to know what it is? What do they do? It's chemical. What are they going to do? Mix what?"

Harry Mathys, "If I understood the question correctly; mix?"

Steve Haizlip, "Well, you said that you wanted to be permitted continued, your present use at Sound Avenue. What is the present use? What are you doing now that you want to transfer it there?"

Harry Mathys, "There are two buildings in the Sound Avenue location. One which sets to the right and one to the left. The one on the right is currently used for agricultural chemical storage. The one on the left was previously used as a potato packing shed. It was our property and we had leased it. What we propose to do is upgrade that other building on the site for storage of agricultural fertilizer."

Steve Haizlip, "Oh, agricultural fertilizer. Okay. In mixing fertilizer I never know-----"

Harry Mathys, "If I might. We do not plan to manufacture or produce anything. We do not currently manufacture or produce anything on Long Island. We have no plans to do that."

Steve Haizlip, "No plan to mix anymore fertilizer?"

Harry Mathys, "Absolutely not. Our fertilizer for the agricultural community is made in Baltimore and Lebanon, Pennsylvania. It is trucked up here and we merely distribute it to local clientele. We manufacture or mix nothing."

Steve Haizlip, "Strictly storage, according to you."

Harry Mathys, "Absolutely."

Steve Haizlip, "Thank you very much."

Supervisor of the Day, Brown, "Anyone else? Yes."

Frank McKay, Sound Ave., Riverhead, "I live on the property adjoining Lebanon Properties. I've lived there and worked on that property for 50 years. I want to know if the zoning will be changed to upgrade these buildings? When Northville Dock came to Riverhead my taxes were \$375.00 on my house. The year they changed the zoning to heavy industry it went up to \$1,800.00. That's progress. I also know for a fact that they are using this property with chemicals. There is an open well right next to this building that has never been checked out. I would like to talk with people that are involved with Lebanon to actually let me know what is going on. Thank you."

Noreen Grossklaus, 95 Sound Ave., Riverhead, "I am less than 500 feet from Lebanon Chemical Corp. My understanding is that they want to shut down the Jamesport area and move it across the street from me. Now 500 feet is not very far. I have two small children. There is no Town water where I am. If this building ever caught on fire I understand that there is a 10 mile evacuation plan. I don't want to see this building across the street from me. Thank you."

Supervisor of the Day, Brown, "Anyone else wish to speak? Without objections I declare this hearing to be closed. The hour of 9:18 PM has arrived and the Town Clerk will please read the notice of Public Hearing."

Town Clerk, Irene J. Pendzick, "I have affidavits of publishing and posting of a public notice for a public hearing to be held at Riverhead Town Hall at 8:05 P.M. on Tuesday, October 16, 1990 to hear all interested persons who wish to be heard regarding: **THE PROPOSED AMENDMENT TO ARTICLE II LANDFILL FEES OF THE TOWN CODE.**"

CORRESPONDENCE:

I have correspondence from Helen Sylvestre, dated October 16th, 1990 saying that she is unable to attend the meeting and is opposed to the raise in garbage fees. She lives on social security and the raise will hurt her and other citizens.

I have other correspondence from Allen Smith, dated October 16, 1990. He writes representing numerous businesses and individuals in the Town of Riverhead. He recognizes that the Town Board is not responsible for the crisis created by the State Legislature mandating closure for the landfill. He goes on record opposing the fees which will cost each household \$580.00 per year which does not include the cost of pickup, overhead and other costs.

Supervisor Janoski, "Thank you. Mr. Supervisor I would like to make a comment before we enter into this public hearing. One of the problems that any public official has is the spreading of misinformation. And when misinformation is spread by the media that only compounds the problem. Clearly Allen Smith understands what is at issue here. But when I pick up the SUNDAY NEWSDAY and read an article concerning the cost of garbage on Long Island and read that in Riverhead, in that section devoted to Riverhead, that this fee is part of the budget proposal, I have to swallow very hard. That is absolutely not true. No revenue from this fee proposal was placed in the budget. As a matter of fact the revenue from solid waste was reduced in the budget because we were going to be moving into recycling.

Let me try to state very clearly what the intention of the Town Board is here. We are opposed to this kind of a burden being placed on the taxpayers of the Town of Riverhead. But we felt because information does not get around that you should know as citizens what is staring you in the face as of December 18th, 1990. We are under State mandate by way of a gift of the NYS Legislature and the Governor who have very mistakenly in our opinion decreed that the Riverhead landfill should be closed as of that date. We are moving forward with plans to find alternate solutions to the solid waste problem and we have done so since 1979 contrary to any letter---(new tape) The governments change. Ideas change. This Town Board is moving in the direction in which we believe is the right course. Recycling, intensive recycling in which we will meet the mandate of the State to recycle 40% by 1992. That is the State Law passed in 1988. We must recycle. But it also involves in a review process regarding a proposal for a privatized plant which will engage in recycling and composting. The Omni proposal. We are going out to bid and to finance recycling equipment and I've heard comments like what are they trying to do bankrupt the Town by spending and borrowing this kind of money. I wish that we had a choice ladies and gentlemen. A law was passed that requires us to get into recycling and to do that you must have the equipment necessary. We are going to buy a truck by which we can transport these materials. We are going to buy rolloff containers in which these materials will be contained. We are going to make some capital improvements up at the landfill. And we are going buy other equipment. Now I don't know if there is anybody in the room that is opposed to recycling. I think it's an idea whose time has come and everybody will stand up and say we support it. Well I'm here to tell you that its not for free. That it is going to cost. In 1983 when this law was passed by the N.Y.S. Legislature I continually tried

