

1/17/89
Minutes of a Regular Board Meeting of the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York on Tuesday, January 17, 1989 at 7:30 p.m.

Present: Joseph F. Janoski, Supervisor
John Lombardi, Councilman
Louis Boschetti, Councilman
Robert Pike, Councilman
Denise Civiletti, Councilman

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

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

Councilwoman Civiletti offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Minutes of Regular Board Meeting held on December 20, 1988 and Special Board Meeting held on January 5, 1989 are dispensed and approved without objection.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Reports."

REPORTS

Building Dept.-Month of December 1988.

Filed

Planning Board-Approves final plats of "Union Avenue Assoc." "Mesta Vista"; "Village Green at Baiting Hollow" designates as Lead Agency; approves reduction of performance bond of "Tall Oakes Estates"; hiring of Dr. Wm. Roberts to make archaeological observations for "Seawatch".

Filed

Zoning Board-Appeal of "Three Village Associates" granted.

Filed

Planning Board-Negative declaration re: Richard Zeh subdivision and North Fork Plumbing Supply.

Filed

Tax Receiver-Collections as of 1/11/89 (\$13,842,310.04).

Filed

Planning Department-Notice of Determination of non-significance re: "Woodfield Meadows".

Filed

OPEN BID REPORT - Bay Constable Boat - Police Dept.

Filed

Bid Date: January 17, 1989
3 bids submitted

REPORTS, Continued

#1 NAME: Larry's Lighthouse Marina
 ADDRESS: Aquebogue, NY
 TOTAL BID: \$19,500/1986 Steiger Craft 25'

#2 NAME: Raynor & Mitchell Marine, Inc.
 ADDRESS: Westhampton Beach, NY
 TOTAL BID: \$25,400/1988 Boston Whaler 22'3"
 \$26,990/1987 Boston whaler 22'3"

OPEN BID REPORT - Traffic Signs - Highway Department

Filed

Bid Date: January 17, 1989
 2 Bids Submitted

#1 NAME: Chemung Supply
 ADDRESS: Elmira, NY
 TOTAL BID: See File for price breakdown

#2 NAME: Capital Highway Materials
 ADDRESS: Baldwin, NY
 TOTAL BID: See File for price breakdown

Supervisor Janoski, "Applications."APPLICATIONS & PETITIONS

A. Militello-Site Plan resubmission, office building on Peconic Avenue.

Filed

Petition-Augusta Schneider for sewer extension.

Filed

Country Commons at Aquebogue-Site Plan for 4 buildings for retail and offices.

Filed

Parade Permit-Little Flower Children's Services for 5k race on May 27, 1989.

Filed

SEQRA Response, 1/13/89-Northville Energy corp. re: combustion turbine peaking project.

Filed

Petition-Sun-Up associates for lateral water main.

Filed

Supervisor Janoski, "The time for the first scheduled public hearing has not yet arrived. Correspondence, I'm sorry."

CORRESPONDENCE

Gregory Blass-Requests meeting with Town Board to review options for LILCO's power generating facility in Jamesport. Filed

Thaddeus Krukoski-submits resignation as Superintendent of Sanitation effective 3/31/89. Filed

Clement Petraszewski-submits resignation as Superintendent of Sewer/Scavenger Waste District effective 1/27/89. Filed

Pierre Lundberg-Notifying Town Board of test results of Sewage Plant. Filed

Henry Saxtein, 1/13/89-requests correspondence from Town indicating unavailability of public sewer for Alvin Benjamin project. Filed

Supervisor Janoski, "Thank you. It's worthy of pointing out that Teddy Krukoski and Clem Petraszewski, while they use the word resignation in their letters, are retiring. They are not resigning. They are retiring. There's kind of a difference in situation. But they did use that word; resignation. We have of course, a list of Unfinished Business and it is very nicely outlined as to where those applications are in the process of review. There are about six minutes remaining before the first scheduled public hearing. And I would ask if there's anyone present who wishes to address the Board on any subject, any question on a resolution that is before us this evening. Anything at all. Steve."

Steve Haizlip, Calverton, "I picked up on Linda Ellibee's column in New York Daily News. It was very good. She comes up and says that a lot of the politicians tell lies. But the news media is there to pick up on it and catch them at it. Now that leads me in to our County Executive, Mr. Halpin. He said that we were only get a tax increase of 16%. Now, after going through the news media and reading up on it, I find that this town right here, is 236% increased. Southampton, 249% increased. Ok, now you know who they're trying to blame it on? They're trying to blame it on the Suffolk County Legislature that that is the cause. But the legislature didn't come out and tell us they were going to be 16%. Halpin himself told us that but they're trying to use that as an escape goat. So to make it look like that they are causing it. Now, Mr. Bianci who started this Suffolk County Legislature through the court system, I noticed lost this year. And I'm kind of glad about it and I think all the people in the community has finally caught up with him that he was the guy that put the monkey on their backs and that's the Suffolk County Legislature. Now, I noticed that in today's paper, Mr. Halpin wants to know how he is doing but Mr. Blass is telling that he is very worried and he's trying to save himself. Well, the way I see it, I don't think Mr. Blass is on a good foundation himself. He's on thin ice and so he better

1) 17/85
PERSONAL APPEARANCES, CONTINUED

Steve Haizlip, Continued

watch out to save himself. Thank you."

Supervisor Janoski, "Thank you Steve. There are about three minutes remaining before the first scheduled public hearing. Is there anyone else who wishes to be recognized on any subject? Well, let's take up a couple of those resolutions. I'm sorry. Joe."

Joseph Sykora, Riverhead, "I'd like to ask the Town Board and Mrs. Moore if she is working on the amendment to the Racetrack Regulations and how it is coming along?"

Supervisor Janoski, "Well, I can tell you that tomorrow we are having a training session for police officers with regard to the noise level equipment. One of the things that we will engage in as far as discussion with the people are training is that they have people who work on legislation regarding noise. They are, of course, in the business and will help us to draft legislation that will stand up in a court challenge. That's something I've talked to them about. And after tomorrow's training session with the noise equipment, we will attempt to engage services specifically for that purpose. And I have said that before opening day in April, that I absolutely want this rewritten so that we can go through the process of enacting it. But that's what's happening with that."

Joseph Sykora, "Thank you very much."

Supervisor Janoski, "Steve, if you want to."

Steve Haizlip, "I just had an after thought. A year ago two days from now which was January 19th, Dick Benedict and I stood right up here and had a drawing for people with affordable housing. As of now, I would like to know what is the progress of that and has anybody been able to get a house that we drew tickets for and is it moving along?"

Supervisor Janoski, "Yes, very nicely. Alice."

Alice Graff, Riverhead, "In regards to Mr. Militello's who has applied for 100% coverage on the property on Peconic Avenue, that five-story building. I would not want to see 100% coverage. He was talking about the aesthetic values, etc., etc. But to put on 100% coverage, I think would be entirely out of order. And I would like to know if the second hand boat that is to be used by the Bay Constable will be coming from Larry Galasso from who rents our town marina."

Supervisor Janoski, "Ok. It looks like it's 7:45 and it is time, therefore, for the first scheduled public hearing."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday January 17, 1989 at 7:45 p.m. to hear all interested persons who wish to be heard re: The Granting of the right to streets, highways, and public place by community organizations and individuals.

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PUBLIC HEARING, Continued

Supervisor Janoski, "Thank you. Let me simply explain this. During the course of the year, there are organizations, groups that apply to the town for the use of town owned property; parades, the Polish Town Fair, the Country Fair are examples of such use. We have this hearing at the beginning of the year in order to get input from people as to their feelings on the use of town properties and facilities for such uses by organizations within the town. I would recognize anyone who wishes to be heard. Joe. "

Joseph Sykora, Riverhead, "I think the town should let it stands the way it's been going all along. Let the people use the property for parades and recreational facilities. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else present who wishes to address the Board on this subject? That being the case and without objection, I declare the hearing to be closed."

