

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, November 1, 1988 at 7:30 p.m.

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

**Also Present:** Irene J. Pendzick, Town Clerk

**Absent:** Patricia Moore, Town Attorney

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

### REPORTS

Conservation Advisory Council-Minutes of 10/20/88 Meeting. File

Supervisor's Office-Determination of Significance re: Village Square, Casilen Corp., and Nino Militello applications and Notice of 30-day extension of time for review of Long Lake Co-Generation DEIS. File

Planning Board, 10/28/88-Approval of final plat, "Warsaw Park"; recommends approval of special permit of North Fork Nursery. File

Suffolk County Grand Jury-Report dated 10/27/88. File

Building Department-Monthly report for October, 1988. File

### APPLICATIONS - PETITIONS

Site Plan-Roy Rogers, Route 58, Riverhead. File

Site Plan-Great Peconic Bay Yacht Basin, South Jamesport. File

Site Plan-Concrete Products Corp., Middle Road. File

Special Permit-North Fork Plumbing Supply, Kroemer Avenue. File

Change of Zone-Garsten, Block and Molinoff from Industrial "A" to Recreational "C", N/s Kay Road. File

Petition-15 residents against 5-story buildings on Route 58 and asks that it be rescinded. File

### CORRESPONDENCE

Southold Town, 10/19/88-Notice of Public Hearing re: Local Law relating to zoning. File

CORRESPONDENCE, Continued

Denis Bernstiel, 10/25/88-Request rejection of Long Lake Co-Generation Corp. D.E.I.S.

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Fil

Pamela Diem, 10/24/88-Requests six-month leave of absence.

Fil

David Goldman, 10/24/88-Asks Board to reconsider decision to permit five story buildings on Route 58.

Fil

North Fork Environmental Council, 10/25/88-States violation of Chapter 617.11B of SEQRA in Long Lake's D.E.I.S.

Fil

Joseph Ballin, 10/20/88-Copy of letter to CAC requesting Mr. Bartunek to appear with him at a Town Board meeting re: hot tub deck.

Fil

YWC, Inc., 10/18/88-Advising they will not be submitting an engineering proposal.

Fil

Alice Graff, 10/28/88-Asking if provision has been made to amend code to maintain welfare housing and asking for information on incineration.

Fil

Planning Board, 10/24/88-Requesting that their budget be approved as submitted.

Fil

Madeline Gale, 10/25/88-Advising of her disapproval of the Long Lake project.

Fil

L.I.L.C.O.-Notice of filed application to maintenance dredge annually for ten years, the mouth of Wading River Creek and Shoreham's intake canal.

Fil

Dorothy O'Haire, 10/25/88-Requesting that Reeves Park be given priority on Capital Improvements Program.

Fil

N.F.E.C., 10/24/88-Submitting comments on FEIS on Cross River Project.

Fil

Jean Johansen, 10/25/88-Requesting rejection of DEIS of Long Lake.

Fil

Paul Podlas, 10/26/88-Suggesting that a 4% raise for elected officials would be in line with cost of living increase.

Fil

Donald & Melinna Snyder, 10/26/88-Requests rejection of Long Lake DEIS.

Fil

Northville Beach Resident, 10/25/88-Requests rejection of Long Lake DEIS.

Fil

Kathleen McGraw, 10/25/88-Expresses concern regarding Long Lake application and requests that DEIS be rejected.

Fil

Supervisor Janoski, "Thank you. The time for the first public hearing has not yet arrived. We do have a long list of Unfinished Business. And the agenda for the evening, I think explains very carefully where they are in the process. I would recognize anyone wishing to be heard on any subject matter including something.... Yes, Paul."

Paul Baker, "President of the Organization of Riverhead Civic Associations. This letter is directed to the attention of the Town Board. This letter is written to you in reference to the impact study recently submitted by the Long Lake applicant. We do not believe this document serves the best interests of this town. They began their study prior to receiving your directions. They have not addressed accumulative impacts of their total project. This is not in keeping with the SEQRA guidelines and certainly not in keeping with good planning. We are certain that a better study should have been done and we hope you share this feeling. Please reject their study now and do not let too much time lapse. Thank you very much."

Supervisor Janoski, "Thank you. Is there anybody else present who wishes to address the Board? Steve."

Steve Haizlip, Calverton, "In the reports, I'm kind of interested in the Suffolk County grand jury report "C"; what it entails and why we're getting a report on this."

Supervisor Janoski, "The report is available if you'd like to read it. I'd be happy to make sure that you get a copy."

Steve Haizlip, "I'll get a copy later. Thank you."

Supervisor Janoski, "Is there anyone else who wishes to address the Board? Yes sir."

Felix Mackie, S. Jamesport, "There's two things I'd like to talk about. The gates at the South Jamesport beach got a sign on there that says open from 7 a.m. to 10 p.m. And evidently Grodski or Galasso have been closing that gate before 4 in the afternoon. Now if they're going to close it early, let them put a sign up saying open from 7 to 4 or 7 to 5. People go up there and want to take a walk on the beach and the d--- gates are locked. So whether he's doing it on his own but let him change the sign if he wants to close the gate. But there's another thing I want talk about. You're submitting your jobs here for raises. I believe everybody's entitled to a raise every once in a while and I'm all for it. But there's a thing here that bothers me. We have four people who are elected to the council. These are part-time council people and I want to tell you, for a long time, the only guy I ever saw there was John Lombardi in his office. Now, Lou Boschetti is there. Three years ago, Mr. Pike was elected. Last year Ms. Civiletti was elected. Now, I don't know what they call part-time councilperson. But I have yet to see the door to her office open in nine years. The guy that was there before her, I never saw that door open in eight years. She's there almost a year, I still have yet to see the door to that office open. And Mr. Pike, I saw his door open once in three years. Now they're elected to represent us and I don't know how in God's name they can represent us if we can never go in there and see them and talk to

PERSONAL APPEARANCES, Continued

Felix Mackie, Continued

them. They're not representing us. They're representing themselves. Nobody in town, the voters or taxpayers can't get in to see them to talk to them and tell them how we feel about what is going on in town. And for my money, they're not part-time councilpeople. They're no-show councilpeople. It's costing the taxpayers over 30 thousand a year for these people. They're going to get a raise and they'll be making over \$500 a week and all they do is attend a couple of meetings here twice a month and a couple of work sessions. And if they think they're earning their pay, they're ripping us off as far as I'm concerned. And I think it's time we put an end to the prior requirement that a part-time councilman or woman spends at least 20 hours a week in his office in town. So that the people here that elected him and are paying his salary can get to see him and tell him what we think about what's going on in town and not see pictures of him in the paper opening some store and cutting a ribbon. That's not representing the people. And whatever it takes to do it - Joe, whether it takes a letter from me to the Town Clerk or whatever it takes, I want to see this thing submitted so that you people get a chance to vote on it. If necessary, we do. But these people aren't part-time councilman and woman. They're no-show councilman and woman. And if this was outside in business, they'd be thrown out. They're really ripping us off. As far as representing us, you never see them in the building. The door is closed to their office. How can they represent us? You keep hoping somebody's going to come in and he's going to start being there. Pike came in three years ago, his door is never open. Civiletti came in last year, her door is never open. You hope and you live and hope and die in despair. And I want to get somebody in there that's going to be accessible to the voters and the taxpayers of this town. These people that come in there and taking their pay, they're ripping us off. They are not representing anybody but themselves."

Supervisor Janoski, "Thank you Felix."

Felix Mackie, "What would it take for me to get it started? A letter to the Town Clerk?"

Supervisor Janoski, "Let me ask you to make sure what it is. Are you talking about a requirement to spend 20 hours a week? Is that what you mean?"

Felix Mackie, "Make it mandatory for them to spend a certain amount of time each week in there so they're accessible to the people who elected them. What is your interpretation of a part time councilperson?"

Supervisor Janoski, "My feeling would be that it would take an act of the State Legislature to change a town law. Quite frankly, there is no requirement for any elected official to spend any specific amount of time."

PERSONAL APPEARANCES, Continued

Felix Mackie, "What does part-time mean? No time?"

Supervisor Janoski, "I don't know that the work part-time is ever used in Town Law."

Felix Mackie, "Yes. Part-time councilperson, previous to the woman it was councilman. But part-time, not no time."

Supervisor Janoski, "I don't know that that is referred to in State Law as a part-time position. I'm not sure of that."

Felix Mackie, "I think in some of the literature I've read for the requirements of the job, it shows part-time. Somewhere it shows part-time in there. When the job was started, it had to have something down there."

Supervisor Janoski, "What I'm saying to you Felix is that State Law does not specify an amount of hours that an elected official has to spend at any particular job. Be it State Senator, Town Supervisor, Town Councilperson, Assessor or anything like that. There is no requirement in State Law. And quite frankly, the absence of it allows (in theory) not to show up at all."

Felix Mackie, "What's the sense of electing them if they are not going to be there?"

Councilwoman Civiletti, "I'd like the opportunity to say one thing here and I know it's probably not a good idea to engage in a debate about this with you in this forum. But I feel that a response is more than warranted. Since being elected to this post, I can assure you that I have spent one heck of a lot more than 20 hours a week working at this job. And I think that anybody that cares to take a look at what I've been doing, will draw the conclusion that I have been spending a great deal of time."

Felix Mackie, "In your office?"

Councilwoman Civiletti, "Well, there are more ways to do one's job as a member of this Town Board than to sit in this office in Town Hall."

Felix Mackie, "How do you talk to the people that elected you?"

Councilwoman Civiletti, "I am here. I am accessible. I have my home telephone number in the telephone book. People call me there. I have my office telephone number on my town council card and there is a supply of them at the front desk with Joe's secretary, Lisa. And anyone can tell you who has tried to reach me, that I am accessible."

Felix Mackie, "Well, let me tell you, I tried reaching her. I tried talking to you and I got the secretary, Ms. Fenton. Is that who answers your phone?"

PERSONAL APPEARANCES, Continued

Councilwoman Civiletti, "That is the Town Board Coordinator, yes."

Felix Mackie, "I asked to speak to you and make an appointment to see you. She said; I'm not sure when she's going to be in and she called me back later on in the week and made an appointment to see you. Right? Before the appointment came, she called me back and said you couldn't make it. I said all right, give me another appointment. I waited for over a month to see you and never did get an appointment to see you."

Councilwoman Civiletti, "Mr. Mackie, I'm sorry to say that I don't remember when this was and know nothing of an appointment with you."

Felix Mackie, "This was early in the year, January or February."

Councilwoman Civiletti, "I apologize for the difficulty. I'll speak with Ms. Fenton."

Felix Mackie, "It wasn't her fault. You weren't accessible. I could talk to her all the time."

Councilwoman Civiletti, "Ms. Fenton has instructions to call my office or have somebody call my house. My point was sir, there is a lot more to this job then sitting in that office."

Felix Mackie, "Then why is it that John Lombardi is there most of the time or Mr. Boschetti is here now. We have access to them."

Councilwoman Civiletti, "They have their own points of view. I don't know."

Felix Mackie, "You serve as councilwoman by never being in your office."

Supervisor Janoski, "Felix, I think you made your point."

Felix Mackie, "Well I made my point or are they going to be available to us? Thanks very much."

Supervisor Janoski, "Thank you Felix. Let the record show that the hour of 7:49 has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publishing and posting for a public hearing to be held on November 1, 1988 at 7:45 p.m. at Riverhead Town Hall to hear all interested persons regarding: Amendment to Section 103, Article II of the Town Code, "Landfill Fees."