to get the message to people as to what this was going to do to the cost of disposal of garbage. At that time nobody paid attention and nobody cared. But I continued to try to give that message over the years. Well now the bill is coming due. And it may not be \$150.00. We may be given a reprieve by the State and I hope and pray that that happens after the election. But what you should be doing is not here at Town Hall talking to the Town Board. You should be delivering a message to the representatives who occupy positions in the State Government. They have passed the law. They have mandated what we should do and not do. They have caused these costs to be brought upon you, the taxpayers. This Town Board and previous Town Boards have wrestled with this problem. We have engaged consultants. We have excellent people working for us at the landfill who have done outstanding things for us. But your message really should be directed to another legislative body. A law was passed. The State of New York is liable to on December 19th say Riverhead you will haul your garbage out of state. If that happens, then this kind of cost will be born by you. It is rumored that in December or late November that there will be a special session of the NYS Legislature and what will be on the table will be an extension of the landfill law to give us an additional of lets say two years to get our facilities in place so that the landfill can be closed. I would, if I were you, direct my telephone calls, letters and personal appearances to those people who have the ability to make that decision. It is not this group of five people. We have a responsibility I think this Town Board or the previous Town Boards have taken a position that we are going to fight this. That we think what they have done is absolutely wrong. This law which was passed in 1983 was based on a water study that was done in 1978. That water study clearly recommended that the small five East End Towns be allowed to continue to landfill. That was completely ignored. So we have a law which treats Shelter Island like the Town of Hempstead. And that is absolutely a disaster. There are those that point to Islip and Babylon and say, well they had the same amount of time they've got there incinerators up and running. Well that happens not to be true. In 1983 when this law was passed Islip was ready to go ahead with this incinerator. They had one problem and that was what to do with the ash. And speaking of ash, let me remind you because I know that memories sometimes get dim. In 1985 the State of New York wanted to put a 500 acre ashfill in Jamesport in the Town of Riverhead. And we fought that and won. We have done a number of things over the years. We have made a decision as a Town Board that we don't want to burn garbage because of a couple of reasons. Ash is one of them. Clean air is another. And money. It happens to more expensive.

We have a plan. It has been submitted to the DEC. I have this day communicated with the Commissioner Jorling of the DEC. I have urgently requested that he allow us, the Town of Riverhead, to come to Albany to meet with him to resolve this matter. I two weeks ago met with the regional director and his staff. The first meeting was very profitable. The second meeting which they requested was a disaster. And that's because staff and attorney's

were involved in it. The Commissioner and I and my representative and his representative worked out the problem. When you got the other people involved in it it disappeared. I am tired of hearing the Commissioner which he said on radio, Friday, of last week say that if Riverhead had acted and followed the strategies as outlined by him last summer, we would have had the ability to ship our garbage to Babylon. It's interesting to me that those strategies were not released until September. And I want to tell you that I pulled out of my file today and released to the press a letter from the Town of Babylon dated May, which is the Spring, that they do not have the capacity to handle the garbage from the Town of Riverhead. So that was a lie. But I chose to believe that the Commissioner does not lie on purpose, that he is being misinformed by the local regional office of the DEC and that is why I communicated with him directly today. They further will not recommend that as of 1997---- If I am boring you ma'am you can certainly leave. I'm sorry your face speaks very much. As of 1997 we must ship our garbage to Brookhaven to their incinerator. I don't know where the DEC has been all these months, but the Town of Brookhaven has abandoned its plan to build an incinerator. So there is no facility for us to ship to in 1997.

This Town Board has joined together in a bipartisan way to oppose the ridiculous stance of the DEC. We are going to continue to fight and I expect this evening to authorize to join the other five Eastern Towns to launch a suite against the DEC over the issue of the landfill law and of course its main purpose is to protect the taxpayers of the five Eastern Towns. That is what is at stake here and is what you will have to pay for garbage. We didn't pass the law. We didn't dream up the law. We opposed the law when it was being considered. We sued in 1984. Riverhead Town sued the State of New York and Islip sued the State of New York. Won in Supreme Court, but was overturned in Appeals. We recognized what this was going to do to the cost of garbage. And that is why you are here. I have stated repeatedly that we have the highest property taxes. We have the highest utility cost and now we are going to have the highest garbage cost. I don't know how any business can survive here. I don't know how people can continue to survive here. But you are directing your attention to the wrong forum. That was our purpose. This Town Board wants you to know what the cost was going to be so that you during this election season for State officials would raise your voice to them to force them to do what is necessary.