7:45 PUBLIC HEARING CLOSED AT 7:46

Supervisor Janoski, "Let me see here. We have some minutes. So before we go into the resolutions, is there anyone who has any question about any resolution on the agenda this evening? Is there anything that anyone wants to address. That being the case, let's take up the resolutions."

Resolutions #62- 78 found on pages 76-99 of 1989
Resolution Book.

#70 AUTHORIZES TOWN CLERK TO PUBLISH AND POST FLOODPLAIN NOTICE
RE: RIBEIRO PROPERTY.

Councilman Boschetti, "The town is going to be expanding the Grangebél Park to the east on Peconic Avenue. And since it's in the 100-year floodplain, we are required by federal law, to give notice to the public that they have an opportunity to discuss alternatives, impacts and other measures that may mitigate adverse impacts to the action. So moved."

Supervisor Janoski, "Let the record show that the hour of 7:55 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 7:55 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday January 17, 1989 at 7:55 p.m. to hear all interested persons who wish to be heard re: Extension 41A to the Riverhead Water District.

(See Water District Minutes)

7:55 PUBLIC HEARING CLOSED AT 7:59

PERSONAL APPEARANCES

Supervisor Janoski, "Joe Lynch."

Joseph Lynch, Wading River, "President of the Wading River Civic Association. I have a question about resolution #81. Regarding resolution 81, I noticed that this accepts the D.E.I.S. on the Sullivan Project for the addition of 32 units to the mobile home park and I also notice that it's still in litigation as the status. Could you explain how one will effect the other and what is going on with this?"

Supervisor Janoski, "I think it's the belief of the Board that this application has been with us for a number of years and it's time to bring it to closure. Part of the litigation of course, is involved in action. So that I think we must go through the process. This is not an indication of support from the Board. This is simply saying we accept that particular document. Let us proceed through the process which requires us to give it consideration, go through a public hearing and then reach a conclusion on the matter of the application."

Joseph Lynch, "I see. So this is just merely accepting the document. It isn't approval of it."

Supervisor Janoski, "Absolutely not. In no means does it express the support of the Board for that application. I know that many of you are here for the public hearing on the survival games application. And I do know that because of the media, we are trying to figure out why they don't see it on the agenda. We we're kind of chuckling up here as we watched them try to figure that out. And I am putting you out of your misery. It is a public hearing that was held over from last Town Board meeting. It was not published. So therefore, it is not listed here. We have a little problem in procedure here. And what we are going to do is open the meeting tonight because the applicants have notified people in the area as they are supposed. And at the close, not the close but at the conclusion of testimony we receive here this evening, we will adjourn it to the next Town Board meeting. In the meantime, it will be published in the paper. And at the next Town Board meeting we will hear additional testimony that might arise through the publication in the paper on the application. That's the procedure that we're going to follow. There are only two minutes remaining before starting the public hearing on a lateral water main which should be a short one. So let's get that done and we'll spend the rest of the night with survival games. We have two minutes, so why don't we do a resolution or two."

Resolution #79-81 found on pages 100-108 of the
1989 Resolution Book.

Supervisor Janoski, "Let the record show that the hour of 8:00 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:05 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, January 17, 1989 at 8:05 p.m. to hear all interested persons who wish to be heard re: Installation of a lateral water main on Gregory Place.

(See Water District Minutes)

8:05 PUBLIC HEARING CLOSED 8:09

Supervisor Janoski, "Ok. Now let the games begin. Let me once again explain that this is a public hearing which has been held over from publication of notice from the last Town Board meeting. We are going to proceed through the public hearing this evening, take testimony, presentation (of course) from the applicant. And at the end of testimony, at the conclusion of testimony this evening, we will adjourn the public hearing to the next scheduled Town Board meeting which is February 7th. We will in the intermediate time, see to it that a notice of that date is placed in the paper. So that anyone interested in the application would have that final opportunity to address the Town Board and make its feelings known. Counselor."

7:45 PUBLIC HEARING OF JANUARY 3, 1989 WHICH WAS POSTPONED ON THAT DATE BEGAN AT 8:10.

Michael Hills, Attorney, "Supervisor and members of the Board. Frankly I'm surprised. I thought the media was here for the lateral water mains. This is an application for a special permit to put in a recreational activity on property in Calverton. The property is located... I have present with me tonight, Mr. Lewis J. Braun who is the president of the National Survival Games and he will make a presentation to the Board and be sworn in for testimony in a few moments. Before I start, let me say a few things about Mr. Braun. Mr. Braun is an attorney practicing in New York City and also a former math professor at Pace University in Yonkers. We're not dealing here with an organization that is run by the neo-facists as some people have labelled them. The denominator that you put on the notice, having war games. This has nothing to do with war, the National Survival Game. It is just that; a game. A game that we played as children, hide-n-go-seek, capture the flag. And what it is is two teams going out and playing against one another trying to capture the other teams flags using paint pellets that are biodegradable and water soluble, that leave no residue except a little bit of paint on somebody's uniform that's easily washed off. It's completely safe. And what I would like to submit to the Board at this point before I begin my presentation is an affidavit from Herbert Jenkins who is the former Town Supervisor of the Town of Plattikel and was Supervisor from January 1, 1984 through December 31, 1987."

Supervisor Janoski, "Mike, give that to the Town Clerk."

Mike Hill, "My client has been operating these games in Plattikel since March 31, 1984. And prior to that time, has been in Brewster. Since that time, as you can see from the affidavit,

PUBLIC HEARING, ContinuedMike Hill, Continued

there have been no problems with the games. The only injuries that anyone has incurred there is a sprained ankle and I believe there was one broken leg. And that's because the terrain up there is much hillier than the terrain that we have down here. They operate 300 acres in Plattikel. We're talking about 27.65 acres that we have an option to lease here in Calverton. The property is located on the road that is just south of 25 and comes off 25 in Calverton just near the Long Island Expressway. It's a dead end road. And at the end of the road is the property that we propose to lease. There is one farm adjoining the property and I believe it belongs to Mr. and Mrs. Yakaboski. The parcel of land that they farm is in between where our piece of property, we hope, will be and the people's house. The property is densely wooded. And there will be no change at all to the environment of the property. As a matter of fact, what Mr. Braun has informed me is that because of the nature of people walking through the woods and running through the woods, any prior damage to the environment, animals have come back there to resettle because of the fact that there's been a restoring of the environment rather than a destruction of the environment. As far as cleanliness goes, they clean the property every day for shells and once a week they go through it on a more thorough basis once it's used, up in Plattikel. As a matter of fact, the people who use these facilities prefer the more rural clean environment rather than one cluttered up by any debris that has been left by prior participants. Participants in the games are a very interesting breed. We tend to think of these as a misnomer of war games of people who are coming out there to get into a great disturbance. The fact of the matter is that people who use it up in Plattikel are from the secret service, from various police departments of New York State, New Jersey and organizations such as the Marriott Hotels, Hyatt Hotels, McDonalds, have used a day at the games as a reward for some of the top management and top performing people in their organization. It's a day of fun. It's a day where husbands and wives can play the game against one another. You may chuckle but it happens to be factual and they get a great kick out of it. When I was before the Planning Board, the first thing I suggested to them; if they were good enough to approve it, which we still don't have a decision on. If it's this Board that would be good enough to approve it, is that we were going to have a first game there as the Planning Board against the Town Board."

Supervisor Janoski, "I can suggest a second game."