**CORRESPONDENCE**, 10/13/88

Mattituck Sanitation: Advising of attendance at meeting of 10/12/88 and problems discussed. Requests that Town Board reconsider amendments of dumping by the ton.

PUBLIC HEARING, Continued

Supervisor Janoski, "The proposed amendments to the code, I will enumerate them. The change for commercial vehicles for vehicle sticker license fees, is a change from \$15 to \$30. The change for residential vehicles, passenger vehicles is from \$.50 to \$1.00 per visit. Pick-up trucks is changed from \$1.00 to \$2.00 per visit. Trailers is changed from \$1.00 to \$2.00 per visit. Commercial vehicles, any vehicle of one ton capacity or less used for commercial purposes is changed from \$2.50 per cubic yard to \$20.00 per ton. Pick-up trucks and commercial vans of one ton capacity or less used for commercial purposes is similiarly changed from \$2.50 per cubic yard to \$20.00 per ton. Haulers, garbage haulers is changed from \$2.50 per cubic yard to \$20.00 per ton. Any vehicle of one ton capacity or more used for commercial purposes is changed from \$2.50 per cubic yard to \$20.00 per ton. Trailers is changed from \$2.50 per cubic yard to \$20.00 per ton. Yearly passes; passenger vehicles similiarly proposed to be changed from \$25.00 to \$50.00 per year starting January 1st. And from \$12.50 to \$25.00 starting in July. Pick-up trucks; one ton capacity or less used for residential purposes is changed from \$50.00 per year to \$100.00 per year starting January 1st and from \$25.00 to \$50.00 starting July 1st. That means that if you come in during the middle of the year, we don't charge you for the whole year. It's just for the half of year. Those are the proposals. I would recognize anyone wishing to be heard at this time. George, I don't see your hand up. No. Alice Graff."

Alice Graff, Riverhead, "I know you're trying to help offset salary increases, but I think those raises in the garbage is much too high. We can't afford all that jazz. Thank you."

Supervisor Janoski, "You have to come up here. This is a public hearing and as a record, you have to be recorded. So please state your name and address."

Richard Balk, W. Main Street, "Why double it up on the \$50.00 one on the pick-up trucks from 50 to \$100? Station wagons hold just as much."

Supervisor Janoski, "I see. That's a good observation. All the fees, quite frankly, there is a proposal to double them. But your observation about station wagons, I guess the arguement can be made that small pick-up trucks you can put just as much in."

Richard Balk, "Half ton truck you can go up to 75 \$80, not the \$100 club."

Supervisor Janoski, "It's an observation that you're making and the Board will have to take it into consideration."

Richard Balk, "Ok. Thank you."

Supervisor Janoski, "Yes, Dick."

PUBLIC HEARING, Continued

Dick Benedict, Riverhead, "I was just wondering if all the carters in town are registered with the Sanitation Department or they just buy registration stickers. For example, there's a guy who picks up on Middle Road. He's got about a half ton pick-up but he's got ten foot high sideboards on it. There's no name on it or anything which I've complained about four times already because he blows things all over Middle Road twice a week up there. I've been to the Police Department, John Lombardi."

Councilman Lombardi, "He's been checked out Dick."

Dick Benedict, "Well, last Monday was no better. He covers before he gets to the dump. But in the meantime, his truck is half empty."

Supervisor Janoski, "They're registered in the Town Clerk's Office."

Dick Benedict, "But he pays how much a year with a half ton like that compared to my half ton which goes once a month?"

Supervisor Janoski, "He's commercial."

Dick Benedict, "Is he commercial? Does he have a sticker? Does he have to have anything painted on the side?"

Councilman Lombardi, "He has to pay by the yard like they're all doing now."

Supervisor Janoski, "And it would be 2.50 per cubic yard."

Dick Benedict, "But he doesn't have a sign or anything. He just comes in and asks for a license?"

Councilman Lombardi, "I think he is Riverhead Rubbish. I checked him out."

Dick Benedict, "He sure is. You look at Middle Road twice a week."

Councilman Lombardi, "Then we will give him a ticket. He has been spoken to."

Dick Benedict, "All summer long he's been doing it."

Councilman Lombardi, "Riverhead Rubbish, that's his pick-up truck. We found that out and we did a check up on him. He does have a permit."

Dick Benedict, "Why don't we station somebody at the dump to catch some of these people going in once or twice and then that would stop them. Maybe we could get a few fines."

Councilman Lombardi, "I agree with you 100%."

PUBLIC HEARING, Continued

Dick Benedict, "Maybe that would help the fees. Lower the fees maybe."

Supervisor Janoski, "You mean for the truck that's not covered?"

Dick Benedict, "Yes. Why not? We've got laws against it. But if he just sat there maybe one Sunday a month and don't tell them when they're going to be there and just ticket the ones that are coming in. It would help clean up the town too."

Councilman Lombardi, "We will do that. We will do it."

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

Cathleen Berezny, Kings Drive, "I'd like to comment on the increase in the permits and the little coupons for the dump. I'd like to comment, especially when we had Hurricane Gloria, my husband takes care of the yard and all the leaves. We take them every week to the dumps during the Fall and the Spring. I'd like to see the town give the people a gratius day. We leave the stuff out in the road, the Town Highway, Charlie Bloss is doing a better job and he's coming around. But the leaves are just flying around and I don't like everybody else's leave on my lawn and I don't like my leaves to be put out. If you don't wet them down, they fly around. I think that the town should consider that."

Supervisor Janoski, "The fee at the landfill in the aftermath of Gloria was waved for a long period of time."

Cathleen Berezny, "Well, no one ever told us. My husband paid every week."

Supervisor Janoski, "You were charged?"

Cathleen Berezny, "Yes. Because we commented on that while we were cleaning up our yard. It's only a dollar. It's no big deal but the thing is, when you are taking care of your property and trying to keep Riverhead nice, I think once or twice a year, the town can give the people a chance to get their leaves, especially when all the leaves come down."

Supervisor Janoski, "After Gloria for the debris from homeowners, we waved that fee and there should have been no charge for at least a month afterward. But anyhow."

Cathleen Berezny, "We never knew. Can I talk later on my other topic?"

Supervisor Janoski, "Sure. Steve."

PUBLIC HEARING, Continued

Steve Haizlip, Calverton, "The hundred dollar fee that you want to double from fifty to a hundred dollars on a D-50 Dodge pick-up truck with two barrels on it, to me is too much and I go with this gentleman over here. I don't mind a moderate increase and Mrs. Graff, I think twenty-five dollars to seventy-five would be ample. Thank you."

Supervisor Janoski, "Ok."

Fred Sherman, Riverhead, "I just wanted to know, what was the rationale behind doubling all the fees for dump passes. Where is this money going?"

Supervisor Janoski, "It's going to the operation of the landfill. The projected income from the fees is (I believe) just about equal to the cost of operating Riverhead Sanitation Landfill for the year. And now I guess is a good enough time to say it, since the state passed its law in 1984 requiring the towns of Long Island to move in another direction with regard to the disposal of solid waste, I for one, have pointed out over the years that the cost of the disposal of garbage is going to rise dramatically. This is only the beginning of the cost of garbage disposal on Long Island. Towns to the west of us are paying over a hundred dollars a ton. Brookhaven right now is charging thirty dollars a ton for disposal. Southampton Town is moving to what I believe is about twenty-six dollars a ton if what I was told is true. This is going to be a very costly endeavor. We are mandated to do a number of things by the State of New York including a law that was passed this year; The Solid Waste Management Law of 1988. We're going to be doing recycling. We're going to be utilizing technology which we really haven't identified yet."

Fred Sherman, "In 1989?"

Supervisor Janoski, "Next year in 1989 we had better start implementing plans or developing plans for 1990 when the law goes into effect. But the cost, and when we do move to not burying garbage anymore, is going to hit forty, fifty and more dollars per ton. Something I've talked about over the years since 1984. No one really reacted to it if I said it on the radio or I said it to the press. Now you're reacting to it because now the bill is coming due. And I would point out that the State of New York never in passing that law, provided any financial assistance to the towns. The cost of closing down our landfill is going to be tremendous. It's going to be millions of dollars. And of course, those expenses are being experienced by towns to the west that are now moving toward resource recovery and other methods of waste disposal. We are going to start recycling hopefully, by January 1st of next year modestly, and then we are going to move to mandatory recycling I'm sure as the time goes on. We're going to need the cooperation of the carters. There's a great deal that's going to take place with regard to solid waste and this is only the beginning and you might want to contact your state legislators about this because it's those regulations which we are following. It's those mandates which are going to cost. This Town Board at least two years ago, passed a resolution saying that

PUBLIC HEARING, Continued

Supervisor Janoski, Continued

we thought that resource recovery for a small town like Riverhead was unwarranted. And because of the many problems as far as clean air and disposal of ash, that those were problems that we should not be forced in to. And we said that for a small town, perhaps we should be allowed to continue a landfill, a secured lined landfill. But nothing was ever done. So that we are being forced into following those mandates which are going to prove to be very expensive."

Fred Sherman, "I understand they're going to be but next year, are they going to be that expensive?"

Supervisor Janoski, " Well, the cost of operating our landfill is in excess of 800 thousand dollars and that is the amount of revenue that these fees will generate. That's the projected amount. It's not that we're taking that money and putting it someplace else. It is all earmarked for the operation of the landfill."

Fred Sherman, "Thank you."

Supervisor Janoski, "You're welcome. Yes."

Barbara Stubey, Wading River, "Have you thought of a municipal collection? Brookhaven is instituted municipal collection built into the tax base starting January of '89."

Supervisor Janoski, "I have talked about it. Town Board will have to come to some decision about either garbage district. That's what they did; garbage district. And Brookhaven, from what I was told last week, experienced substantial reduction to the homeowners as a result of implementing that program but that's a larger town. Four hundred thousand people but it's something that we're going to have to look at here and consider. I think that we're down about two-thirds if I remember the numbers."

Barbara Stubey, "I understand something in the realm of 54 dollars a year will be built into the tax rate and the taxes. Are there any curves for the increase? The carters are going to give everyone a hefty increase due to the landfill increase. Are there guidelines the carters of the Town of Riverhead will...?"

Supervisor Janoski, "Not at present. I've asked the Board to consider that. The solid waste committee has similar ordinances from towns that have enacted them. They are in the next few weeks, going to take a look at them and make a recommendation to the Town Board as to whether there's any value or purpose for us doing that. I don't particularly like regulations and I would like to see something informal being arrived at. But what I had said was that our experience has been, and we last year, raised it a quarter, that the pass along was far and above what was caused by that quarter. Fifty cents, I'm sorry. And of course, the notice went out with the new bill that the Town of Riverhead did this and that's why we're doing it. So in my budget, I asked the Town Board to consider regulating those fees. Not that I like to regulate but if

Supervisor Janoski, Continued

that's the opportunity or pretext that's going to be used, then we have to consider that kind of ordinance. Western towns have done it and that's something we have to take a look at, is the experience of towns that are ahead of us in making these changes."

Barbara Stubey, "Thank you."