If you are here to tell us that you don't want to pay \$150.00 a ton. We agree with you. There isn't a person on this Board who wants to charge \$150.00 a ton for garbage. But that may be an eventuality that may come about if we are forced through legal means to ship garbage outside of the Town of Riverhead. That's the message we want to give you and we expected not for letters to go out which really didn't serve much of a purpose, but for you to understand letters and calls should come from you. Not to us, because I have gotten quite a few, but to the State, to the Governor, to the State Senators, to the Assembly people and to those people who are seeking those offices. Having said that I'm sure the Supervisor will invite you to speak your mind."

Supervisor of the Day, Brown, "Yes."

Ed Smith, Aqueboque, "It seems to me that we have been talking about how to get rid of garbage for a lot more than since 1983."

Supervisor Janoski, "That's what I said."

Ed Smith, "I spoke here in 1970 trying to tell the Town Board to try composting, recycling and I was laughed at. I was told that landfills was the only way to go. Well I was right then. The Town Board was wrong then and I think that I am right now when I say and this just comes from a gut feeling that our backs are up against the wall and I mean the taxpayers. And you guys have the guns and are holding us up. To pay for something that is your fault, that you have not done and that is get a plan into action that would take care of our garbage. You knew it was coming. You did nothing. You sat here. You did nothing. When Brookhaven wanted to join in with the Eastern towns, this Town Board according to the newspaper rejected the idea. No matter what plan has come up it has been rejected. And now we're asked to give \$150.00 a ton or seven something for a pickup load for what? So that we can pay the fine starting the end of December. I have a gut feeling that is what it is all about right now. A way to raise money to pay the fines and you're sitting there saying that you have protected us, you saved us money. This could have been done 10 years ago when prices were a h_____ lot lower. It could have been done for a fraction of what it costs to do it now. I don't think that is saving us any money. If you say that you are trying to save the taxpayers money, I want to tell you. The taxes in this Town are as high as they can go. And I have only one pocket. And whether I pay it out in user fees or pay it out in taxes, I still taking that money out of the same d_n pocket to give it to the Town government and the Town government is doing nothing! Nothing to help the people of Riverhead. Thank you sir."

Supervisor Janoski, "Sir, I would respectfully say to you. No I won't."

Ed Smith, "I didn't think you would sir."

Supervisor Janoski, "Now I will. I don't wish to engage in an argument. This is the first time I've ever seen you in my life."

Ed Smith, "It's the first time I've seen you."

Supervisor Janoski, "Let us then admit that you have no idea what has happened with the successive governments since 1970 when you spoke. You weren't in my office. You were not in the Supervisor's Office, you haven't had any discussions with anybody. You don't know what plans were developed. You don't know anything that happened. What you are saying is what you think. That nothing happened."

Ed Smith, "I'm saying what I see. Nothing happened!"

Supervisor Janoski, "You weren't here to see!"

Ed Smith, "I have been living in Riverhead for a long time."

Supervisor Janoski, "I don't mean that. You weren't here to see. Now in 1970 I would guess that the cost per ton of garbage disposal was about a \$1.00. And to go into the programs that you suggested at that time would have raised those costs. I would suppose. And I would bet you that if the Town Government at that time which was disposing of garbage for a dollar a ton wanted to increase it to \$10.00 a ton to follow your suggestions, that there would have been an outcry at that time. And that's why I'm sure the government in the 1970's said well we have just been told, five years previously if history is right, that they were told by that very same State government not to burn anymore. The Town of Riverhead was incinerating. They were burning garbage. And the State came along and said, wait a minute, we don't want you to burn anymore. We want you to landfill, which is what the Town government did. We followed the direction of the State. So five years later you come along and say well we ought to be doing these other things which would raise the cost. Town Boards don't want to hear about raising the cost. Because we know that you have a pocket."

Ed Smith, "Only one pocket sir."

Supervisor Janoski, "A pocket, that means one pocket. In English, a pocket means one pocket. Now I want to say to you that if we had followed the direction of the State of New York, since I've been Supervisor and certainly the previous one, there would have been spent millions of dollars by this government for no real purpose. And I will end my comments there and recognize Councilman Prusinowski."

Councilman Vic Prusinowski, "I remember back in 1983 they wanted us to double-line the landfill and I was at a meeting in the Commissioners office in Smithtown. Then they changed our zone designation to three. Smithtown spent \$22,000,000.00 on their landfill. They had it doubled-lined in compliance to their regulations and they are going to be closed on December 18th. So if we had spent the \$5,000,000.00 and lined one of our cells we would have been \$5,000,000.00 in debt, paying off that bond and they still would have closed us down on December 18th so they've changed their minds a lot.