Mike Hill, "One of the things that we will have at the area in order to more fully make sure that nothing occurs to any of our neighboring properties. Which besides the Yakaboski piece, there's a piece owned by New York State which is part of the Long Island Expressway. The Long Island Expressway is on its south. And the road from 25, is on our north. There will be a buffer area around the property to make sure none of these pellets can go onto anyone else's property. The distance that the pellets travel is approximately 150 feet from any of the air guns, pellet guns that are rented on the premises. People are permitted to bring their own weapons but they are checked and I think the maximum distance that

Mike Hill, Continued

any one is allowed to go with strength is about 200 feet. And it's difficult to get them 200 feet when you're doing it through trees because they're going to shoot off trees unless you're a very accurate shot and you can shoot around them. The disadvantages to the neighborhood which is one of the issues that the Town Board must be concerned about and the only one that I could really see is that this street is a very quiet street. I mean there's very little traffic on it having the dead end. We will be bringing more cars to the street that presently there are. We have adequate facilities on our property for parking. There is a piece of vacant land as far as trees go where plenty of cars can park. The average number of people to a car is three people to a car that will come there. We anticipate a maximum of about 40 to 50 cars in a day. And occasionally what we have is groups coming out by bus to participate in the games. The advantages to the community as can be seen in the affidavit from the Supervisor of the Town of Plattikel is that the people who have come there have generated business and capital to gas stations, ice cream parlors, restaurants and other businesses in the area. The motel across the street would get more business. And as far as employment in the games, we have people there who are going to be trained to be of assistance to the players. We want to have only, as best we can, local people there. They're hired because they're going to be of more assistance as far as telling the players where they can go to eat or sleep or to get whatever goods they need. As a matter of fact, I saw Edwards Sporting Good Store has a big sign on their window; Survival Game supplies here. Maybe he knows something that nobody else does. One of the things that I again, want to emphasize and then I will introduce Mr. Braun, is that we are not an outfit who is looking to start up a brand new activity and say this is what we think is going to happen. We've been in business since '84 in Plattikel. My client has seven years of experience at this and we have a track record. The track record is one of safety. We've never had anyone leave our games and been arrested for any type of crime. It's a mellowing out experience for the people that play. And what we look for is people that are going to come there and have a good time. This is something that the Town of Riverhead can find as a good use for property. It's one where we're not developing the property. We're leaving it in its natural state and people are going to get a joy out of it. The only... We have one noisy recreational activity down the block which is the Riverhead Raceway. This is not going to be a noisy activity. There is certainly a large enough buffer area between our property and any of the other properties around which is not going to run into any type of disturbance to the neighbors or to the Town of Riverhead. And the safety issue is one that I will now let Mr. Braun speak to you about."

Councilwoman Civiletti, "I'd just like to ask you a question. What provision are you going to have for a restroom facility on the site."

Mike Hill, "We're going to have port-labs and they're going to be carted away every day."

PUBLIC HEARING, Continued

Councilwoman Civiletti, "It's a rather site isn't it?"

Mike Hill, "27.65 I think it is."

Councilwoman Civiletti, "So they're going to be located in one particular spot, more than one location on the site. So that people would use them is what I'm getting at."

Mike Hill, "We would make sure that they're around the area so that people will use them."

Councilman Lombardi, "You say the facility is going to be operated every day, Mike?"

Mike Hill, "Every day. Weekends in the beginning. Up in Plattikel we run it every day."

Supervisor Janoski, "So this becomes part of the record, would you repeat what he said."

Mike Hill, "Basically, we're going to have weekend games except weekends will be the days of the games. Unless that we have private parties that want to rent the facility for a day. Now, I'd like to introduce Mr. Braun to you and let him be sworn in if you wish for testimony. He is an attorney."

Louis J. Braun, Attorney, "Before I begin, first of all let me thank you Mr. Supervisor and members of the Town Board. You were very kind on the adjournment and on behalf of me and my family, we are most appreciative. As Mr. Hill pointed out, we have been operating the games in Plattikel, New York on 300 acres of land for approximately five years. And before that, at Brewster, New York. Therefore, we do have a track records both in terms of the participants we have at our games, the safety record and the value of the games to the town. With your concurrence, I would like to address all of these issues and I'll begin with safety. The game is played with air pistols that shoot water soluble, biodegradable, non-toxic paint pellets that are designed to break on impact. Be it on your body or on trees or the like. The one danger in this game is to the eye because these pellets travel at approximately 250 feet per second. So as a consequence, to play the game, it is mandatory that people wear eye protection, appropriate goggles, face mask, etc. We have as part of our staff at the field in Plattikel, what we can judges and referees. The judges walk through the field, two of them stay at the various flag stations. The others roam the field and they are there primarily to enforce the safety rules which are at least on three occasions, before people start to play, explain to the participants when they receive the equipment and orientation prior to their leaving for the field and by the judges before the first game begins. We are rigorous in our enforcement of that. We run the largest paint ball field operation in the world. In Plattikel we have serviced 20,000 to 25,000 people a year and we have done this and it has continued to grow. Here, obviously, it will be much much less because we are not talking about 300 acres. We are talking about less than thirty. But the same ideas, the same standards, will apply. We have walked the land for the purpose of determining and have chosen this land. We're determining our abilities to play the

PUBLIC HEARING, ContinuedLouis J. Braun, continued

game there in a safe and fun manner. There are paths that lead throughout the property. The parking area is in the front of the property. The woods are toward the back away from any houses or neighbors or the like. As Mr. Hill pointed out, there is a farm next to us. And beyond that is state land or road. We will buffer our playing fields so that no pellets can reach outside of the playing area. Just one correction. We have for safety purposes again, a field limit. We do, what is known chronographing, all personal equipment. And that is, we do not allow a muzzle velocity in the guns of over 300 feet per second. Because we find that there is an ample cushion of safety for that. The pellets will not travel on level land for more than 150 feet at that particular muzzle velocity. And in the woods, as was pointed out, a lot less. The field will not extend to the edge of the property. It will be sufficiently buffered so that there will be absolutely no chance for paint pellets to go beyond it. The game, you may not be that familiar with its concept. It's basically to capture the flag. As Michael said, calling it war games, at least in the way we do it, is a misnomer. In that it's really the basic game everybody has played. Literally everybody, tag, hide-n-seek, ring-a-lerio, capture the flag, etc. And the popularity of the game, at least as far as we have been able to determine, is as a result of bringing back those kind of child like feelings and memories on the part of the participants. To answer your question in terms of laboratory facility, Ms. Civiletti, it is generally.... We keep them in the staging area. The fields are walkable from the staging area and we have had no problem with respect to the facilities that we have at Plattikel. Again, we get a lot more people. In Plattikel we are able to do an excess of 600 people at one time and have. Here we are not talking about more than, at most, 125 to 130. And as Micheal pointed out, we have find that there is an average of three players per car. We do not expect more than 40 or 50 cars arriving with an hour and a half period and leaving within an hour and a half period. So it's not that they're all going to flood in within one period of time or leave. We feel comfortable that the road is more than adequate to take on an average of one car every two and a half minutes or so. We play a multiple number of games. We serve lunch as part of the package that we give. We do not allow alcoholic beverages, drugs or anything else. And again, we're very strict on enforcement of that rule because it is the happiness and fun of our players as our future. And to play the game, not even necessarily drunk but with a buzz on, cause accidents. The person would be, at best, a nuisance to other people and a danger to oneself. You need your faculties. You are playing a physical outdoor game. As Michael pointed out, about 25% of our business is corporate business. People from companies coming out and playing the game. Again, it's a matter of shaping a market and we've been able to do it. We'll be going on our seventh year this March. We have had Goldman Sachs, Solemon Brothers, Kidder Peabody, Aetna Insurance, IBM come out and play. Most of the people who play our game come back and play it again. We have grown and experienced a growth and we think that there is a market out here of people who would like to play the game. In closing, then I'll be glad to take any questions you might have. It is really the least intrusive use of land I can think of other than

PUBLIC HEARING, Continued

Louis Braun, Continued

walking through it. As I said, the pellet is biodegradable, non-toxic and water soluble. The only thing we do to the land is string surveyors tape between trees so as to delineate and mark the playing field and the flag stations. We hire enough personnel and judges so as to be able to enforce the safety rules and keep the games going. As Michael also pointed out in terms of the number of people that have played the game and the people that have played the game, to my knowledge both at Plattikel, and we've had over 100,000 people coming through our playing field. And at the other, approximately 400 sites in the United States and in Canada, it is not a game that sustains or builds violence. It is rather the opposite. It's a game that mellows people out. It is very very difficult to prove a negative but we can prove a negative because I know of no instance whatsoever where a gratuitous act or an act of violence has been committed by any player after they've left the field. They want to party, they want to talk about the game. They use the facilities of the community; be it the ice cream parlors, restaurants, gas stations or the like and have a good time. And that's really what we're all about. I thank you."