Councilman Lombardi, "Ma'am, I think it's quite a big jump from 2.50 to \$20.00 a ton. That's my personal feelings on it. I think that we're going to be looking at problems of people taking their own garbage to the landfill. And on the way to the landfill, they're going to be dumping it on the side of the road. I think that we should have been looking at this quite a while back. The carters and I'm not sticking up for the carters. I was in the garbage business for 29 years and I always tried to keep my prices down. But if you're going to increase them, they're going to increase the customers. We do have a lot of senior citizens in this town and they're the ones that are going to get penalized like everyone else. I think the Town Board should have been looking at where to raise some more money instead of hitting the landfill and the Building Department every time there's an increase every year. I'm sorry that the carters are not here. I did have a meeting with them and Mr. Boschetti, myself and Ted Krukoski, had a meeting with the carters to find out what their feelings were. And we did get a lot of input from them. They are going to lose customers and people are going to start taking their own garbage. And the town with the revenue that they feel is going to be coming in, is not going to be there because I'll take it myself now. I've got my own house. I'm paying my carter \$15 a month right now. If he goes up to \$25 or \$23, I'm going to start hauling my own garbage and I'm going to take my son's and I'm going to take my daughter's. So the town is not going to be getting that revenue that they feel they are getting. Southampton, I understand, has gone up to \$23 for two days a week pick up. But we do have a problem and I know we do a raise in the landfill. But I don't believe it should jump up that high. That's my personal feelings because you're going to be looking at a lot of problems."

Supervisor Janoski, "As you see, there's a diversion of opinion about the ultimate solution to these problems. There's no doubt that there's going to be an increase. And the idea of garbage district in which everyone in the town will receive pick up and there would be a district tax payment for that, would address the problem of garbage lining up on the roadside because there would be no motivation to do that because everybody would have a garbage pick up. One of the things that I have been talking about is that we are going to start recycling and we're going to start with newspapers. And once again, we're going to need cooperation from the carters. Because what we would have to do as a Town Board is take a position that newspaper, news print paper is not a garbage or solid waste for deposit in the landfill. So that way we now have to control it. The carter would then have to provide for the pick up of that separately. And what is being done in other communities, is a separate wagon behind the truck. What I am willing to propose is that we don't charge them at all a tonage or weight for the recycled

Supervisor Janoski, Continued

materials, the newspapers in this case. But that they would pay the \$20 per ton for the garbage that's going to be deposited in the landfill. And I think that's a compromise position that would bring about their cooperation as far as the separate pick up as well as reduce their cost of coming into the landfill because newspapers weigh a great deal. And we compute about 80,000 tons a month, I believe. So there are compromises that are around. Recycling, separating out the newspapers, not charging them for the weight of the newspapers, gaining their cooperation, is one of them. But obviously, there's a difference of opinion on the Board and we're going to see what happens."

Barbara Stubey, "When you're talking about recycling the newspapers, would that be phased in with the increase in January of '89?"

Supervisor Jansoki, "Yes. It is my hope that we will, by January, have in place, the newspaper recycling program in which people would separate out and stack in bundles, hopefully, newspapers for deposit in containers or for pick up by their carters. It's going to need cooperation from people, from the carters. We are going to have to take some steps as a town government to bring this about but it will accomplish saving the space in the landfill. It will recycle papers."

Barbara Stubey, "And it wouldn't increase the average person's bill that much as we separate."

Supervisor Janoski, "Well, the weight would be reduced and I think that's a nice compromised position that if you're going to get cooperation from a carter to bring in and separate out newspapers, that you don't charge the carter at all for those recycled materials in the scheme of things. It's an insignificant loss as far as revenue. We can live with that as long as we're collecting the fee for the garbage that we're going to have to handle. But a lot of ideas. Thank you. Way in the back. Bill Nohejl."

Bill Nohejl, Aquebogue, "We have some people in town who take pride in their homes. They don't want this garbage into the street. They don't want the leaves, don't want the grass cuttings, they don't want the branches. So they take it to the dump. Then we have people who don't give a d---. Charlie Bloss can come down the street and clean up. Right after Charlie is half way down the street, they're pulling stuff out in the road again. This is unfair. I've said this for many years it's unfair. That people should be penalized for taking garbage to the dump. They should throw it out in the street like everybody else. You take it in to give it to Charlie and Charlie will send the men out to clean it up."

Supervisor Janoski, "You're talking about leaves and clippings, not garbage?"

PUBLIC HEARING, Continued

Bill Nohejl, "Not garbage, not household garbage. But as I said, people take pride in their homes. They don't even throw out the grass clippings or the limbs or the leaves. But it's done by the town. So why should they be penalized taking it to the dump, paying to take it to the dump when they could throw it into the street. I don't follow this. I can't understand this. Of course you do have to put it into Charlie's budget to have the men come out and clean it up. And I feel the raise to the car and the pick-up, the small pick-up homeowners is a little bit outrageous. It should be moderate."

Supervisor Janoski, "Well, I'm sure you'll understand Bill, that there is a certain cost projected for the operation of the landfill for 1989. The money has got to be raised. It's either going to be an increase in the tax rate or it's going to be in fees to the landfill. I don't know if it makes any particular difference to you, but that's the choice."

Bill Nohejl, "That's all right. But the idea you're giving to the Sanitation Department but also we're paying Charlie Bloss in our regular taxes to pick it up in the street."

Supervisor Janoski, "I understand that part of your presentation Bill. What I'm saying to you however, is that there is an 800 thousand dollar plus operating cost for the landfill and the town has got to raise that money. There's two ways that we can do it. We can raise taxes or we can make an adjustment in the fees to raise that revenue."

Bill Nohejl, "We are supposed to have a weigh master for 5 and a half days a week. Who is going to do it the other day and a half?"

Supervisor Janoski, "We'll work that out."

Bill Nohejl, "Well, you didn't answer the question. You'll work it out but did you take it into consideration? That means another hired help. You just can't go up to the gate and estimate. That would be unfair."

Supervisor Janoski, "There's going to be a part-time person. The scale is going to be in operation."

Councilman lombardi, "No garbage trucks will be coming in on Sunday."

Bill Nohejl, "Well, how about a pick up?"

Councilman Lombardi, "They're not going to be weighed Bill. They're going to be put in roll-offs like the pick-up trucks."

Bill Nohejl, "You say a one ton pick-up is going to be charged \$20 a ton."

Councilman Lombardi, "For a commercial Bill."

Bill Nohejl, "All right, commercial. This fellow comes in on Saturday afternoon, is that commercial or on Sunday?"

Councilman Lombardi, "If he's doing commercial garbage, he has to quit."

Bill Nohejl, "I don't mean regular garbage, household garbage. It could be other kind of debris. How is he going to be...?"

Councilman Lombardi, "We'll have to look at that Bill."

Bill Nohejl, "Joe, will you pull the mike closer to you? We can't hardly hear you in the back."

Supervisor Janoski, "I have a bit of a cold and my throat is a little raw."

Bill Nohejl, "Ok. Thank you."

Supervisor Janoski, "Mr. Prusinowski."

Victor Prusinowski, Aquebogue, "Ladies and gentlemen, as you recall, when I was on the Town Board, I remember why we first put these fees into place. Number one; it was to raise revenue for the budget, to offset the cost for the landfill. Which as you know, there are certain people who live in the town, not certain people. There is a percentage of people in the town who have their garbage collected by carriers that take the garbage to the landfill. Specifically probably in the Jamesport area. Service fees like this do augment the budget, raise revenue and don't put a burden on the taxpayers that do not use the landfill. However, when it comes to sanitation disposal, the landfill, the resource recovery problem, the fees that we're being charged today are just a drop in the bucket. The other real reason we put the fees into place is that we wanted to get the customers or the public accustomed to paying these tipping fees. Because as a resource recovery plant or composting or mandatory recycling which I believe is going to be in place sooner or later as soon as the political shenanigans are out of place. There will be certain tipping fee charges which the public will have to pay to dispose of their garbage. This is a fact of life. As far as raising the rates, the biggest problem that we have had is carters cheating by picking up garbage in other towns and bringing it to Riverhead because it cost less. Yes it's easier to say enforcement, the reality of the situation and these things go on. In other towns, it's my understanding that the tipping fees, the per tonage charge is more than Riverhead Town, where I think we're less than Southampton and I don't know where we are in Southold. So that the capacity of the landfill which is going to expire shortly unless the state gives us an extension of 1990 deadline which I don't know where we are on that because I'm not familiar with it because I've been off the Board for a year. So I don't think the fees are not justified in that sense. We only have about a year to go in the landfill and I don't know where we are as far as resource recovery.

Victor Prusinowski, Continued

The fact is that this is something that has to be done for the future. We have to address the problem. There is no easy solution. And I would highly recommend that if you pass these landfill charges, you increase the fees, that the top priority is to resolve the resource recovery problem which is to take the bull by the horn and make the tough decision. There's no easy solution. It's not going to be a popular one but to address the problem even if it involves resource recovery or mandatory recycling which other towns have done. Other towns in Western Suffolk have addressed this. They've made the hard decisions and the East End towns are going to have to do that. Raising the fees is one thing but forging ahead on the solution is another thing and that's what I would recommend. Because what I think the public is asking tonight; is great. We'll pay the \$30 or \$20 a ton to the carter. We'll pay the \$2 to go into the landfill with my pick up or whatever the new fees are going to be. We'll pay the increases. But when 1990 comes, what are we going to do with our garage and are you addressing the garbage problem. It's not an easy solution. Nobody wants to know that they're going to have to recycle their garbage. So with the increases, I think the public wants to know; are we moving ahead on this problem. Thank you."

Supervisor Janoski, "Thank you Vic."

Joe McGoey, Riverhead, "Just a quick question here. If you're saying you're going to have a revenue of 800 thousand dollars for the landfill. Where would I find that in the budget on the yellow sheets?"

Supervisor Janoski, "You have the summary. There is a separate budget for Sanitation. Jack, that 800 thousand dollar figure is right isn't it?"

John Hansen, Town Accountant, "730."

Joe McGoey, "Is that number in the sanitation budget?"

Supervisor Janoski, "I don't know. It's in my budget. You have a summary and it should be in the sanitation. But if you'd like to see the real budget, I can show it to you. Not the real budget but the thick document that's not a summary."

Joe McGoey, "Ok, if that's where it is. Thank you."

Supervisor Janoski, "Yes."

Dick Carey, Riverhead, "I'm just curious about one thing first. How much does a cubic foot of garbage weigh?"

Supervisor Janoski, "The figure that we used for the conversion which is generally accepted is 2.66 yards per ton."

PUBLIC HEARING, Continued

Dick Carey, "2.66 yards per ton and you were charging how much?"

Supervisor Janoski, "\$2.50."

Dick Carey, "So that's about \$7 per ton. Now we're going to charge \$20 per ton. So it's going up more than double. I don't think there's any question in anybody's mind that if you use a public or garbage man to pick your garbage up that we're going to be paying the fees and more probably because I think you mentioned the time they raised the fees before were higher than what the town had raised them and I think it's going to be our cost."

Supervisor Jansoki, "We, with our rough calculation, had figured that it cost the carter ten cents to provide the pick up and the increase was far beyond that. And if the Town Board wants to consider regulation that's before them. But this problem is going to be probably the most difficult problem of next year because we're heading towards that 1990 deadline."

Dick Carey, "Why you're dealing with this 1990 deadline, and while I realize it's a little off the subject about these rates. But I've heard we're going to have a plant with Southampton. Then I heard we're going to have a plant with Brookhaven and that was going to probably be built on Brookhaven Lab property. We're running out of time and you mentioned we've got something up for '89 which is two months away for a recycling program. You're moving, I think, much too slowly. I'm wondering if you'd bring us up to date. Where do we stand with Southampton? Where do we stand with Brookhaven?"