I think that we are on the path of solving this problem. It's a complex problem. It also involves markets. There weren't the markets for recycling years ago. I think you had a great idea years ago and we should have started recycling we're a throw away garbage society. It's going to take time for people to change their personal habits. And it takes time for industry to adjust. My newspaper is printed on recycled paper. It took years for that

plant to change over from a virgin papermill to recyclable. It's Garden State Paper, New Jersey. There is another papermill that is going to be built in the Northeast which will double or triple the capacity. Now we have newspaper galore. Everybody is trying to recycle. Everybody is trying to sell the product. So it will happen in time. The only thing that we are asking the state government to do is be reasonable and give us some time. Not to spend millions in dollars to the Teamsters Union and to the mob and whoever is going to be involved in this thing. I read in NEWSDAY where they organized crime. Because that group is going to get \$650.00 a ton. Actually right now Hempstead is paying \$139.50 to take their ash from Hempstead Resource Recovery Plant to Buffalo. Also we have to wonder how long these other states are going to accept our garbage. So I think we are in a tough spot and we need your help."

Councilwoman Civiletti, "I would like to respond to one point that you raised and that is why back in the spring and winter of this last year, Brookhaven offered us a facility, that as it turns out they may not in the end build and I hope to God that they don't. Why didn't we join in on that? That facility and participation in that facility would cost us just about as much as this \$150.00 per ton proposal to long haul. Because the tipping fees, the amount of money per ton that you have to pay at an incinerator plant like that (they call it a resource recovery; it's a lot of nonsense, it's a garbage incinerator). They generate a minimum of electricity in burning garbage. Your tipping fee, your price per ton at a facility like that ranges from \$65.00 to \$120.00 per ton and that's before they break down and require massive repairs. These are multi hundreds of millions of dollars facilities. And that tipping fee, the \$65.00 to \$120.00 a ton doesn't even cover the cost of disposing of the ash that Vic just alluded to. Hempstead is burning their garbage and it is costing them a pretty penny per ton to burn their garbage. They are left over with ash about 30% of what they started out with they are left over with. They have to dispose of that somewhere and they are now shipping it off to Buffalo and it is costing them with the price of gas and oil and everything going up to ship this ash. You don't even begin to discuss what it costs to clean the air because you pollute the air with facilities like that. If they site an ashfill somewhere on Long Island then you have to start talking about how you clean up the groundwater. The DEC and NYS policy in the New York State Legislation for that matter is so pro burn it isn't even funny. Yes, they would definitely love for the Town of Riverhead, Town of Southampton and the Town of Southold to build a giant garbage incinerator. Now that is going to solve all our problems. It would be just as much if not more part time as long hauling it. The fact is that we can't dump garbage in an open hole anymore. I happen to think that that is actually a good idea. It's not a good idea to dump garbage in an open hole. It is a good idea to stop doing that. We are, as Vic said, very wasteful and we need to change our habits. That includes having a lined landfill and that includes waste reduction and that includes recycling and in

fact we have spent a lot of time putting those plans together and it is my hope that we are going to have a plan implemented as of the first of the year. And if as I expect we are not going to be able to dump our garbage in the Town of Riverhead. We are going to haul our garbage off Long Island or at least out of the Town of Riverhead. Every ton that we can divert through recycling and waste reduction is money saved. This is unfortunately a fact of life that we may be facing."

Supervisor of the Day, Brown, "Does anyone wish to speak? Yes."

Kenneth Tuthill, Riverhead, "I've been living in Riverhead for 24 years. I would like to say that that was a great idea in the first end when you enter the dump. But I also would think that after all these years, four I would say, of recycling you've been accumulating monies from the aluminum, the steel, the glass, the paper. I think you are accumulating monies. We are paying at present \$2.00 to come into your facility. And I would think that you are getting a lot more than \$2.00 out of there with weight."

Supervisor Janoski, "Are you talking about the sale of the materials? We have to pay people to take them away."

Kenneth Tuthill, "But that stuff costs money per pound if you go to a place off Medford, Route 112. You can make some money with just a couple of hundred pounds of your own stuff and not go to the landfill."

Councilman John Lombardi, "Ken, Mattituck Sanitation has donated his containers to the Town of Riverhead. For the last couple of years he has been taking our glass and our-----"

Kenneth Tuthill, "I work for one of the largest places that dumps solid waste in your-----"

Councilman Lombardi, "Okay what he has been doing, I understand, is he took cans up to the West End. First he leaves a container at our landfill for two or three months until it gets filled up. After that he takes it to where he takes it. Now the guy only got paid \$50.00."

Kenneth Tuthill, "I think they are making a lot more than that."

Councilman Lombardi, "Well I'm just telling you we are paying the newspaper people to take our newspapers \$32.00 a ton to get rid of it. The glass is hard to get rid of. So we do have our problems. I understand what you are saying. If we could make a few dollars. It is hard to get places to take this material."

Kenneth Tuthill, "I would think with the rubber tires now being turned into asphalt they would be worth something instead of us paying to have them put into the landfill."