Supervisor Janoski, "Thank you."

Councilwoman Civiletti, "What are the paint pellets made of? Are they vegetable dye?"

Louis Braun, "They're food dye to give you the color. I forgot. I would be glad to give the Board, I think we gave the Planning Board a composition of the paint. It's entirely non-toxic biodegradable materials. And we'll be happy to supply that."

Councilman Lombardi, "Mr. Braun, Mike had said something about a dead end road there. Is that the road in front of Mr. Yakaboski?"

Louis Braun, "That is correct, I believe. The front of the park."

Councilwoman Civiletti, "How many people play at once and how long do they get to play."

Louis Braun, "We have fourteen different courses at Plattikel. We will only have two or three courses here in Calverton. We generally have, depending on the size of the field, 25 to 30 people aside on a midsize field and 15 to 20 people aside on the smaller fields. Games last anywhere between a half hour and forty-five minutes or until a flag has been successfully captured. What we do is we bring people out in the morning and have water out there and they play three or four games in the morning. They come in, we serve them lunch. As I said, that's part of the package. They stay, rest up and then go back out and play three or four games in the afternoon. It is a day affair. It usually starts around 9 o'clock in the morning. There is an orientation toward the use of the equipment. An orientation which includes the safety rules and the goggles."

PUBLIC HEARING, ContinuedLouis Braun, Continued

An orientation on the rules of the game. They're generally out in the woods playing around 10 o'clock. Their day ends about 4 or 5 and they go home."

Councilwoman Civiletti, "Could I just ask, because it came up, there was a t.v. show I think on 60 Minutes where there was a segment on war games and the whole question of neo-nazis. You made reference to that before. Were you the subject of that? I heard rumors and I was wondering if you could...."

Louis Braun, "No we were not. It would be difficult. We lost family in the Holocaust and it is not that kind of game. Again, there are.... Let's make the distinction between this game and survivalists who are preparing for the Apocolypse and other groups who are preparing to engage in a supremacy type war. They don't play our game. We're too frivolous and frothy. We're interested in promoting the game. We promote it as a game much like the childhood games. Our clientele play it that way. I would think, and we haven't done a statistical study of any great scientific exactness, but about two thirds of the people that play our game come back and play it again. We have experienced a continual growth in the numbers of people that play the game and like to play it. It has become a sport. And we wouldn't do this in Calverton, we couldn't. It's too small. But we have held 50,000 dollar tournaments where we've had 43 teams from the United States and Canada vying for the prizes. Six from California alone. That's a different aspect of the game. But truly as a sport, we have nothing to do with survivalists. We have nothing to do with supremacy groups and will have nothing to do with them."

Councilwoman Civiletti, "Thank you."

Councilman Boschetti, "I have some questions Joe. Mr. Braun, do you operate any other locations other than the one in Plattikel?"

Louis Braun, "No. Plattikel, New York is the only one we operate now. This application, if approved, would be our second field."

Councilman Boschetti, "Ok. And the people that would attend these games and arrive in the morning, would be expected to stay the entire day?"

Louis Braun, "They would."

Councilman Boschetti, "So you don't just come and play a game or two and leave. You would come and spend, basically as you said, a day affair?"

Louis Braun, "That's correct. They pay a fee for coming to the field. The fee includes a certain amount of paint, pellets, a certain amount of co2 cartridges which is used to propel the paint pellets, lunch, the use of the equipment and so on. And we guarantee them, weather permitting, six or seven games during the course of the day."

PUBLIC HEARING, Continued

Councilman Boschetti, "What kind of noise do the guns make?"

Louis Braun, "If you're up close, it's like popcorn popping. It's an air pistol. If you're 75 or 120 feet away or whatever it is, it's very very quiet. And it depends on the direction of the wind if you hear anything."

Councilman Boschetti, "Ok. I have a few more questions. If you don't mind. What kind of material is the pellet made out of? Not the paint but the pellet itself."

Louis Braun, "The shell is also biodegradable, non-toxic as I said. We gave the composition, I believe to the Planning Board. I will be happy to, and I will call my office."

Supervisor Janoski, "We can get that from them."

Louis Braun, "Alright, that's fine."

Councilman Boschetti, "Is it a pliable material or is it rigid?"

Louis Braun, "It's made basically, people who make medicine caplets and capsules and the like also make these pellets. And so it is a thin shell which holds the paint gel which is a liquid. So that when the shell hits, it breaks. The paint stains the area hit. And as Mr. Hill pointed out, it's water soluble and washable. It's easily washable."

Councilman Boschetti, "How would you enforce your rules? What happens when someone breaks the rules? In other words, I think we've all heard weird stories about things that may occur. People shooting at passersby. People shooting at cars. How would you prevent that from happening?"

Louis Braun, "We, structurally, and I can talk about Plattikel and I will talk about Calverton also because we have done it and we have the record to have done it over a number of years in a much larger context. The Calverton property is basically a long piece of property. Near the road where it dead ends, is about five acres of nonwoods, open area where you could park if you wanted to, 300 cars. I mean obviously we're talking about 20, 30, 40, 50 at most. Then the woods are behind that. What we would do and we have an area of compound in Plattikel much the same with a parking lot off the road and then behind the parking lot is our compound where we orient you. In this case, the woods are in all cases, well away from the road beyond this five acres. So it's rather easy (structurally) to police because we have somebody in the parking lot at all times in Plattikel and expect to have somebody here at all times. And we do that for convenient and safety and the like. We don't, I mean again, we don't allow and we don't just say, we really don't allow alcohol or drugs. If you have beer or anything else in your car, you keep it there. And we have people in the parking lot that patrol and police. So nobody is going to come out toward the property or toward the road until they have surrendered their equipment at the base camp which is right at the beginning of the woods. We have referees and judges."

PUBLIC HEARING, ContinuedLouis Braun, Continued

We generally use a ratio of about one judge per ten players which has proven to be more than sufficient. Our main concern is the enforcement of the safety rules. Because what happens especially on a humid day and people who are nervous who play the games, run around a lot and the goggles might fog up. And we tell them what to do. We don't like them to take a quick peek around and we don't allow it and that's really what they're there for. But they also help keep the game going and keep the people going. We have shaped, to a large extent, our clientele because we have tried in Plattikel to run, as I said, we don't run a militaristic game. I am being very candid with you. You could. You make application for movie theatre, you can show any kind of movies. What we're trying to do is do Disney. And we have not had the problem in Plattikel. In other words, the type of organization and structure that we develop there in order to control the populous, has worked. We're in the town at the sufferance of the town. If our players, if we don't police our players, there is going to be a hostility in gender that won't do me any good as well as the town. We're very sensitive to that fact. And as I said, we are the largest paint ball operation in the world and one of the oldest and have been able to succeed to date."

Councilman Boschetti, "You mentioned that there would be no structure of any kind on the property. The only thing you would be putting up is surveyors tape."

Louis Braun, "We may put up a tarp to do our...."

Councilman Boschetti, "Would there be a phone on the property?"

Louis Braun, "No. We use walkie-talkies. We do not have a phone. We would not have electricity capabilities. We're going to have a CB."