Supervisor Janoski, "The idea of Southampton and Riverhead joining in partnership was one that developed out of study that was done several years ago. As we proceeded through the process of site identification, we got to the point where we should do an environmental impact statement on that particular site which was at the airbase which had been selected by the committee that was appointed. At that particular time, the New York State D.E.C. took the position that the towns of Southampton, Riverhead and any of the other eastern towns should become involved with the Brookhaven facility at that time suggested to be located at Brookhaven. That was the pretty much accepted process of the Town Board. But the Town Board now has indicated that they wanted to do a study, comprehensive waste management study and look at other alternatives in Riverhead."

Dick Carey, "In Riverhead? Well, they better get going. If you're going to do a study, it's going to take three or four months probably, a minimum."

Supervisor Janoski, "Well there are not too many alternatives. You either are going to burn... There's no doubt that recycling is going to be part of the program because the state passed a law this year in the laws of 1988."

Dick Carey, "That won't take care of everything. We're going to have to burn some of it aren't we?"

Supervisor Janoski, "They're projected figure for recycling is that they want to achieve 50%. I think it's rather ambitious but we're going to have to work towards that goal. We can take out newspaper which is what we're going to start with and then move into metals, glass, whatever other materials are identifiable as recyclable. We are working in cooperation with the other East End towns for the development of a regional recycling facility which once again, the airbase vicinity is being talked about. But let me point out once again, that the state government simply passed laws of this year. They did nothing to enhance markets for recycled materials. They did nothing to give us technical assistance."

Dick Carey, "The County is talking about possibly giving us some funds aren't they?"

Supervisor Janoski, "Yes. There is money available."

Dick Carey, "What are we going to do with that 50% of our garbage that has to be burned?"

Supervisor Janoski, "That is what the point of interest in the study would be. What to do with that particular portion of the garbage that can not be recycled."

Dick Carey, "Yes, agreed. But what are we going to do with it?"

Supervisor Janoski, "That's what the study will tell us. And of course, the twist on this is that it has to be acceptable to the D.E.C."

Dick Carey, "Ok. I didn't get an answer did I Joe."

Supervisor Janoski, "Well, you want an answer from me?"

Dick Carey, "Sure, why not."

Supervisor Janoski, "Well, my answer, my particular point of view is that the Brookhaven National Lab represented an opportunity for the Town of Riverhead to enter into an agreement with the Town of Brookhaven for the disposal of solid waste. And what we had to do was to bring our garbage there and pay a fee, a tipping fee per ton."

Dick Carey, "You think that's feasible and will come to be?"

Supervisor Janoski, "It is feasible because Brookhaven is producing such a plant. Will the D.E.C. accept it?"

Dick Carey, "They are going to build a plant?"

Supervisor Janoski, "Yes they are. The D.E.C. accepted that plant. The Town of Riverhead now wants to look at other alternatives. And certainly I understand that quest because resource recovery is not the most attractive way to dispose of garbage. It creates other problems. But the bottom line is, the New York State D.E.C. is going to have to accept whatever plan it is that we want to put into place."

Dick Carey, "Well, I hope we don't miss out on Brookhaven in our delay because of the study we're going to have. Is that possible that we would lose out there? Is it possible that Brookhaven would have so much garbage that they wouldn't have room for ours?"

Supervisor Janoski, "They're going to get an extension for their landfill because they have a plan which is acceptable to the D.E.C. The town is on the verge of identifying a consultant to do this study which I would hope would be done very quickly because the alternatives are not that many. We can compost, we can recycle and burn or landfill and landfill is not one of the options. And then we have to make some solid hard decisions. Brookhaven still represents an alternative to me as well as looking at the other one. But that, as I say, creates some other problems."

Dick Carey, "Well, I haven't heard any other ones besides Brookhaven."

Supervisor Janoski, "Composting is one of them."

Dick Carey, "That's what Southold is going to try."

Supervisor Janoski, "They have been composting for several years. And the problem there is that while they have been doing it, the D.E.C. has never accepted that operation officially as acceptable to the state."

Dick Carey, "Ok. Thank you Joe."

Supervisor Janoski, "George."

George Mathys, George's Sanitation, "I'm a hauler in Southampton. I don't do too much work in Riverhead, very little. But it's funny that just last week I was in Southampton fighting with them because they're going from \$20 a ton to \$10 a yard. In January 1st of this year we went from no dump fee at all from zero, to \$20 a ton which was a pretty substantial hit to the haulers and we had to (of course) pass it along to the customers and you always have the problem where some of the people on the Town Board think we're charging more than we should be and the haulers think maybe they're not getting enough. But the best way to work that out is to sit down and talk about it. I appreciate the invitation to the meeting on the 12th. I got the letter on the 13th or I would have been there. Thanks to the Post Office. Joe, you had said you thought it equalled about ten cents per pick up to the hauler. Were you talking about ten cents a pick up at \$20 a ton?"

PUBLIC HEARING, Continued

Supervisor Janoski, "No, no. I'm talking about increases we had enacted in years gone by and I'm talking more than one year, several years ago. That the staff here at Town Hall sat down and with the best of our ability, came to a conclusion it was costing the carter ten cents per pick up and that the pass along in cost was far in excess of that. And that's what we've seen happen. Is that the Town Board enacts an increase in fee because we have to raise some revenue. And right away a notice goes out from the carter blaming the town that the Town of Riverhead did this. So we have to raise your fees. And it is in excess of what is contained in the charge that we enacted."

George Mathys, "The average household has four cans for a pick up. The average can weighs 50 pounds. Two hundred pounds per week is equivalent to 4 and a third weeks in a month is about \$9 a month."

Supervisor Janoski, "George, I'm not saying now. I'm saying that when we were doing per yard which is what we're doing right now and we're going to change to per ton. That at that time and it was at least three years ago, that the staff that was here at Town Hall... It had to be some time ago because Bob Scheiner was one of the people involved. We, to the best of our ability, figured out how much one of those trucks held, how many stops and it worked out to the math that we came to the conclusion of \$10. I don't know... I'm sorry, ten cents. I don't know if that would be true today. But what I am afraid of is that the pass along is going to be a little bit larger than the actual operating cost that this is going to result in."

George Mathys, "Well, in Southampton at \$20 a ton, we increased the customers an average of about \$9 a month, figuring 200 pounds per week and four and a third weeks in a month. I think that's a fair figure because you've got to take into consideration that whenever we get a heavy rain, the cans get full of water. The people never leave the covers on. We pay for the water. In the winter time we pay for the snow when we're paying by the ton. The homeowner goes in and gets a yearly sticker and regardless of whether they have one can or ten, it's the same fee. So I'm happy to see that Riverhead is looking at \$50 for the car where Southampton charges 20. With Southampton charging \$20 a ton and giving the homeowner a sticker for \$20 a year, we lost about 20% of our residential accounts. So you're a little bit closer there. But John made a good point there that I'd like to bring up. That if the hauler was to increase \$9 or \$10 a month, John would take his own garbage and his daughter and his son which is a good point. I don't blame him for doing that but he's going to pay.... What would you pay with a pick up truck? Ok, \$100 a year, he's going to bring three households of garbage. He's going to pay far less than \$20 a ton because he's not paying by the ton so you're not going to weigh it but that puts the hauler at a disadvantage and puts a lot of people in the garbage business persay, on a small scale picking up two or three houses or the neighbors or whatever. One thing we do in Southampton is give the senior citizens a 10% discount. Because if they are truly senior citizens without any children in the household, yes they would have a little bit less trash."

PUBLIC HEARING, Continued

Supervisor Janoski, "You as a carter of the town gives..."

George Mathys, "We do. Twenty dollars a ton is equal to one penny per pound. And like I said before, our average garbage can is fifty pounds. Four cans is 200 pounds per pick up, so it would cost the carter about \$2 a pick up on an average. Some people have three cans, some have five."

Supervisor Janoski, "You're going to go to about \$26 a ton according to what I'm told."

George Mathys, "If Southampton does go to \$10 a yard and I can't understand their reasoning, I don't think it's going to happen. We spent all this money for the scales and the computers and now we're going to go back to the yardage figure. It don't make sense."

Supervisor Janoski, "We put our scales in for preparation to go to resource recovery because we had to have accurate tonnages to enter into an agreement with a resource recovery plant. And of course, I still think it's a good thing to have there so that we do have that waste stream analysis as well as the accurate figures as to weight. But it's a tough one George. You're a businessman. You have got a businessman's problem. We're a town government. Somehow town governments got into the business of solid waste, garbage disposal. There's no law that says we should be doing this."

George Mathys, "We just asked to be treated fair. That's all. And if we've got to pay \$20 a ton, everybody should pay \$20 a ton. But you can't weigh every car. We realize that. But you're not going to have too much control over the cases like John bringing three households of garbage in on one load and that's what's going to happen with a lot of people. I'm not saying it's wrong. If they can save money, they do it, fine. I think the best thing that can happen like I said before, is if the town can sit down with the haulers and talk it over and come to a conclusion of what the hauler really has to increase his rates so that nobody goes pointing their finger later on."

Councilman lombardi, "George, I did sit with the carters and I did ask the Town Board to attend the meeting. They did not attend except Mr. Boschetti. So it was tried to be worked out and this is what we're looking at."

Irene Pendzick, "George, I wonder if I could ask you a question. Do any carters charge by the can? I'm surprised that you're averaging four cans per household. And you mentioned the discount for senior citizens. Why not charge by the can rather than by the pick up?"

George Mathys, "Well, you'd have to have a bookkeeper in the truck. How are you going to possibly keep track of how many cans each house had unless you had somebody in the truck writing it down?"

PUBLIC HEARING, Continued

Irene Pendzick, "So technically, you're making the... The carters are having the people who only have one can per week, pay for those who have four."

George Mathys, "Yes. But the national average is 100 pounds per person per week. And the average household in Riverhead is, what would you say, 3½?"

Irene Pendzick, "I just found out that I'm paying for three other houses."

George Mathys, "I don't know. I know it's different from Southampton because we have a lot more senior citizens in Southampton. So how is the carter going to do it if there's six people in this house and four in that? Is he going to charge a different rate? You've got to come to some happy median. Some people will pay a little more and some will pay a little less than they should. But you can't have different rates for every customer when you have 2,000 customers."

Irene Pendzick, "Well, you're saying that the carter can average out. But when the town does it, people yell."

George Mathys, "Yes, ok."

Councilwoman Civiletti, "Mr. Mathys, can I ask a question? Prior to the increase to \$20 per ton in Southampton, what was the fee?"

George Mathys, "Zero. We had no dump fee. We went from no dump fee at all to January 1st of this year, \$20 a ton. We lost about 20% of our residential accounts."

Councilwoman Civiletti, "And that resulted in a \$9 increase per month on the average?"

George Mathys, "Yes. Per household. As far as commercial accounts were concerned, we figured that \$20 a ton related to \$3 a yard and that's the way we bill our commercial accounts. At \$3 a yard. I think it's a fair number. I'd be happy to sit down and discuss it with anyone at any time as to how we come to that figure. I really think it's fair. Of course everybody says it's.... You'll have some people that will say it's not no matter what you do."

Supervisor Janoski, "If it is and I have no way of knowing, that's what I think the town should have the opportunity to find out. To sit down and see the books."