Supervisor Janoski, "One of the things that we are doing is to buy a vehicle with which we can transport these materials and maybe at some point in time we will be able to realize some profit from delivery of them or at least a reduction in cost. But right now and I guess all of us are trying to tell you the same thing, it costs us more to recycle because newspaper, we pay \$32.00 a ton to move it out of the landfill. Nobody wants that now."

Kenneth Tuthill, "Can I make a suggestion? How about we get some more volunteers to help the situation instead of making it worse? I'm presently volunteering my time, spare time, plus raising three kids."

Supervisor Janoski, "I don't understand what you are saying. Are you saying to pick up?"

Kenneth Tuthill, "To clean up one road in this local area."

Supervisor Janoski, "That of course is an idea which we support, but it has nothing to do with the cost of disposing garbage. As a matter of fact-----"

Kenneth Tuthill, "There is going to be more garbage on the side of the road if this is passed."

Supervisor Janoski, "You are probably correct because from the experience of other Towns as they put into operation their facilities which have gone up to \$80.00 per ton is that the garbage starts to disappear. Not so much that it went on the roadside, but it started to be sneaked into other landfills which had lower costs. The more the people recycle the more it costs them and that is a very simple fact right now."

Councilwoman Civiletti, "That is just so untrue. I take objection to that because the more people recycle the more cost they avoid. Either to haul garbage away or burn it or compost it even. The point that he makes is well taken. We are not making any money off our recyclables right now. Off our material recovery and at some point we could be. But what you need to do is to be able to Number 1, control recyclables, control the quality of them and Number 2, you need to have some processing capability. You need to separate things. You need to make sure that things are clean. That they are not contaminated. Your newspapers can't have junk mail or glossy papers mixed."

Kenneth Tuthill, "But the people need the money."

Councilwoman Civiletti, "That's right. We are hoping to. We've been out looking at equipment. We are hoping to have the capability. Part of what is going in this bond is the capability to get our recyclable material into the condition that we need to get them into in order to sell them. Right now they are unsaleable."

Kenneth Tuthill, "If you go to your local food store, most of the products made in glass are made from out of state. I would think that this State when a product comes into the State would impose a 5¢ minimum bottle deposit. That way this State would generate some money."

Councilman Prusinowski, "They have, but it is not refundable."

Alice Graff, "I have to commend the Supervisor, Rob Pike, Denise Civiletti. I have been to the work sessions for 3 years now and these three people have worked extremely hard. Especially Denise. Working on this garbage problem. They have really, really put a tremendous amount of effort forward. And I thank them for all their efforts. People don't realize the amount of work that this has taken to get even this far. Thank you."

Joe Sykora, President of the Mobile Home Assoc., "We are against this rate increase in the garbage. We cannot say to the garbageman, 'Don't come pick up our garbage and we will take it down to the dump ourselves'. The garbage fees are in our rent. So we are going to get a rent increase of \$50.00 per month. And we cannot say to that garbageman, 'Don't pick up our garbage' because it will not come out of our rent if we did. We will still pay for that garbage fee in our rent. Another thing for five years all this Board has been doing is talking about closing this landfill and I don't see anything being done. I haven't seen anything done in the last five years. Thank you."

Supervisor of the Day, Brown, "Anyone else? Yes."

Steve Haizlip, Calverton, "I hope that I won't bore you any."

Supervisor Janoski, "Steve, it's not you at all. It's just that some people who have never been in this building before in their lives have made up their opinion as to what they think we have done and not done and that is absolutely unfair. I have been here for many years, Denise, John and we have tried and worked to find a solution and quite frankly I'm proud of what we have done. And over the years if we did everything the State wanted us to do, it would have cost us millions of dollars and we fought against it until we found the right solution and I think we are on the right track. Steve it had nothing to do with you."

Steve Haizlip, Calverton, "Okay. Thanks for the explanation. You talked awhile ago about getting a hold of our legislators. Nobody gets a hold of them more than I do and I've seen in the paper where Mr. Sawicki and Mr. LaValle and even Mr. LaValle has been on radio and they are all squirming now. Because we are stuck with \$100,000,000.00 per year. So now the paper says that they are trying to get an extension and they are working diligently on it and they don't know if they can do it and if they can get the Governor to go along. Well they are screaming

now because it is election year. But the thing that gets me and I go back to a page in your book when they enacted this law, I think I heard you say 1983 or 85. I think they enacted this law on a little bit of bad advice. To give you an example, I'm getting a little bit away from the subject, but this allows me to build up to my point. We have all kinds of state transportation engineers and big shots all the way, but they can in their brilliance build a road and put a sump up higher than the low ground is. Somebody came along and gave them advice and urged them. Or you've got to pass this, you've got to pass this. Go back to 1978 and you state that they research and the study really wasn't hurting the water any at all. I mean not hurting it bad or at all. But now they come along with this law. They don't give us any money to help with it and above all they sit there year after year and run for election year after year and they don't say to the people and the residents of this Town, the ones that elect them and say okay we know the landfill law is in effect, but we are going to start something. We are going to try to help you out with this. We passed it. We forced it on you. No they sit there until the day almost gets here. Mr. Jorling, Mr. Berger, they love what's happening. They want to be Mussolini with the boot and give us a kick. That is exactly what they are leading up to. Mr. Jorling has contradicted Mr. Harris's statement and is saying, 'Oh no Dr. Harris, you can't make that statement about the water is not really hurt. You mean that is a draft because I want the power to close that gate and kick them boys when it comes the 18th'.