Councilman Boschetti, "How would you make contact to anyone outside the property if you have an unruly group for example, that won't leave on request? How do you get help?"

Louis Braun, "We have electrical and phone capabilities at Plattikel and I've had it for about three years. As I said, we have not faced that problem. We have the CB's. And I have no problem with it if it's the Board's wish, developing a capability or emergency phone service and the like. You know, I'd install it in my car or whatever that's parked there. We do have medical trained technicians that we hire. We look for that in case there is an emergency. We do have an all terrain vehicle that we use in Plattikel that we will use here in case of an emergency. But I did not anticipate phone service at all because I never really faced that problem."

Councilman Boschetti, "Thank you Mr. Braun."

Supervisor Janoski, "Let's see what happens. I think you ought to relax because we're probably going to go through a lot of people. There's a question I have. Michael, I don't play the game golf. I know that you do. On a Saturday afternoon in June, how many people on a golf course at one time?"

PUBLIC HEARING, Continued

Michael Hill, "Well, a maximum of probably three foursomes you can figure on each eighteen holes. So that's 12 times 18 is 216 people."

Supervisor Janoski, "I just wanted a comparison. I could ask you a question about the, while I don't play the game, I have certainly observed people that do and I was thinking of asking a question about the relative hostility in both games."

Louis Braun, "By the way, we just have the paint pellets. I might point out also, we think we are statistically safer than virtually any other outdoor activity including Little League Baseball or a round of golf."

Michael Hill, "On the medical treatment, God forbid anybody gets hurt, we are only two miles from the hospital. It would be faster for us to take them over to Central Suffolk or call an ambulance to get there. And again, I'd like to emphasize that we're not dealing here with someone who says; that we think we can do it this way. We're dealing here with an organization that has a record. And we would be most willing for you to call up to the present Supervisor of the Town of Plattikel, the Police Department of the Town of Plattikel and find out if they've had any problems with us. It's a very simple way for you to verify what we're saying. We stand on our record."

Supervisor Janoski, "Thank you Michael. Now is the time for me to invite the members of the audience who are here this evening to see if they have any comments or observations or questions that they might like to make part of the testimony. Joe."

Joseph Sykora, Riverhead, "These games started out down in Georgia the same way as this one and there's two outfits down in Georgia that after they started these games, it turned out they started training Contras. And there's one out in South Carolina where the supremacy group started after these games started. There are six places out in Idaho that started these games and they're all supremacy outfits today."

Supervisor Janoski, "Is there anybody... Mrs. Sykora."

Florence Sykora, Riverhead, "Channel 12, I think you better get your cameras ready instead of rolling them for a Max Senate because I think this is what this is trying to end up to be. A senate comedy. This is ridiculous. I'd like to know what this survival game is really going to give the Town of Riverhead really. I mean in service. What they have to offer us. To go out there and play in the woods? If they want to relieve their frustrations, there is plenty that they can do to come into this town and be a big brother to some of the children that are in this town and really need them and can use them to help them that way. Not to worry about a company. Let the big companies worry about their own people to get their frustrations out. If this is the way they want to make business, alright fine. But I can't see it. You want to do something, do something for the community. This is not doing anything good for the community. And another thing. Did they ever

PUBLIC HEARING, ContinuedFlorence Sykora, Continued

think now what is going on on Long Island that started up in Connecticut? You have Lyme Disease. Nobody is going to worry about that. Going into the woods. I'd be worried very much. I am working in a retail store now. I have three people that are working there that have Lyme Disease. And believe me, it is no fun. If these people aren't worried about it, I think they better start worrying. Because they don't only catch it from the deer that runs through. Some of the other animals have it too. And another thing that I'm surprised at; where is the environmentalists? Those woods are going to be disturbed. Those animals are going to be disturbed. They're going to come back. How do we know they're going to come back. We don't know that. We don't really know actually what they're going to do to the environment in that woods. Then another thing, they said they're going to watch with the drinking and the drugs. The most important thing is the drugs. How are they going to watch the drugs. Are they going to test the people that are coming in to see whether they are on drugs or not? I don't think so because that would be violating the person's rights. So how do they know they know whether they're on drugs? How do they know whether or not they're not bringing drugs into the area? We don't know that. There's a lot of things yet that have to be answered on this. And I would like to see that first done before anything like this comes into our environment. Because actually, like I say, I think it's a... If you want to play cops and robbers, you did that when you were small. What are you going to do now, play it again now that you're a little older? For crying out loud. Let's face it. We can get rid of our frustrations much better than that. I think it's time for us to grow up. We better start teaching our grown ups maybe more than our children now what we should do with our life. Not go around trying to hit one another with a gun. That's showing killing. Is that what we want? Haven't we had enough already around this vicinity? In our state, we don't have to have this. I would rather see them come in here and do something for the good of the town. Like I said before, bring brotherhood into this town and deliver something to the children that will be our future. That's what I want to see. Thank you."

Supervisor Janoski, "Excuse me ma'am. I recognized her."

Minister Clara Williams, "I'm the president of the Civic Association of Millbrook Gables. I hear what the gentleman is saying. I don't see nothing wrong with their games if the senior citizen was to play games. But right now we need a teen center for the children. We are hollering now that our children is on the streets but we're not trying to get nothing for our children. What are we doing? Getting guns to shoot at who? And would it be feasible or is it possible that I could take the children from Millbrook Gables to this man's center to play games? And could I keep people's children all day there? Or is it age limit to playing this game? What is the age limit."

PUBLIC HEARING, Continued

Supervisor Janoski, "If you would just please ask us the questions and we'll get the answers for you."

Clara Williams, "I'm sorry."

Supervisor Janoski, "Are you finished with your presentation? Thank you. Why don't you answer the question now. I'll get you next as soon as we get an answer."

Louis Braun, "Our age limit is 18 years of age and over to play the game."

Supervisor Janoski, "Thank you."

Emily Yakaboski, Calverton, "I'm an adjoining landowner. You mentioned a buffer zone. I was wondering how much of a buffer zone are you going to have? Will parking be allowed on the street? And I think this land is zoned industry. I think it should be kept in industry and taxes gotten from the land where it could be improved rather than this where the town wouldn't receive anything from it."

Supervisor Janoski, "Interesting point of view."

Louis Braun, "All vehicles coming to our game will be on the premises. There will not be parking on the street. As I said, there is ample room for ten times the number of cars that will be there at a maximum. The buffer zone will be 150 feet. The play will be back beyond and behind that five acres of open land well away from homes, noise, etc. And with all due respect, as I said, I think this is the least intrusive use of the land I can think of. Especially land that is zoned industry."

Supervisor Janoski, "Joe, before I get to you. Joe, could I ask a question of the Assessing Department which I obviously don't know the answer? They are not going to make any improvements on the land obviously. Is there any increase in assessment because now the property is being used for profit making business? Joe is indicating for the record, in a negative. Ok."

Leo DiPierro, Wading River, "I have a question. I'm curious. Why are these people up here even bothering to ask for a permit? It seems to be a group flying remote control planes. They don't need a permit."

Supervisor Janoski, "Thank you. Dick."

Dick Benedict, Riverhead, "I know, I'm a hunter so I know a few things about guns. The property they want to use, I've hunted on 20 years ago when there was a diner there, Twomey's Gas Station, Twomey's house, a few people living where Roll-In Trailer Park is now. I was a lot more dangerous then. And as far as pellet guns go, co2 pistols, probably the most dangerous thing would probably be loading the co2 into the pistol if somebody didn't know how to load it. The safety is not really a factor here. Parking is something different. Like I said, I'm not for it and I'm not against it. But as far as safety goes, I don't think there's.... My house

PUBLIC HEARING, continuedDick Benedict, Continued

has been pelleted three times by hunters in the last ten years and I live right off Route 58. So I don't believe this is dangerous in any way."