George Mathys, "One thing I think is really important; the towns should get together and charge the same fee. You wouldn't have the problem of somebody from Riverhead trying to sneak garbage into the Town of Southampton and vice a versa. I'm not suggesting that you match Brookhaven's fee because that's higher. But if Southampton is getting \$20 per ton and Riverhead is, we're getting somewhere."

Supervisor Janoski, "The bottom line for the Town Board, George and I'm sure you recognize it because it's the same one that you have as a businessman, it cost you a certain amount of money to operate and you have got to raise that money. You do it through fees that are charged to your customers. We do it through either these fees or we raise taxes. That's our option."

George Mathys, "In a sense, you're making the garbage man a tax collector. That's what we're doing. We're collecting taxes for the town if you really think about it. What are we doing? We're collecting your taxes just like we have to collect sales tax for the state. The state doesn't pay us for all that bookkeeping to collect the sales tax but we do. My dump bill in Southampton is \$30,000 a month. I have to pay it every month. They only give us two weeks. They bill us every two weeks. If the customer doesn't pay me, I'm out the money. If a customer holds me up for six months, I lay it out for him and wait. So you know, we're behind the eight ball no matter how you look at it."

Councilman Lombardi, "I would just like to say one thing. We talk about districts. And you have to realize when you create a district, it goes out to bid. And usually a person will come in, a carter, whoever; and come in at the lowest bid he can get. But then the following year, you're going to see a big increase. We're talking garbage and somebody's going to pay for that. Right now it sounds very good. We're talking about these funds. In 1990 we have to close our landfill which we have to look at. Where is this money going to come from? Right now this money is not being put into our landfill budget which I've always said it should be put in so we'd have a separate budget on the landfill. We have not and we're going to have problems. I'm just speaking my peace and I have to speak my peace."

George Mathys, "One other problem that the haulers have and it will be worse when this happens is theft of service which means people using our containers. It's terrible. We have to actually go around and put locks on garbage containers because people will fill them up with household garbage rather than pay the dump fee. More so in the summer time when you get the summer residents coming out and they're not really aware of what the situation is out here. That's about all I have. Do you have any more questions for me?"

Supervisor Janoski "You and John have given me the opportunity to make a pitch for a vote, a positive vote, a yes vote on the quarter percent sales tax extension. Because the purpose of that program is to provide monies for the cost included in the closing down of landfills. So vote yes on that proposition. Yes, Paul."

Paul Baker, Wading River, "President of Riverhead Civic Association Organization. Just a question. We're stating that our goal is to somehow reduce the quantity of our garage. We've stated that one of our goals to implement a program of recycling. And our third goal; to somehow come up with the financial resources of covering our needs in the landfill. Has there been any discussion of ways of encouraging recycling through the use (perhaps) abatements

Paul Baker, Continued

or separate fees for communities who voluntarily involve themselves in a recycling program. If an industry comes to our community and it offers a valuable service to our town and is going to provide jobs or somehow going to help us, we very often consider tax abatements for those type of people. Have we ever considered abatements for a particular community who might be actively involved, voluntarily involved in a recycling program? Very simply, if a community of people came to you and said that in our community, we want to voluntarily begin a program of recycling to reduce the quantity of garbage that we're producing. And would you in fact, give our carter or allow our people to dump with a reduced abated fee? Would the town perhaps consider that and have they considered that in the present ideas on licensing fees?"

Supervisor Janoski, "Specifically to that idea, no. We have looked at incentives. But Paul, I think you have to understand that recycled material is garbage also that we do have to handle. We have to transport it. As a matter of fact, the handling cost of recyclables, is going to be in excess of what it currently is to bury it."

Paul Baker, "With the program of recycling, aren't you then allowing yourself or at least leaving yourself open to potential sources of income through federal funds and state funds?"

Supervisor Janoski, "There are funds available for certain equipment, for education which we have applied for. But what I'm saying to you is that the cost of getting a truck load of newspapers to wherever in Queens, is going to cost us far in excess of what it cost to put it at the landfill and cover it up or to put it in a container there. The markets are very very important, that we could on occasion, make a couple of dollars on the delivery of these materials. Be it metal, paper, glass or whatever it happens to be. But it's still a cost to a town government to handle, in a variety of ways that we're going to have to deal with it."

Paul Baker, "It seems to me that the state is forcing the town to resolve the landfill problem at the cost of the immediate taxpayer of that town. Now, it seems to me that with a plan in place that is for resource management and recovery of materials, that the state should also be willing to help. And it's perhaps an argument that towns could make strong suit for if there was in fact a plan in place that they could refer to. Going up to argue right now with the state about a maybe situation without any hard facts or hard ideas in mind isn't going to be very successful."

Supervisor Janoski, "You're not understanding. It's not a maybe. The state law requires, absolutely requires that by 1991 that all municipalities will have put in place a recycling program."

PUBLIC HEARING, Continued

Paul Baker, "And have they not put funds in place for towns to make application for that type of implementation?"

Supervisor Janoski, "Yes."

Paul Baker, "Thank you. So we could apply for that if we had a plan for recycling."

Councilwoman Civiletti, "We have."

Paul Baker, "And we could apply for greater funding if we had a program of recycling."

Supervisor Janoski, "You're looking for a reduction cost for yourself. And I understand that. And this of course, is going to be a new field that we're getting into, recycling. But the indications that we have and one of the luxuries we have in being on the East End and later in the pipeline of implementing some of these state mandates is to learn from the experience of the western towns. And the experience of the western towns have been that the outweigh from machinery and equipment to deal with recycled materials is stupendous. So that's a fact. We will certainly consider it."

Paul Baker, "Ok. Would you include that in the licensing fees as a possibility?"

Supervisor Janoski, "You mean now?"

Paul Baker, "Well, yes. For these present licensing fee structure that you're presently engineering."

Supervisor Janoski, "I don't see how but if you're asking for that consideration, I'll make sure that we..."

Paul Baker, "Will there at least be an appeal process that could be spelled out in that type of situation that communities could make application for an abatement perhaps if it were to mean an increase of state funds to compensate for that cost. If I came to you from my community tomorrow morning and I said I could go to Albany and I could bring in \$50,000 to take care of the newspapers in my community and we were going to save those newspapers and those cans. And with that \$50,000 you could cart it wherever. Would this town reconsider its fee structure for carters?"

Supervisor Janoski, "Paul, you're not getting the picture. The cost of a vehicle to transport that paper, we got the cost today, it's in excess of \$70,000. So I would say, God Bless you. Get us more money from the state. But I can't tell you right now that the community that you live in, because you're complying with the law because everybody is going to comply with the law, is going to get a reduction. That's the law. 1991, mandatory recycling on Long Island. Fifty percent is the goal."

PUBLIC HEARING, Continued

Councilman Lombardi, "Paul, right now we are taking newspapers. We are not getting paid. We are just keeping it out of the landfill which is good. Metal; we are getting rid of some metal. In the last two months we have been stopped from taking stoves and bringing them to Durchon. He will take the straight metal. No stoves, no refrigerators or anything like that. Right now we're stockpiling that. We were selling oil. Now we're paying fifteen cents a gallon to get rid of the oil. So we are getting rid of the stuff but we are paying for some of it."

Paul Baker, "And we're paying for it. My question, John, is very simply; why not make application for the state to pick up a greater share of that cost?"

Councilman Lombardi, "We are trying to."

Councilman Pike, "I just want to make a comment. I've been listening during this hearing. But just one of the ideas you had there seemed to be different rates within the town for individual communities within the town who were farther ahead and recycling. And I'll think you'll find that the economics of recycling suggests that what we've got to do is get the town more competitive, not places within the town. And in fact, we've got to get the entire region more competitive. In order to make recycling cost effective, you've got provide the market for recyclable materials with a study quantity and an even quality. And there is a scale effect that evens out the quantities and evens out the quality if you do it on a regional basis rather than on an individual basis. I think you would find in the long run that it's more cost effective if the towns, say of the East End, got together. Part of the grant application that we have made is for structuring of regional recycling coordinator. Somebody who is in tune with the market could negotiate on behalf of the region. And I'll think you'll find that that provides one of the lowest costs, highest income, most efficient form of marketing the stuff and would be a benefit in reduced cost of every individual community within that region."

Paul Baker, "Thank you very much."

Supervisor Janoski, "Anyone else on the subject of garbage?"

Ray Krieger, Manorville, "Mr. Lombardi brought up a good fact about taking his family's garbage. Now, personally I use my little Mazda 2000 pick up to bring two cans to the dump each week because I don't like to carry something like that in my car. Let me run through the scale. Set a limit. Four hundred pounds for a dollar coupon. I'll hand my coupon book in on the way in. I'll pick it up on the way out. If I go over the four hundred pounds, take out another dollar coupon. I'm willing to do that. I haven't been to the dump where the trucks or the vehicles have been backed up out the gate on to Youngs Avenue. It's always been free flowing. And I think that this way the homeowner who is bringing in just his own little family's garbage in his truck would be able to be the same as the person in the car, the station wagon or whatever who could probably even be bringing more. I'm willing to go through

PUBLIC HEARING, ContinuedRay Kreiger, Continued

the scale. The other thing is; what happened to the gentleman who is going to take our plastic? I read a small story about that one time. Can somebody tell me what happened to that?"

Councilman Pike, "He's still around calling us regularly to make sure that market is developed. The gentleman you're talking about is Mr. Petersen. He is one of many who are interested in taking that particular, separating out that particular material. And he walked in here with some pilings and dock material from. A very interesting process. And his basic idea takes a material that basically does not deteriorate, is not degradable in the usual sense and reutilizes it. That is something we'll integrate. Whether he will individually be the one we use, that's another question."

Ray Kreiger, "I have a six year old boy now who is running through those gallon milk jugs pretty fast and they fill up a garbage bag and I'm sure that they also help take up space in the landfill."

Supervisor Janoski, "And what's going to happen is you're going to have to rinse that bottle. You have to crush it and you're going to have to separate it and that's part of what is coming. And there is going to develop, in years ahead, a market for recycling plastic as well as many of the materials that we presently bury. But it's going to be very painful as you can see tonight."

Ray Kreiger, "The other thing is one more item. I went to the dump and I said I had two bad smoke detectors. Can I bring them on that free day? And they weren't on the list. So I said; what do I do with my bad smoke detectors? Well, nobody could answer me. And you have your little sign up there that says no this, this, this, this. Now if you go up to the guy that's working there that day well, I've got five car batteries at home. I can't bring them here. What do I do with them? Why not have a list so if I say what do I do with my batteries, they'll say that Gershaw in Medford takes batteries or Joe Smith in Coram takes smoke detectors. When you ask a question where do you get rid of the material that you don't allow in the landfill, do we have a place to take it."

Councilman Lombardi, "We are looking right now to build a building down there to pick up paint and wastes. As a matter of fact we're out to bid on it right now. Right now they should be taking that stuff from you and they should be keeping it in the building there. I don't know why they refused it."

Ray Kreiger, "They just said the smoke detector because it wasn't on the list. It has a radioactive material."

PUBLIC HEARING, Continued

Supervisor Janoski, "It does have. I was wondering what was wrong with smoke detectors. Gee, you can't transport them through the town John."

Ray Kreiger, "But once again, I'd like you to look into the fact of maybe letting me run my pick-up through the scale so I could do it the same way on a weighed basis."

Supervisor Janoski, "Well, we'll have to look at it. It represents an interesting management problem. Is there anyone else who wants to talk about garbage and its cost for disposal? Thank you Vic for not raising your hand. That being the case and without objection, I declare this hearing to be closed. Let's take a short break until 9 o'clock and let's get back at 9 o'clock and get going."