Now I'm going to summarize and close up here. The State is doing all of this mandating, but they are doing it with my money and everybody else's money in here. But they are not doing it with my taxes. They are doing it right out of my one pocket. Since I have been retired I've had benefits taken away from me by my company. To emphasize a little bit more. The MATURITY MAGAZINE which is put out by AARP has an article about people yelling about General Motors because they have taken away their benefits. General Motors has taken away benefits from their past employees. I'm to the point to where I'm on pension and social security. The government is only giving me so much of it and the company is only giving me so much. But all these governments, State Government, Federal Government, Town Government, I will say from the White House down to my house which is you guys here are all yelling for more money and got to have it. You are all broke, but we are not broke. We've got plenty. We will just fork it over to everybody. If it comes to a point these fees have to be imposed and we can't get out of it in anyway, the State won't give us any relief to help us along, make it as easy as you can on me Joe."

Peter Danowski, "I just want to say to David that it's 2 to nothing, Cincinnati."

Carl Wooten, Riverhead, "I would like to state that I'm opposed to this fee for residents. I understand garbage nationwide and statewide is a problem. But this fee passed to the taxpayers is not the problem. We pay enough in taxes and my taxes

doubled in the last six years. Not only that why should I be penalized for having a pickup truck when I don't want to dirty up my family car? Why should I have to pay double the fee for my own pickup? It's not fair for a local resident."

Supervisor of the Day, Brown, "Does anyone else wish to address the Board? Yes."

Rolf Kessling, Wading River, "I just came down because I understand that we were going to discuss the landfill fees here. All I'm interested in, my personal use of the landfill. I go down to the landfill once a week. I take the garbage down from my family, my wife and I, my mother and another single lady. My mother's garbage amounts to a half of a King Kullen bag, the other party and I'm a little bit more. We take down approximately if we are lucky one thirty gallon bag of garbage. I take back five cans of sand besides. I get my monies worth for the dollar. My sister happens to be a village clerk, treasurer and puts out the cat at night, in a village up in Kinderhook, New York. They closed their landfill about three years ago. They have a receiving station. I'm sorry I didn't bring the list down of their fees. But as a residential customer in a passenger car \$3.75 for a bag of garbage, make it \$2.00, a \$1.00 or something like that. Give us a break that way. Otherwise I'm telling you there are a lot of people that have that little bit of garbage for \$3.75, it's going to end up on the road someplace. Have you gone down Whiskey Road down in Brookhaven? Take a look at it. It's a garbage dump on both sides. So I'm asking you is a reduction."

Supervisor Janoski, "I have two things to ask you. One is in Kinderhook when they bring the waste to the transfer station, where do they take it after that?"

Rolf Kessling, "I think it's trucked out."

Supervisor Janoski, "To?"

Rolf Kessling, "I don't know where. But it gets trucked out. I believe my sister said Buffalo, but I'm not sure. But their list is if I remember right was \$2.00 for a 32 gallon bag of garbage and then recyclables were free."

Supervisor Janoski, "Same thing here."

Rolf Kessling, "So you bring in if you have recyclables you dump it in and it costs you nothing. For the people like in my case, one bag of garbage \$3.75, come on."

Councilwoman Civiletti, "Do they pay by the bag?"

Rolf Kessling, "By the bag. There is a man at the station he checks it out. They don't pay directly. They have coupons or something like that."

Supervisor Janoski, "Denise has been a supporter of volume base charge which I think is what you are saying. The second question that I want to ask you and it is one that has occurred to me all during the night. All of us pay garbage fees too. I have a pickup so that we will feel that increase. Let us suppose that the cost of disposal of a ton of garbage goes to \$80.00 a ton. We are going to expect somehow to raise that \$80.00 from the people who bring their garbage their and that means all of us. How do you suppose we should come up with that \$80.00?"

Rolf Kessling, "Why does it all have to be directly taken from the users fees. I mean you can get a little buck here and a dollar out here."

Supervisor Janoski: "Where is that out there?"

Rolf Kessling, "I agree, but you're going to be spending a lot of money on the road department. We've got a wonderful road department. I mean they are nice fellows around Wading River, you all know who they are. I put some brush outside and it's gone one, two, three. I mean I don't fault them a bit. You are going to have to pay it out in salaries."

Supervisor Janoski, "I know that, but what I'm saying is if we spend a dollar that dollar has got to come from somewhere."