George Yakaboski, Calverton, "I wanted to talk about these pellets. If a child snuck into the woods, popped his head up behind a tree, could he get shot with one of these pellets in the and would it do any damage to his eye? It would. There are paths through these woods. There are paths that go through the woods. There are people that live in the trailer park that do walk through the woods. There's a sidewalk along side the road. People walk, they ride their bikes, they cut through the woods. There are animals coming back like deer in the woods. The farm, I'm pretty sure is going to be planted with potatoes this year. What is going to happen with the overspray that goes into the woods. Is my aunt and uncle going to be sued because there was spray got in somebody sinuses and hurt them? Or whatever."

Supervisor Janoski, "Jessie, hang on there. We got a question. I'll get you next."

Louis Braun, "Several things. Again, that question came up in Plattikel. We have never had the problem. Part of it is the structure of the game. Anticipate this piece of paper to be the field. You have a flag station here of one team. A flag station here of another and players play up and down the field. So it's very easy to control. We, as I understand it, I believe you allow hunting in the Town of Riverhead. And very frankly, the same question could be asked of any area in which you allow hunting. What happens if a child wanders into the woods when there are hunters and my feeling, my strong feeling is this is a much much safer activity. Especially with respect to the structure of the game because it is played up and down. It is very easily controlled. It is very easily monitored. We have not had the problem of children. We have in Plattikel on 300 acres, we are abutted by a lot of different properties. And given the structure or our game and given our referees, I can only say as Mr. Hill said before. We rest on our record. We have found hunters trying to come into the woods and have been able to on 300 acres, maintain a safe environment for playing. We think we can do it here as well. Especially since two of the boundaries are highways and a dead end street. And abutting with respect to the farm, the open field on the side of the woods. So if I can give you comfort in that direction, we have done it for a long long time in far more severe circumstances with respect to that."

George Yakaboski, "Did you answer the question of pesticide? There's going to be a lot of spray going in there that will be right along side the field. What are they going to do there?"

Louis Braun, "We have next to our Plattikel site, apple orchards. In fact, the Town of Plattikel, is known for the growing of its apples. And planes fly in, we have talked to the people, to the growers and so on, they don't fly in constantly. There are

PUBLIC HEARING, ContinuedLouis Braun, Continued

certain times, I believe, in the morning when they spray. I believe there are times in the day that they spray and I've seen them early in the morning and the like and we're not playing at that time."

Supervisor Janoski, "Hang on there. Hang on. Have you sufficiently answered the question?"

Louis Braun, "I have, yes sir."

Supervisor Janoski, "Hang on. What we do as far as a public hearing is that you get an opportunity to speak. When everyone else has had an opportunity to speak, then I'll recognize you again. I can't have an argument going on back and forth between you and the applicant. Jessie."

Jessie Tomlinson, Wading River, "I have a couple of questions, maybe two or three and then I have some comments. The first question I have is; who owns the property now? Perhaps I didn't hear that. Who owns it now?"

Supervisor Janoski, "Why don't you go through your presentation and I'll get the answers for you."

Jessie Tomlinson, "I'd like to know who owns the property. I'd like to know if this association is in any way associated with or involved with the National Rifle Association. If they have any affiliation with NRA. I would also like to know, I believe that the gentleman said that it's a day long kind of a fun thing which means you come in the morning and you leave by 4 or 5 o'clock. Now, that means to me that there has to be a period of time for probably lunch. Do they supply lunch? Do people bring their own? We will have concession stands or how will they handle something I believe would have to be done which is give people something to eat or drink or both during the day? I also wonder how they can possibly patrol the area. How many people would they need if they can have somewhere between 40 and 50 cars at a time. The other thing that I'd like to comment on; I didn't come here tonight knowing that this was going to take place. And I was sitting in the audience obviously, and I just said to myself; I have sat through hundreds of hearings and I've sat through hundreds of statement. I have never in my life in the Town of Riverhead heard anything as ludicrous as this proposal. I mean it's almost like being in the twilight zone. We're talking about grown ups running around in the woods playing cops and robbers. It absolutely makes no sense at all."

Supervisor Janoski, "Ok. You have a list. Henry, relax. I know you're dieing to get up there. You have a list of questions here. What's the answers."

Jessie Tomlinson, "Can I stay here why they answer?"

Supervisor Janoski, "No, relax."

PUBLIC HEARING, Continued

Louis Braun, "The owner of the property is Sunset Realty Corp. We have no involvement whatsoever with the National Rifle Association. We supply lunch and drink, usually juice or lemonade. We also supply water out in the field. We have approximately one judge for every ten players."

Supervisor Janoski, "Thank you. Ok. Henry."

Henry Pfeiffer, Wading River, "Most of the questions I had when I initially raised my hand, have already been addressed and responded to. But I'd like to find out that I've seen these games played in the past. And in essence, I've participated in them when I was in the military service. We crept and we crawled and we played sneak and peak and all the rest of them. I guess any of you Veterans here know what it's all about. And it seems to me that for the younger people, an opportunity to participate in these particular games like being a Boy Scout or Girl Scout and that sort of thing, gives you a little bit of preparation to learn how to handle the terrain, to learn how to associate with others in a particular group operation. Now, the questions I had initially of these gentlemen, number one; is this an organized association of which these different teams are active components or do you have pickup teams? In other words, those who show up today, you choose up sides and that sort of thing. When you participate in the actual operation itself and the one group is crawling toward the other, do they establish leaders there? Do they have a Sergeant or a Lieutenant or a Captain or whatever? Is it a military mood, this sort of thing? In basis, in fact, the games that I've seen are relatively safe insofar as injury to the participants and to anybody in the public. I do not live in that area. The problems that I see there might have to do with parking on the street and so forth. I know that if this were permitted and they were actually participating in this thing, I'd like to sneak down there and kind of see what's going on. Watch some of these games. It might be a spectator sport and so forth. I don't think that at this point, that I would fear that I was in any sort of danger from these pellets which as they've expressed, have a 300 foot pressure velocity or something of that sort at tops. And I think that most of the action, one against the other, would be far enough from any place that I was a spectator or that you would like me to intrude upon any of the public. So if you're going to answer the questions that I've asked, that would be satisfactorily."

Supervisor Janoski, "Before you answer, Henry, as an officer and a gentleman in the United States Army, he's very much concerned about rank obviously, and organization."

Louis Braun, "I will introduce you to Captain Kit Bonn of the United States Military Academy at West Point. This is the most popular club on the military academy. The Cadets started playing at our field when we opened up and it just kept building and building and officers came in and kind of had a glit in their eye and started playing with the Cadets and it grew from there. You can have one of three different possibilities in terms of teams."

PUBLIC HEARING, ContinuedLouis Braun, Continued

On occasion, you will, 25% of the time, have people who actually rent their own field for an outing. In other words, Goldman Sachs did it, Piazza Plumbing of Brooklyn did it and so on. Or, and it's more of a sport, there would be very very little of this in Calverton and more in Plattikel where you have actual organized teams vying against each other. That is done. It has become a very very big sport. This area is too small to sustain that. So that is not something that we are going to address. It's just not going to happen. Most of the games, then, other than those who rent their own field, are pick up games. People come. We ask them really three questions in terms of experience in the game. We look at their numbers and we try and divide the teams as equally as possible both in terms of numbers and experience. If they have their own equipment, so as to effect a very closely balanced game because that's the most fun. Democracy prevails on the playing field. Generally the people with the most playing experience are appointed the leaders who develop the strategies. And it is frivolous. It is literally, as some people have described it disparagingly or constructively, people becoming kids again and that's precisely the way they play the game. And it is one of the few ways adults play. They compete in a lot of different ways but this is one of the few ways adults play. So they don't really take that very seriously. Whatever strategy seems to work or whatever they want to do at the time generally."