**7:45 PUBLIC HEARING CLOSED AT 8:51**

**TOWN BOARD MEETING RECESSED AT 8:51**

**TOWN BOARD MEETING RECONVENED AT 9:00**

Supervisor Janoski, "The meeting will return to order. The Town Clerk will please read the notice of public hearing indicating for the record that it is four minutes passed nine."

PUBLIC HEARING - 7:55 p.m.

I have affidavits of publishing and posting for a public hearing to be held on November 1, 1988 at 7:55 p.m. at Riverhead Town Hall to hear all interested persons regarding: The Application of Garal Realty. Change of Zone on Route 25, Calverton.

Supervisor Janoski, "Is there anyone present representing the applicant?"

Peter Danowski, Attorney, "Representing Garal Realty. I've indicated that Charlie Cuddy who is backing me up five minutes later at a public hearing. I'd indicate that his hearing is next in five minutes. I'd indicate that we've had a previous meeting before the Town Board but the public notice was not accurately depicted in the newspaper. And therefore, we adjourned that particular meeting and renoticed the matter for a public hearing tonight. So some of my comments are a repeat to this Board but they may be new to people who were not here at the last meeting. By way of history, the applicant, Garal Realty, owns a piece of property in Calverton. It's located across from Peconic Lane. It is, I believe, property that used to be farmed and owned by Lenny Kobylenski. There is a home and some barns on the front portion of the property which borders on Route 25 and the Main Road. The property is zoned industrial. My client, approximately two years ago, went to the Riverhead Town Planning Board and began what has become a very long process in seeking to gain approval to do an industrial subdivision on the site. In the two year period, the

PUBLIC HEARING, Continued

Peter Danowski, Continued

Planning Board, the Planning Staff and the outside planning consultants have made certain indications to my client both verbally and in writing which have culminated in this application to this Town Board to change the zoning from industrial to residential. In fact, a neighboring property is located in the agricultural "A" zone which permits one-family residential homes on a one acre yield basis. The Planning Board has also made a fact finding resolution and they have made a fairly firm recommendation to the Town Board and have mentioned the reports and the fact finding resolutions to each client that appears before their board, the Planning Board. In essence, we have been told that the Master Plan revisions have indicated that this land should not be industrial and should be residential. There have been further comments made that my client should give up his right to build on a one acre yield basis. And he has perpetuated, thrown his hands in the air and said okay. You want residential, we'll do residential. We've got 76 acres. We'll build 38 lots. So we have a proposal for 38 lots on 76 acres. We've also would rather have done a standard subdivision which would have been large lot subdivisions coming somewhat close to two acres in size. Again, the Planning Board, its staff and its reports have recommended that we cluster the subdivision. Meaning that the lot sizes decrease and that we create some open space areas. And we've done that. We've submitted the plan to the Planning Board that can not be acted upon because the property is not zoned residential but we have indicated what we are willing to do and we have come to this Board at a previous meeting and now at this public hearing to seek support for our petition to change the zone from industrial to residential. That is the topic for discussion tonight. It's not the layout of the plan. But it's merely should the land remain industrial or should it be changed to residential? There have been some theory over the years that in the Calverton area we should not put any more homes. That theory in part, was based upon the location of the Grumman facility somewhat nearby. We do have residential subdivisions in Calverton. We can specifically point to Kay Road and Timber Park. My particular client, if the change of zone is denied, will be back before the Planning Board with an industrial subdivision and he will have to go through another, probably, year process of going through an environmental review on a piece of property that has no wetlands and will have to file an environmental impact statement and go through the necessary process which will do nothing beyond raise the cost of lots to potential buyers. The justification as I understand it of the Board members, perhaps Mr. Pike's most aware of this because he's attended most of the meetings. The rationale as I understand it, is that Suffolk County Health Department for one, have a great deal of control over what can happen in the Town of Riverhead as far as building is concerned. They have indicated that we are in a certain recharge zone with regard to water supply which lets the County of Suffolk dictate who can build and under what circumstances. By that I mean, and again I'm using and paraphrasing the words of certain staff members in the town that because of Article 7; unless a sewer plant facility were to be built in the area to supply this particular subdivision, that an industrial use would not be allowed by the county. So if the land remained industrial and a sewer plant were not available, then there would be

PUBLIC HEARING, ContinuedPeter Danowski, Continued

in effect, an adverse condemnation and no use of the property other than, I presume, to farm it. That being the case, I've asked this particular Board to act upon our petition to change the zone to a contiguous zone of agricultural "A" or any other residential zone that would allow the single family home to exist. And I've indicated that I'm willing to covenant or contract that no more than 38 lots would be built if this were to be done. Again, after the zoning were to take place, we still are subject to review by the Planning Board as to the specific layout and road locations, drainage locations, open space areas. That being said, I'll listen to any other comments here and perhaps address them again. Once again, if I were starting this application today and I had some of the comments I heard from the audience the last time or from individual Board members, I'd appreciate some of the Board member's comments that were; perhaps this should have industrial. That would have been nice two years ago if I had the support to keep it industrial. And if this Town Board then or now were to go to the Health Department and either sue the Health Department or get them to voluntarily change their regulations to allow an industrial use of the property. And I'm presuming the town is correct when they say that an industrial use would not be allowed without a sewer plant. Thank you."

Supervisor Janoski, "Thank you Peter. Is there anyone present wishing to address the Town Board on this application?"

Bob Pekar, Calverton, "Once again I'll reiterate what I had to say the last time. I am adamately opposed to this changing of zone from industrial to agricultural or residential or anything else. Too much of it has been going on in this town too long. And if it continues, this town is going to find itself in a much worse position than it is now. A recent article in one of the local papers concerning a low income housing proposal. The quote was; the mood of the town is that any kind of growth, business or industrial, gets a thumbs down. Gets a thumbs down from who? The last paragraph in this particular article, quote, the people of Riverhead need to make some hard decisions. If they don't, then you have virtually closed down Riverhead. I would like to know who in this town, is the thumbs down. I don't hear people coming before this Board all the time telling you not to develop industry, not to develop jobs. Who are the thumbs down?"

Supervisor Janoski, "I would say that you've probably missed a lot of meetings Bob. But any project that comes before this Town Board brings with it a number of people who strongly oppose it."

Bob Pekar, "Yes, and you people knuckle under every time. You develop an industrial area and then you allow people to move in around it and then they start crying because there's some noise or there's some other reason. And the first thing you do, you reverse yourself, you take a back step and you change. West Lane is a perfect example. Not that maybe West Lane was the most ideal area for putting a plant in the first place. But at one point, a Town Board,

PUBLIC HEARING, Continued

Bob Pekar, Continued

whether it was you or someone else, said this is industrial. And then the minute somebody cries wolf, no backbone. Now, the Calverton area is a perfect location for industrial property. It is close to the Railroad. It is close to the Expressway. Traffic doesn't have to go through Riverhead. It doesn't have to go down Sound Avenue. You people have got to start making some kind of a Master Plan and I've heard this word Master Plan for a long time. And every time there's a Master Plan, there's a revision coming out. It's about time that we sat down in this town and said what are we going to do for our future. About a month ago I was at the Middle School. I was standing watching the girls play field hockey. It's kind of nice to see the young kids developing. Half a dozen young boys came up to me. They asked me if I was a principal from Shoreham/Wading River. They were playing Shoreham at the time. I told them no. And they said; gee mister, you must have a pretty good job. Are we going to be able to have a good job when we get older. This is true. Are these kids going to be able to have jobs in this town? Are they going to be deli clerks working in stores or some other menial task? Or are we going to do something for these young people? Right now it rests in your hands or whoever comes after you. But sooner or later you're going to have to bite the bullet. You have to bite the bullet on the sewer problems. You have to bite the bullet in the garbage. But I hear nothing from this Board about a comprehensive plan to develop an industrial base in Riverhead. Nothing. The paper a few weeks ago quoted you Joe that the tax base had come along nice with a good balance between residential, commercial and industrial. Name the industrial. You can't."

Supervisor Janoski, "What paper did you read that in?"

Bob Pekar, "The same paper this article is in."

Supervisor Janoski, "I remember saying that what is necessary is a good balance. I don't know that I said there was a good balance."

Bob Pekar, "There was a comment on the tax base as it had grown this past year."

Supervisor Janoski, "We did have 25 million dollars in growth, but that was for many reasons. I will comment that balance is necessary. Industrial business growth is necessary and that would be my comment. I don't read the papers any more because they aggravate the h--- out of me."

Bob Pekar, "They aggravate me too. I've got a pocket full of aggravation right here. But the whole point of the matter is, what goes in the paper one way, shape or form comes from you people. Whether it's your constant bickering or arguing that you can't get together on anything or anything else. What gets in the paper one way or another, comes from you. Whether it's misquotes or accurate quotes or what not or partial quotes, but it gets in the paper. But the bottom line is, we can't afford to constantly live in Riverhead and say this is an agricultural community. Riverhead is not

PUBLIC HEARING, Continued

Bob Pekar, Continued

an agricultural community any longer. And anybody that wants to hide behind that, look around and watch the farmers selling out. We've got to wake up."

Supervisor Janoski, "Bob, I would hope that you will continue to attend these Town Board meetings and I sincerely mean that."

Bob Pekar, "I stopped attending when I was on School Board because I was being misquoted as representing the School Board."

Supervisor Janoski, "You don't really need to answer this but shake your head. Your testimony is that you'd rather see it stay industrial."

Bob Pekar, "Absolutely."

Supervisor Janoski, "Thank you. Way in the back. Bill."

Bil Nohejl, Aquebogue, "What I stated a couple of weeks ago is still on the record?"

Supervisor Janoski, "Yes. It is part of the record of that meeting two weeks ago and will be included. But you can reiterate yourself."

Bill Nohejl, "I'm wondering who gives certain people the authority to state two acre zoning? I'm speaking to you Mr. Pike. What gives you the authority to make recommendations or strong suggestions to the Planning Board without being approved by the whole Town Board?"

Councilman Pike, "Sure I'll answer it because it's so full of inaccuracies that I think Mr. Nohejl stands to be corrected. The fact is that there are an enormous number of people who think that a tripling of the population of the Town of Riverhead and all of the schools, highways, police services, ambulance services, hospitals, that the existing taxpayers would have to build to support all of those people. It is a bit much to bite off. The impact on taxes would be enormous. The upzoning from one unit to two acre zoning cuts the amount of saturation population of this town that we'd have to support, in half. The amount of money that the people would have to pay to support those citizens, would be cut in half. This isn't my idea alone. At the moment, the unified Planning Board of the Town of Riverhead unanimously supports the upzoning to two acre zoning."

Bill Nohejl, "That was your pet thing when you were elected."

Councilman Pike, "Just because I happen to support it, does not mean it's a bad idea."

PUBLIC HEARING, Continued

Bill Nohejl, "It was not.... Wait, hold it. It was your pet thing when you were elected. To make a high edjolon for yourself and you're pursuing it. And you're digging into the farmer's pocket and other people's pocket and I think you're a little out of step. You're afraid to bite the bullet as a Town Board. You're saying about population. You're readily agreeable to make housing for the elderly because of no schools. 1990, I mean the year 2000, where is the youngsters going to be around here to work on the town, work around in factories? Sure you've got Glenwood. We got Thurms. We got all these elderly places and one has to die in order for another one to move in. It's a stagnated town. You people are afraid to bite the bullet to build schools, to build everything up. You're taking it out on the people who are really affording this town. I mean keeping this town up. The farmers were here long before you come Pike. Long before you come. And they've got it in for you. I'll tell you right now. You're digging into their pockets. And there is no... What do you want to say Joe?"