Rolf Kessling, "I agree it's an -----I'm willing to pay. What I'm saying is that people in my position with that little bag of garbage, why do we have to pay. Boy you are going to make money on us. Three seventy five for a 30 gallon bag of garbage."

Supervisor Janoski, "What you are saying is that you are in favor of what Denise has been promoting volume based charges. Pay by the bag."

Rolf Kessling, "Okay. You pay it by the piece."

Supervisor Janoski, "And the pickup truck will probably agree."

Rolf Kessling, "I'm only talking about a passenger car, small users."

Supervisor Janoski, "It doesn't matter how you get it there. It's how much you bring in. That's what you're saying."

Someone from audience, (inaudible)

Councilman Stark, "It doesn't matter how you drive, it's how you arrive."

Supervisor Janoski, "Scotty."

Daniel Robertson, Aqueboque, "I think what you are trying to do is bankrupt every business you have here in Town. If you take, according to these lists here that you have, a company like where I am it's going to cost them \$76,000.00 a year for garbage."

Supervisor Janoski, "Scottie, were you here a few minutes ago when I said that this Town Board does not want to pass this?"

Daniel Robertson, "Yes, right, but let me tell you something on this. On this here you have tires diameter 16 and 9/10 or less at \$2.00 per tire. It means that if one of the residents have a wheelbarrow that they want to throw the tire away it will cost them \$2.00. A wheelbarrow tire has a diameter of 16.4" which is a 4X8 tire. Any tire on anybody's passenger car here is going to cost them if they take it to the dumps \$3.75. How more ridiculous can you get than that? That is so crazy. I know that I was at a tire meeting farther off asking these people what they did. Throw them in the customers cars. Officials in the Town were at the tire companies could you not keep them there to get them dumped away. No. Because of the price. So this gentleman here that is the Riverhead Volunteer they better have some big trucks because you are going to find a lot of tires, garbage and all the rest on the roads like you do further up west."

Councilman Stark, "Scottie, can I ask you a question?"

Daniel Robertson, "Yes."

Councilman Stark, "You're in the tire industry."

Daniel Robertson, "Yes."

Councilman Stark, "Has your industry Goodyear, Michelin, and the rest of them. Have they done anything about trying to recycle their own products that they produce?"

Daniel Robertson, "They have, but there is nothing which has come up that is profitable to them. They have tried shredding them and I believe one company in Riverhead wanted to shred. They were turned down."

Councilman Stark, "No, I'm talking about the large industry, the manufacturers, Goodyear and so forth."

Daniel Robertson, "Yes, they have and they are concerned about it. They send letters all the time to us about what they are trying to do."

Councilman Stark, "I mean they send tires to you to sell to us the Community, but they don't send any answers to us as to what to do with them after they wear out."

Daniel Robertson, "Well they have tried, but there is not anything here. California has got two (indistinguishable) that produce electricity through tires. Now their plants pass the emissions standards and California is a heck of a lot tougher in emission than New York is. They've got plants up in New Hampshire, Connecticut that do the same thing. They are bringing in millions of tires a month."

Councilman Stark, "Goodyear is a pretty good size corporation isn't it? Would you say that it is a little bit bigger than Riverhead?"

Daniel Robertson, "Yes."

Councilman Stark, "Would you say that they have the ability to find out those answers more than we do?"

Daniel Robertson, "What you are trying to do, you are trying to tell me that you people are not responsible."

Councilman Stark, "I'm not trying to turn it around. But I think the manufacturers in the industry have just as much responsibility as the local municipalities to find the reasons and the conclusions of how we are going to handle solid waste. And I would like you to go back to your industry and say "Hey what are we doing to help people get rid of tires!"

Daniel Robertson, "They tried, but then again-----"

Councilman Stark, "They tried. We are trying too! We're trying too!"

Daniel Robertson, "You're not doing too good if you are charging \$3.75 per tire."

Councilman Stark, "Well neither is Goodyear and the rest of those tire companies."

Someone from audience, "Don't pass the buck."

Councilman Stark, "I haven't got a buck left."

Daniel Robertson, "This is what happens all the time. Government always tries passing the buck. They are never at fault."

Supervisor of the Day, Brown, "Does anyone else have any comment?"

Florence Sykora, Riverhead, "I'm going to say the same thing and repeat the same thing that my husband said. Those that live in mobile home parks cannot take a volume of garbage down to the dumps because we have to settle and pay the increase in the rent. We feel that we should not be (how can I put it) charged

that much that we have to pay an increase in our rent. There will be a lot of people that will not be able to afford the increase. They will have to take it maybe from their drugs that they have to take or they will have to take it from food that they have to buy to pay for the place that they live in."

Supervisor Janoski, "I agree with you and I think everyone on the Board agrees with you. Have you raised this question with any member of the State government as to what they have mandated as what it is going to cost you? Certainly I don't think that you are saying that you are not willing to pay a fair share of the cost."