Supervisor Janoski, "I'm sorry Henry. Did he miss a question of yours?"

Louis Braun, "I'm sorry. This is not a spectator sport. However, we have had press. And you're more than welcome, anybody to see the games. The Town Board and the like. It's an open invitation up to Plattikel to watch. But generally it is not a spectator sport. People who do go out as the media, wear brightly orange vests much like judges and eye protection. So there are a few people who can watch the game. But for the most part, they are played without spectators. It is very very slow in the winter."

Supervisor Janoski, "Henry, you know that this is a legal proceeding. You know that I have to have a record. You have to stand up to the microphone and address yourself. This is like 10 years Henry. You know more about these hearings than I do. No problem. I wanted to ask you a question. Where is Plattikel?"

Louis Braun, "Plattikel, New York is right above Newburgh, New York. You can find it very easily on a map as Interstate 87 coming down and intersects with 84. We're about 8 miles to the north and east."

Councilwoman Civiletti, "Before you sit down. You're going to be entering into a lease for the property?"

Louis Braun, "Yes we will."

PUBLIC HEARING, Continued

Councilwoman Civiletti, "Would you mind telling us the term of that lease and whether you have any plans to buy it?"

Louis Braun, "We have made no plans at present to buy it. The term of the lease is a year with a years option. In fact, as my counsel pointed out before the Planning Board and unfortunately I omitted to, if it behooves this Board, we have no problem standing on our record. We will ask for the permit for the two years and we will be happy to come back before the Board and stand on our record if indeed we continue the process of holding the games in Calverton."

Supervisor Janoski, "Let me get Steve first. I'm dieing to hear what Steve has to say."

Steve Haizlip, Calverton, "He's picked some Plattikel, 300 acres and been up there seven years, doing fine, great business. My question is; why do you want to come down here and fool around with a 21-acre plot or lot and he don't near the grounds, don't have near the parking space and don't have all the hidden trees? In other words, up there they've got more trees. I was just curious as to what brought him here. Is it close to New York City for a few people that they're going to pick from there? In other words, they're going to go 20 miles more and they're in great land up there according to him."

Louis Braun, "We believe that there is a market in Nassau and Suffolk County for people who want to play the game. We have an office and a 516 number. We know in fact that there is a market. And the game and the facility would be primarily used by Nassau and Suffolk residents."

Councilwoman Civiletti, "Are you giving up your Plattikel location or this is in addition to?"

Louis Braun, "This is in addition to. Yes. We've developed the super structure and the managerial talents to be able to expand that and that's what we're doing."

Supervisor Janoski, "Betty."

Betty Brown, Aquebogue, "Just representing myself. I just had a few questions that I don't think were answered. I was curious as to what the fee charge is to play these games and is it something that only well to do folks can indulge in? I was also wondering about the tax benefit. Perhaps now, I would imagine now the land is vacant and is taxed as vacant land. Did I understand correctly that even if a business is conducted here, we do not receive any tax benefit to the Town of Riverhead even after they get going? I wanted to ask about the market that you mentioned. Do you expect any New York City folks coming out our way? Also, what age group is generally going to play these games? Are these just every day household people or are they season players? Another question was; do they wear uniforms and are they going to be perhaps wearing these uniforms in our downtown area and through our towns?"

PUBLIC HEARING, ContinuedBetty Brown, Continued

And one other question. Do these clients go up in trees and is there any damage done to these trees?"

Louis Braun, "The fee; it's generally \$36.00 for a complete days activity and \$32.00 if you pay in advance. That is for seven games, for lunch, for 50 rounds of paint pellets, use of the equipment, etc. In fact, it is not a game just for the well to do. Going into your next question, there is no stereotypical player aside from the fact that 85% of the players are male."

Supervisor Janoski, "The reason I got on Henry is because Henry knows that we make a transcript of this. The poor girl that does it is going to say; who was that, what did he say. So he knows that you have to speak into the microphone. Every time you turn around, she's going to have difficulty hearing you and they can hear you better really if you face us."

Louis Braun, "I apologize. Let me begin again. The fee is \$36.00 for a days activity, less if you pay in advance. It includes literally, an entire days activity, including 50 rounds of paint pellets, lunch, use of the equipment and six or seven games guaranteed. It is therefore, not merely for the well-to-do and it is not played by merely the well to do. A stereotypical player at best, I can describe as a male between the ages of 20 and 45 because 85% of our players are male between those ages. There is no other type cast I put on our player because they come from all walks of life. They come from all economic strata. They come from all education backgrounds. They come from all racial, ethnic and religious backgrounds. Are there players that will come from New York City. No doubt that there will be players who may want to come from New York City to play the game. However, we believe that the primary market for this game and the reason we're coming here is that there is a wealth of players in the Nassau/Suffolk area. And we think that the vast majority of players will be from that area. Age groups, as I stated are generally between 20 and 45, 18 years of age is the absolute minimum that we will allow playing the game. We have had people play the game in their 70's. In fact, we had a father and son team where the son was close to 50. I must say the father did a lot better at the end of the day. Uniforms; most people play in camouflauge or army green. That is not required. By most I mean aproximately two thirds. About one third of the players come in blue jeans, sweatshirts etc. There is no uniform required. In terms of climbing trees; it is to say the least, discouraged. It is in fact, prohibited for safety reasons. Because if somebody climbs a tree and gets hit with a pellet, they could become disoriented and fall. We do not want that to happen. As I said, it is probably the least intrusive use that can be maintained on the land. We have found, although Plattikel was different, when we took over Plattikel, it was abandoned piece of property that was used as a dump. It had traps on it. It was hunted and poached. The animal and wildlife have come back. Beaver, fox, deer, etc. We have also had no problem with Lyme Disease on that 300 acre to our knowledge. Nobody has come back and reported an incident of Lyme Disease."

PUBLIC HEARING, Continued

Supervisor Janoski, "Thank you. Is there anyone else who wishes to address the Board? Mr. Pekar."

Bob Pekar, Calverton, "I live not too far from the proposed site. I've walked it on a few times. I have to question why this particular site was chosen. If it's because there is a dead end street, there's a dead end street there because the State of New York in its wisdom, decided that the Expressway was going to be where it is and it forced this dead end street upon the residents in that area there. It wasn't to their choosing that they live on this dead end street. And having somewheres in the neighborhood of 50 cars coming in there on a Saturday morning and a Sunday morning and leaving on a Saturday evening and a Sunday evening and possibly during the week, is an intrusion on a fairly quiet neighborhood. I don't see where this is very good usage of industrially zoned land. I think as a town, we can do better. There is no benefit to the town. Basically there is very little revenue being generated for the town from this. Maybe a few people will stay overnight at the Holiday Inn. Maybe a few people will stop at a restaurant. But basically they will be coming and going. In fact, very possibly it would cost the town. Obviously with 150 people or so in the area, the police are going to have to police the area. That is not a negligible impact on the town. It's been mentioned about Lyme Disease. I don't know if anybody around here has walked the woods in this area. You can't step foot in the woods in the Calverton area without having ticks all over you. Walk five minutes in and out and you're in trouble. There is a distinct danger there. That's I guess, not my problem. This just smacks of potato patch all over again. Remember the racetrack? There was... John remembers the racetrack. He was on the Board. About ten years ago John. A group of people from the West decided they were going to put potato patch motorcross racetrack in Calverton. We fought it and beat it. But there is a lot better uses of land. Safety; I don't see a problem with safety. But the people that live in this area are going to be deluged with people coming in and people going out. And to make matters worse, there is a traffic problem. Right where you turn into that so called dead end street, is where 58 and 25 merge right in front of Manor Road. If you are coming from the Expressway, you have got to turn across the 25/58 intersection with the merging traffic. Saturday mornings are not an unbusy time in that area. That intersection has heavy cement truck traffic coming off Manor Road going back onto Manor Road. If people are going to leave there, they have got to turn right or they have got to go across the road again. There is a problem. I don't think this is a very good location for that. If they're going to conduct these games, I'm sure they could have found land available that was larger and that was better situated than this particular parcel. Thank you."