Supervisor Janoski, "I just wanted to remind you that we will be having the hearing on the farmland proposals at some time in the future."

Bill Nohejl, "Here is a situation today where the man put 38 lots on 76 acres. He can not build industrial and he has to come for a change of zone for residential and it has to be someone instigating this in order to come up with these proposals. And I don't think the Planning Board has the authority to do what they're doing."

Supervisor Janoski, "I don't know what the answer to that question. Sure enough, they did make the recommendation for two acre."

Bill Nohejl, "Right. and they don't have the authority to do it."

Supervisor Janoski, "Not only that but the zoning isn't there either. But the applicant is willing to accept that. And you're right."

Bill Nohejl, "And he's a d--- fool."

Supervisor Janoski, "Ok. But Bill, what I need to address this hearing is the change of zone application. Do you think it should be allowed to change from industrial to a residential use? That's the question. Are you in favor of that? Do you object to it?"

Bill Nohejl, "No. Because what are you going to do with all the rest of the property on the south side of 25 by Calverton? You are going to have houses move in even on a two acre zoning next to Grumman. People in Timber Park will tell you what the noise is there now. I disagree with it. The proper thing is industrial and get away from this recommendations of two acre zoning for residential. It's not the place."

PUBLIC HEARING, Continued

Councilman Pike, "Bill, could I ask a candid question? If in fact, you're in favor of industrial zoning for this particular site, could you name for this Board three particular industries that you think could be sited in hydrological zone III, our water recharge area?"

Bill Nohejl, "There is a lot of people looking for dry storage and that will not effect your ground water. I'm not saying that everything should be R&D. R&D should be where it should be a sewer. There are a lot of storage of material which do not drain into the ground water. People are really looking for places to store. There's Miller Machine right down here right next to the water on Pulaski. They did a beautiful job. Why can't other places like that be located around town?"

Councilman Pike, "Nothing other than dry storage?"

Bill Nohejl, "I beg your pardon?"

Councilman Pike, "Nothing other than dry storage."

Bill Nohejl, "Don't get cute now Pike. You know there's others. I can't name them all."

Councilman Pike, "It's not cute because if we keep the zone for something that you saturate the market in, those properties become absolutely unbuildable. And all of this talk about industrial development are to naught. In fact, this town three years ago, had more industrial zoning on its map than the entire county of Nassau and that didn't provide any major impetus to industrial development. Industrial development needs the services of industry. It needs the ability to do something more than just store things. It needs to be industrious. It needs water supply. It needs sewer systems. It needs transportation modes. And these sites that you are talking about, this particular site, has none of those things. And I agree with you that there is a need for industry. And the recommendations of the Planning Board has enough industrial area in it. It has hundreds and hundreds and hundreds of acres of industrial zoning in it. All of which are provided with the possibility of water, sewer and the extension of the Expressway. Not the extension of it but being right next to the Expressway. And it will be a long time before all of that gets developed. There's only so much dry storage you can put into this town. And the question is not whether. The question is where. And it seems to me that putting it on top of the hydrological zone III is entirely inappropriate. That's not a personal opinion. That's an opinion based on what happens when you put industry on top of your water recharge system. The track record is not real good."

Bill Nohejl, "And what happens when you put people next to Grumman?"

Councilman Pike, "It turns out that this particular site is not in the ACUZ. So the federal government has not decided to regulate in this area."

PUBLIC HEARING, Continued

Bill Nohejl, "Try to put something there."

Councilman Pike, "A fair number of people would have to get acclimated to Grumman but I don't have any problem having Grumman there as a neighbor. They're occasionally a noisy one when they are doing their job for national defense. Some people might choose to live next to where they work."

Bill Nohejl, "You don't live there Pike. That's why you don't mind."

Supervisor Janoski, "Bill, the bottom line here is that you are opposed to the change of zone?"

Bill Nohejl, "Definitely."

Supervisor Janoski, "Thank you. Yes."

Betty Brown, N.F.E.C., "Since the town has seen fit to update a Master Plan for Riverhead also known as the Farmland Plan and since the town is near the final evaluation and review of such a plan, it would seem responsible to delay shortly a decision on this change of zone application. More information will be available during public hearings. We ask the Board to evaluate the recommendation of the Planning Board and consider the farm neighborhood zone to be a consideration. These comments are not directed to understate the need for industrial land in the Town of Riverhead but rather directed toward master planning now in place of strip zone changes to solve problems. Thank you."

Paul Baker, "The Town Board has been working for the past two years to plan out the future use of farm land and industrial land in the town. The Planning Board has recommended the change of zone should be considered only when the Master Plan revisions are completed. We request that you reject the application for a zoning change at this time and support the Planning Board's recommendations. Thank you very much."

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

**7:55 PUBLIC HEARING CLOSED AT 9:28**

Supervisor Janoski, "Let the record show that the hour of 9:28 p.m. has arrived. The Town Clerk will please read the notice on the 8 o'clock public hearing."

PUBLIC HEARING - 8:00 p.m.

I have affidavits of publishing and posting for a public hearing to be held on November 1, 1988 at 8:00 p.m. at Riverhead Town Hall, to hear all interested persons regarding: A Scoping Hearing on the Site Plan Application of Village Square.

Supervisor Janoski, "Thank you. While the attorney for the applicant is coming to the microphone, I would explain to you what a scoping hearing is. It is part of the procedure bringing this into compliance with State Environmental Quality Review Act. It is essentially that. That an applicant who is about to prepare a draft environmental impact statement will now hear from those interested parties, those issues of which are of concern and those issues which it is felt should be addressed in that draft environmental impact statement. This is not a public hearing which addresses your feeling pro or con for the proposal. It is a public hearing to afford you the opportunity to address those issues which you feel should be addressed in the environmental impact study. Mr. Cuddy."

Charles Cuddy, Attorney, "Mr. Supervisor if I may, I appreciate the comments of Mr. Nohejl and Mr. Pekar. I usually don't get advance or appointment to come for this. But certainly I'd like to follow up on what they indicated. We have a piece of property that's zoned "CR". We don't want to change the use. We just want to use the property. Our property is approximately 9 acres of land. It's on the west side, the west side of the land is Grumman. It runs approximately 800 feet on the road east, the road being Route 25, across to Fresh Pond Avenue. We have at that site, proposed to build 65,000 square feet of retail type stores as permitted in the "CR" district. Previously, I understand that the Board has talked to the applicant. The applicant is willing to phase in this particular operation by building 20,000 square feet or two units in the first phase and then building the others at a later date. I believe that the land, quite frankly, has very little environmental significance to it. I think there certainly is something the Board should consider as far as traffic. I think there may be some other considerations. But by and large, this is not a plot, as far as I'm aware and as far as the applicant is aware, that has anything that should cause us to have significant environmental concern. The applicant is here. His engineer is here and I'm here. We'd be happy to answer any questions. But I would hope that after hearing from everybody, that the Board would narrow down and merely refine those areas they want us to investigate in connection with an environmental impact statement. Thank you."

Supervisor Janoski, "Thank you. Charles, would you lift up that one microphone please. Thank you very much. I want you to watch what happens now Bob. Is there anyone present wishing to address the Town Board on this scoping hearing? Well, if that's it...."

Martin Sendlewski, Architect, "The only thing I'd like to say in reference to the application is I think that the items that should be addressed should be extremely minimal in the DEIS if one should really be required at all. The property is zoned for "CR". It meets all the density. It meets all the design requirements and it can be phased. I think, I really don't know if one should be required because it does meet the requirements."

SCOPING HEARING, Continued

Supervisor Janoski, "I understand that there's some sentiment in the preparation of this impact statement that would ask you if you can guarantee to us that you're going to make it financially in business. I mean, that's a question that I have heard. I was absent at that particular meeting."

Charles Cuddy, "Mr. Supervisor, I'm not sure that that's really germane to an EIS statement. I don't know of any place in the Environmental Quality Review Act that talks about having an economic need test. But I would point out to the town that if it is true that there is an economic need test, the zone itself was created in 1986 which was two years ago. The map has been amended since 1986 at least on one if not two occasions. I would have supposed that the town would have considered if a need is incorporated even at that time that the need had been met. In other words, the zoning itself should establish the need and I don't think the applicant has to go any further than that."

Supervisor Janoski, "But I was given to understand and I was not at that particular Town Board Work Session, that the motivation for conducting this environmental impact statement was in fact, that main point; the need assessment, the demonstration that it could be successful."

Councilman Pike, "Before you respond to that, could I...."

Supervisor Janoski, "Are you asking for the floor Mr. Pike?"

Councilman Pike, "I certainly am because you're representing what was said at meeting you weren't at."

Supervisor Janoski, "I was just reporting what I was informed of. Was I misinformed?"

Councilman Pike, "You certainly are putting on a lovely little spin on her. Let me. Charlie, talk frankly.... There is a concern here and it has an economic basis in it. And Irene is right Marty, you should have quit while you're ahead. Here's a reality. In the Wading River Hamlet Study, they looked at the ratio of people per commercial square feet for retail and the type of operation that you anticipate building here. And they found that in the Wading River Hamlet alone and if you assumed a fairly high participation in that population base in purchasing in the Wading River Hamlet, that they had over a million square feet too much "CR" retail potential in the hamlet. In other words, that a lot of that would be built and there would be no tenants and it would sit there like a white elephant. Your project is even more interesting along those lines, your clients project is more interesting along those lines because it has absolutely no population base to the south and to the west because you've got over 6,000 acres of the Grumman test facility. And the catch basin for your project was arguably Wading River and Riverhead which was already over supplied. There's a real concern that in fact, your client might be building a white elephant. And quite frankly, I don't think he wants to do that. If he's not building a white elephant and he can get tenants, he's got to get his customers

Councilman Pike, Continued

from some where. And they would be draining those out of the new and existing businesses of Wading River and of Calverton and of Riverhead. It's a real concern. It is something that effects the human environment more than it does the natural environment. The human environment as you know, is one of the things you can consider in SEQRA. But that certainly wasn't the only reason for this. This is the largest, in its fully developed form, the largest project to be done under the "CR" code. It has the potential, like any project, particular large ones, of being done well or has the potential of being done not so well. Environmental review is one of those things that enables you to ensure that it is done well. And that really is the thrust of it. To enable what the code does allow in a way that would be both environmentally compatible and not an economic white elephant. I don't see any real concern that that's an inappropriate analysis for us to make at some point during this application. And I would suggest to you that your client has got to take a good hard look at what's going to work there. That is his judgment to make. That's not ours. He can perceive that. We know that. But still if you build a white elephant down there, it would have an impact on the human environment for the town. I don't think anybody wants to see that happen."

Charles Cuddy, "But that's always true. I mean, it's not just true to this applicant. That analysis is true to every application that's made in the Town of Riverhead. So it shouldn't be just visited upon my client. I assume that when the Board allowed, when the town allowed without too much upset, 16,000 square feet on the other side of the road a half mile to the west of us, that a like analysis was made. And I would assume as I said before, I think it is germane that the "CR", the introduction of the "CR" district in this particular location on both sides of the road, north and south, had the same analysis made. Because if it didn't, then you're failing the applicant before he even gets to the Town Board. Because certainly, the same analysis, at all times, has to be made in zoning. Whether you're going to need that zoning. The Board made a deliberate decision. That it needed "CR" zoning in that particular locale."