Florence Sykora, "I didn't say that. I said we don't want to pay that much of an increase. Maybe people might be willing to pay a certain amount, but not the amount that we might have to pay as high as that."

Councilman Prusinowski, "Joe, we have a story in our paper tomorrow and it is a follow-up on the NEWSDAY story. Every waste manager in Suffolk County now is complaining that the cost, the biggest increase in taxes in Suffolk County right now is the garbage district taxes because the actual cost of building the incinerators, of capping the landfills are actually starting to come and affect the general public. What has happened is a lot of bonding has been going along, borrowing, to create a financing and even Mr. Hyle from Brookhaven is saying now that Brookhaven Town is having a tremendous increase because they actually have to go out and float these bonds; 20 million dollars. Let me tell you it's just not shipping the garbage out, we have to cap our landfill, there are closing costs. I completely agree with you. It's a horrible situation. It's grandstand politicians who run around the State getting you to vote for them and say, I've saved the groundwater, I've given you a senior citizen tax exemption, but what they have really done is mislead you to vote for them and in the meantime sock it to all of us."

Florence Sykora, "I didn't vote for them."

Councilman Prusinowski, "Well, but a lot of people have. No you voted for some republicans and democrats like we all have. This is not a republican or democratic issue."

Florence Sykora, "Oh I beg to differ."

Councilman Prusinowski, "This is a bipartisan issue, believe me."

Florence Sykora, "I don't think so."

Councilman Prusinowski, "Well I think so."

Florence Sykora, "I haven't seen it as such."

Councilman Prusinowski, "Well I do."

Florence Sykora, "May I say something though. I think what should have been is what happened during the second world war where we did go into recycling. It's just to bad that our government and our State and our Towns didn't really keep that up because then and now we wouldn't be in the position that we are in today."

Councilman Prusinowski, "I completely agree with you."

Florence Sykora, "And I think it is a sad thing that that had to happen. That it disappeared. That they didn't keep that up."

Supervisor Janoski, "Florence, I can't let you do that. You are pointing a finger at government. Who was it that demanded the convenience and the throw away containers, and the plastic bottles? Was it the government?"

Florence Sykora, Starting to interrupt as the Supervisor was speaking."

Supervisor Janoski, Wait a minute. Florence wait a minute. I listened to you. Was it the government that said we want the soda industry to put their containers in disposable bottles? Did we say to the government that we want aluminum cans? It was people who said we want these things and if you didn't-----"

Florence Sykora, (interrupting) "I think it was business that put it on the market because they discovered it and they figured that this was easier on the public."

Supervisor Janoski, "Whose buying it?"

Councilwoman Civiletti, "They sell it to us though."

Florence Sykora, "Then sells it to us. This is it. This is why sure we make it easy. Sure we do want business people. In turn don't tell us what's going happen with those things. But they did stick to it and tell the truth about it, it would be a different matter. But as I say to go back those years if we stuck to it and we kept it up we would be in this position today where we have to beg and plead not to take the money out of our pockets, not to take the money out of our mouths. This is what is going to make a hardship. Thank you."

Supervisor Janoski, "Thank you."

Supervisor of the Day, Brown, "Does anyone else wish to say anything? Without objection I declare this hearing to be closed at the hour of 10:11 P.M."

R E S O L U T I O N S

Resolution #688

Supervisor Janoski, (Addressing Supervisor of the Day Brown) "Mr. Supervisor I have come into recent information that our own Chairman of the Zoning Board of Appeals is going to be recognized for outstanding work by an organization of her peers. I would suggest that we pass a resolution recognizing her achievement and we can do the wording of it at a later date. I understand that this is a prestigious award being given to Pat Tormey, Charter Chairman of the Riverhead Zoning Board of Appeals."

Councilman Stark, "So moved."

Councilman Prusinowski, "Seconded."

Supervisor Janoski, "I would ask that it be passed by acclamation."

Councilman Stark, "So moved."

Board, "Aye."

Supervisor Janoski, "This brings to a close a evening which I knew was going to be interesting as things develop, but it certainly was a wonderful day that I got to spend with my friend here, Mr. David Brown, who will get to keep this gavel that we got for him with his name and date inscribed in it. Of course the name plate. I had a fine time and I thank you for being a good boy because I understand that there are times when you are not. I'm not going to say where I heard that. But he was outstanding today and did a nice job. We went all over Town and did a lot of interesting things. I would ask the Members of the Board to sign this agenda sheet for him so he can keep that and I know that he has a couple of words that he would like to say."

Supervisor of the Day David Brown, "I wish to thank Supervisor Janoski, the Town Board, the Riverhead Library and the people of the Town of Riverhead for making this day possible and special for me. We had a very busy, but fun day. But I know old Supervisor Janoski is very tired and we would let him go home and to bed. So let me say thank you. I had a good time and a good day. Good night."

There being no further business on motion or vote, the meeting was declared adjourned at 10:21 P.M.



Irene J. Pendzick
Town Clerk