Supervisor Janoski, "Is there anyone else wishing to address the Board on the matter of the application for the survival games? Way in the back."

PUBLIC HEARING, Continued

Dan Morris, Southold, "A couple of questions. I assume that these players are going to be more interested in shooting themselves or other people than shooting at some wildlife but could these paint pellets injure songbird type animals, the fowl or their feathers so they couldn't fly? Also, I'm concerned with providing the food. Is it going to be a box lunch type food operation? There's not going to be a building on the property so it has to be brought in catered or what kind of arrangements are they going to make for that? And I have a third one. Are the air guns going to be removed from the property every night? Are they going to come by car and be provided that way and be removed at night? Thank you."

Louis Braun, "If the paint pellet hits small wildlife, yes it can do damage to small wildlife. Has it ever happened? Not to my knowledge. Because generally when games are played, and remember they are played mainly during the daylight hours, on weekend days, about 40 weeks a year because other times the winter is very very slow, you do not see the wildlife there. They ebb and flow. So we have never had a problem of that type yet. In terms of a lunch, a lunch will be catered. It will be catered by a licensed food organization. It will be dispensed. It will be wrapped and that's the way we did it in Plattikel until we got our own food license in which we now dispense the food there directly. We will not have it here. We will use an outside caterer. And the air pistols will be removed after every game and carted away and brought back for the time of the next game."

Supervisor Janoski, "Thank you. The indication Betty, because I did ask the Assessor, Joe Loughlin when he was here, was would there be an increase in the assessment of the property? Seeings as the property, although it was not going to be improved with any buildings, was going to be put in use for a profit making business. He indicated that there would not be an increase in the assessment placed on the property. Is there anyone else who wishes to... Besides anyone who has spoken. Anyone who has spoken. Is there anyone who has not spoken who wishes to address the Board? Joe, you've got it. Is Mr. Yakaboski still here?"

Joseph Sykora, Riverhead, "In other words, this man is going to run a business. He's going to make money on it and the town is not going to get a nickel."

Supervisor Janoski, "I know that somebody must be paying the taxes on the property."

Louis Braun, "The property is taxed now. And if I might, I could call the Board's attention to the affidavit of the former Supervisor of the Town of Plattikel because that town, as I believe this town, has benefitted directly from our operations in the town. In terms of increased business; gas stations, restaurants, etc. It is not merely a marginal increase in business. The people come there, they play, they gas up. They want to sit and relax. They want to talk about their experiences and they do. So at least, again, we can only go by our experiences. We can't

PUBLIC HEARING, Continued

Louis Braun, Continued

offer assurances that that's going to happen. But our experience in the Town of Plattikel have shown a substantive benefit to the town and the town people."

Supervisor Janoski, "Go ahead Florence."

Florence Sykora, Riverhead, "We have a raceway here. And when they're in season, they have (supposedly) about 4,000 people there. We don't make anything from them. They were supposed to be coming into the town to go to the restaurants and everything else. They went right out of that racetrack and they went home. They didn't come into this town to spend any money and that's 4,000 people for just the weekend. You expect these people are going to do the same thing? I don't think so."

Supervisor Janoski, "Is there anyone else who has any comment or question?"

Michael Hill, "I don't if you've received the environmental impact statement as far as.... I know Mr. Pike requested it and the environmental impact statement, just for the benefit of the people here, said that there's not going to be any bad effect upon the environment or to any of the wildlife there. One point I'd like to make in regard to something that Ms. Tomlinson said that she doesn't see the game and she thinks it's crazy. The fact of the matter is.... I don't know if she used the word crazy. I apologize."

Supervisor Janoski, "Why don't you go out in the hall and have a conversation with one another?"

Michael Hill, "The point is that 30,000 people a year come up to Plattikel. We all like to play some game of some sort. I'm chairman of the Bar Association Outing. Hopefully, this year we're going to be able to add to the outing the National Survival Game as an event to our outing. I'd like to thank the Board for listening to us and for all the questions from the people who were here. And if you have anything further, we're happy to answer it. Thank you for listening."

Supervisor Janoski, "Thank you Michael."

Michael Hill, "I have one more question Mr. Janoski. It's just as far as procedural for the next hearing. You're going to publish. You want us to post again, I assume."

Supervisor Janoski, "Let's get you an answer tomorrow. I just want to make sure we do this properly so there's no problem. The greatest legal minds in Riverhead will put their heads together on this one. But we will be, right now, adjourning this hearing and it will be reopened the next Town Board meeting which is February 7th. If you testified here tonight, you really don't have to say over again what you said tonight. What is it?"

PUBLIC HEARING, Continued

Leo DiPierro, Wading River, "Do you think it would make matters easier at this next hearing on this if this club brought this ammunition and displayed it with the weapons and the capsules and so on and so forth and let the audience see it?"

Councilman Lombardi, "Then we could shoot at Joe."

Supervisor Janoski, "Show and tell, dog and pony shows are always very nice."

Louis Braun, "I can bring a video tape if you want. We've got Bill Beutel playing the game."

Supervisor Janoski, "How about if you want to run the tape, we can set it up maybe a half hour before the meeting begins. I don't know. Bring what you want to bring. We'll handle it procedurally. What I'm saying is that I am surprised at the length of time that we have spent on this. But I guess it's an application that has drawn some attention. I listened to all the talk show hosts and WABC talking about it over the past week. So February 7th, Town Board meeting. We are going to adjourn it tonight. We will reopen it. It will be published in the paper and I'm sure I'll see Joe and Florence here. Is there anything else that anybody wants to say before I adjourn this. That being the case, we stand adjourned."

7:45 PUBLIC HEARING FROM JANUARY 3, TOWN BOARD MEETING
REGARDING NATIONAL SURVIVAL GAMES ADJOURNED AT 9:30 TO
FEBRUARY 7, TOWN BOARD MEETING.

Resolutions #82 - #91 found on pages 109-118 of
the 1989 Resolution Book.

Supervisor Janoski, "Thank you all for a very entertaining evening. And without objection, adjourned."

There being no further business on motion or vote, the meeting adjourned at 9:37 p.m.

IJP:nm

Irene J. Pendzick
Town Clerk

Minutes of a Special Meeting of the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York on Wednesday, January 25, 1989 at 10:00 a.m.

Present: Joseph F. Janoski, Supervisor
John Lombardi, Councilman
Louis Boschetti, Councilman
Denise Civiletti, Councilwoman

Also Present: Nadia Moore, Deputy Town Clerk

Absent: Robert Pike, Councilman

WAIVER OF NOTICE AND CONSENT OF SPECIAL MEETING

We, the undersigned, being all members of the Town Board of the Town of Riverhead, Suffolk County and State of New York, do hereby waive notice of the time, place, date and purpose of a meeting of the Town Board of the Town of Riverhead, to be held at the Town Hall, Riverhead, New York t 10:00 a.m. on the 25th day of January, 1989; and do consent to the holding of such meeting for the purpose of considering resolutions regarding the Appointment of Police Officers, Affordable Housing and Ratification of a Public Hearing Notice re: Amendment to Chapter 48 of the Town Code.

Dated: January 25, 1989

**TOWN BOARD MEMBERS
TOWN OF RIVERHEAD**

JOSEPH F. JANOSKI
Supervisor

JOHN LOMBARDI
Councilman

LOUIS BOSCHETTI
Councilman

DENISE CIVILETTI
Councilwoman

Absent: **ROBERT PIKE**
Councilman

The meeting was cllled to order by Supervisor Janoski at 10:17 p.m.

Resolutions #92-#95 are found on pages 119-125
of the 1989 Resolution Book.