Councilman Pike, "What was the zoning before "CR" there?"

Charles Cuddy, "I think it was business to my recollection on that particular location."

Councilman Pike, "So in fact, going from business to business "CR" would have been a reduction in the amount of retail space you could have built on it."

Charles Cuddy, "That's correct. And I assume that there was some thinking that went into that. So I think it's fair to this applicant."

Councilman Pike, "I think it's pretty clear on a factual basis that we have not added up all the potential space in the Town of Riverhead and compared it to the demographics of the catchman basement for the people shopping in the Town of Riverhead. That was clearly not the case when we finally did look at it in Wading River and the result

SCOPING HEARING, ContinuedCouncilman Pike, Continued

there was quite clear. It is extremely difficult to get rid of any sort of commercial zoning here because it's perceived as a threat to value on industrial development. And the shift that was made here was more of an architectural design shift from single strip malls to what "CR" provides which is campus style separated buildings. That was the basis of the decision and not a hard look at catchman base and the amount of people that would actually shop at this. It never came up."

Charles Cuddy, "But the point that we seem to ignore, at least in our dialogue that you and I are having, is that it's there. That this is zoning that is in place. And what you're saying to the applicant is we're going to second guess you applicant. You come in, you spend your money, you make your bet that you can economically make it and we're going to tell you that you can't. I don't think that's the place of the Town Board and you and I obviously disagree."

Councilman Pike, "It's not a dictation to him at all. It's just a question of analyzing. You've already made the concession on phasing it in. I think the phasing in of it is an amply way of saying you're worth. That's the mitigation of this particular issue. It's like we're already dealing with it on a productive basis. I don't by this, telling you whether you can or can't do this at all."

Charles Cuddy, "Alright. I appreciate that and I accept that. That's what we will do, phase it. Thank you."

Superviso Janoski, "Anybody want to address the scoping hearing? Steve."

Steve Haizlip, "There's already, I think, sixteen stores to the west of Fresh Pond Road. I believe that's where Suffolk Gardens corners on Route 25, Fresh Pond Road. If I remember correctly."

Supervisor Janoski, "Are you talking about the new construction that's underway there?"

Steve Haizlip, "Where this fellow is talking about. Mr. Cuddy where he's the one to go on Fresh Pond Road."

Supervisor Janoski, "It's across the street. It's on 25."

Steve Haizlip, "Ok. Now I've got it."

Supervisor Janoski, "There's a rather large farmhouse on the property."

Steve Haizlip, "Alright. Now I've got it settled the way it wants to go. Well, the only inhabitants in that area so to speak, is Timber Park and turkeys from Miloski. Now he made a statement that I agree with and he was debating with Mr. Pike. If he wants to take his chances and build there and it gets granted the permission and he don't make out, that's going to be his hard luck. Right?"

11/17/88  
SCOPING HEARING, Continued

Supervisor Janoski, "Is there anyone else present wishing to address the Town Board on this scoping hearing? That being the case and without objection, I declare the hearing closed. Thank you very much Charles."

**8:00 SCOPING HEARING CLOSED AT 9:43**

Supervisor Janoski, "Let the record show that the hour of 9:43 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 on November 1, 1988 at 8:10p.m. at Riverhead Town Hall to hear all interested persons regarding: The Proposed Budget for 1989.

Supervisor Janoski, "Thank you. Is there anyone present wishing to address the Town Board on the proposed budget for the year 1989? Steve."

Steve Haizlip, Calverton, "If I've been reading in the paper correctly, these raises for Councilmen, Supervisors and other personnel is from \$4,000 to \$6,000. Now, I'm going to have a little trouble in probably trying to phrase myself the way I'm thinking. But as Mr. Lombardi said once, if you're at a meeting and you want to express yourself, you've got to get up and do it. Now, I've been on the present job almost 34 years. And in my position, I'm qualified to do the job. Now I can't get these kind of raises what so ever. Now, after 34 years I'm just still in the beginning of 30 thousand. Now, a lot of companies are getting hard pressed. My supervisor said you deserve a raise but the company is in a bad fix. Now, not only my company but a lot of other companies is there. Now, I'm going to quote Mr. O'Brian. He's the present chairman and president of the company or corporation. Now, he was at a meeting of the Long Island Association I believe it is. And he stated a fact and he brought out Suffolk County Legislature as an example that we've got a lot of government getting a lot of money and it's hurting a lot of these corporations and smaller people. Now, I'm not saying that the councilmen here and yourself and the other people that's involved in these raises is not due a raise. But I think that raise should be in line with what industry can afford. Now because we are having to pay the money and I want you to think for a minute. In order for me to make any money and keep up with my bills, I've got to be there on Saturday and I pray to god that they'll let me there on Saturday. So far we are. Some of us. Now, I was once on an Air Base. I should say that I was stationed on a civilian field but I was in the military in the 50's and there was a fixed base operator there and he was complaining about his cost and so forth and he could not keep up with it. And he says gosh, I wish I was like you fellows. A bottomless pit. Well Joe, all of us out here is not a bottomless pit. We're having trouble with coping and getting along and making money. You people can go home at 4 o'clock. A lot of people have got to stay on the job until 5:30 and you don't work any Saturdays

Steve Haizlip, Continued

and Sundays and some of us have to work Saturdays and Sundays to keep up with it."

Irene Pendzick, "I haven't been home since 8 o'clock this morning."

Steve Haizlip, "That's only on Tuesdays for the meetings."

Supervisor Janoski, "Steve, go ahead. I'm sorry to interrupt you."

Steve Haizlip, "Now, the raises, I don't care whether it's the state, town or the county. They should be proportioned evenly, by somebody made a mention one time about 15 hundred to 2 thousand dollars. Now, that would seem to be appropriate. I mean my gosh, we're going from 4 thousand to 6 thousand dollars and we're around here with higher taxes. We've got a bill over our heads from the Bernstein Brothers and we've got to pay that up. So I would like to consider trying to come down within reasonable range of us workers that's got to foot this bill. Now I realize over in the county there is a lot of space cadets over there and a lot of people (as the Polish people say) sit in dupus that is up into 80 grand and so forth. They again, they think we're a bottomless pit just getting it up. But for the town, we're on a lower level government. And of course, maybe we don't have all of the responsibility they have. Well anyway, whatever you think, you think you do. But I'm saying have a little pity on us and try to keep these raises down a little bit."

Supervisor Janoski, "The only problem I have with what you said Steve is the one comparison you made of us to the Suffolk County Legislature. Outside of that, thank you very much. I understand Steve."

Steve Haizlip, "Ok. I don't have to elaborate then."

Councilman Pike, "Joe, if I might. What I'll agree with Steve on the general idea, is that the pay increases ought to be substantially less. In fact I will continue an offer of a resolution to bring it down to a compromise position of 23 hundred instead of 4 thousand, 45 hundred and 6 thousand. But I just want to make clear one thing that I don't think is an issue and that is the amount of time that any person on this Board spends doing their job. I have found, and as an attorney, I have to keep track of my time. I have found that I am working basically, somewhere between 70 and 80 hours a week professionally and that 65% of that time is done doing town business. I, in addition to that,...."

Steve Haizlip, "I'm not at the mike but you took this job on an elected vote. So if you put in 40 or 50 hours of your own, you have got to do it."

Councilman Pike, "I understand that and you're getting to my point. What I don't want to be an issue here is that any member of this Board doesn't work their butt off because they do. Every one of them. We each have our different ways of handling our responsibilities. I tend to spend a lot more time working in my law office

PUBLIC HEARING, Continued

Councilman Pike, Continued

and you yourself have come there from time to time to talk to me about town business. And there are specific instructions that the receptionists office when calls come in, if I'm not here, refer them to my office. And specific instructions to have people call me there. That phone is listed and I'm available. I like it there because it's my operation. I get to do better things because I'm more productive there. But the point is that the amount of time these people spend is not the issue. We spend a lot of time on this job. Everyone straight across the Board. What is the issue is whether or not we're earning it. The money that we did pay and I have two thoughts about this. This is not the year to go bouncing around saying what a great job we've done with the financial management of the town and reward ourselves with a raise. We haven't. Collectively we've taken some of the most serious blows that we've ever taken and I don't think there's any reward there. The second one is that we did get elected to take this job at a certain level of pay. And I took it for that reason. I knew what I was going to get and I have merely expected a cost of living adjustment on that from time to time as I would expect of other public employees. As you can see, I am inferiorating every member of this Town Board by having this candid discussion."

Supervisor Janoski, "It's not the candid discussion. It's the length of the thing."

Councilman Pike, "Alright. I'll make it real simple and short. I don't think that these raises are justified. I think they ought to come down to a reasonable level and I will say that until we vote on the entire thing. Is that short enough for you?"

Alice Graff, Riverhead, "Thank you Robert. It's strange. I was going to say so many of these same things you're saying. So first I want to say I felt I must come to the defense of Denise and Rob. Yes it appears that they are not in their office as John and Lou are for which I am most grateful as I have noted in the papers. But I have been going to the work sessions since February, these last eight months and I have seen the homework that everyone does. I am most grateful for their participation even if they're not here. The main function of my speech today is a major function of our elected officials is the stewardship of monies primarily garnered from taxpayers. This year you, our elected officials, are borrowing money in our name for various, major projects. Projects known as salt storage barn, ambulance barn, a new phone system, a new computer system, the water system, sewer system. All requiring loans of over a million dollar for each project. Yet this is but part of the list as you well know. Add to these the money borrowed in the name of taxpayers to pay back the over assessment of Northville Industries. A twenty year loan with which we must pay Northville two hundred thousand dollars each of these twenty years. These loans do not take into consideration what the taxpayer will be forced to borrow to pay for the landfill program that must be put into place. As members of the Board, you are well aware that this project is going to be a gigantic expense. Isn't that strange. We were discussing that before. We are all aware that this is an off year for local elections. As such, you, our elected officials, are not hesitant to request longer terms for certain positions. And you, over-

Alice Graff, Continued

all, I believe, are completely out of order in requesting a salary increase beyond the 4% cost of living, let alone a major salary increase for yourselves and other elected officials. I am certain that the thought of this decision has been, by the next election, these items will not be an issue. But if I were you, I would not put a wager on that thought. You were elected with your present salary. If you wish to have that salary enhanced, make this a part of your election campaign the next time you seek re-election. If you have warranted the increase, it will be granted. Thank you."

Supervisor Janoski, "You're up sir."

Charles Cetas, Howell Court, "I'm at the public hearing and I notice you ran out of copies of the budget and really I can't discuss the budget item by item on an intelligent basis. I've seen the salary increases in the newspaper. And I just have a simple question really. Why can't you do the same thing and save yourself the embarrassment of going through this stuff of voting yourself a pay raise and do what the School Board does? Put the town budget to the tax-paying voters of this town. Let them vote on it at election."

Supervisor Janoski, "Quite honestly, it's not permitted by law."

Charles Cetas, "Well, get the law changed. I don't see why the law can't be changed."

Supervisor Janoski, "There's no question that the law can be changed. The problem we have unlike the School District is that we can not pass on...."

Charles Cetas, "That's the fair thing to do."

Supervisor Janoski, "Are you going to let me finish my answer? We can not pass off to the public our decision making responsibility."

Charles Cetas, "I don't see where that would be a pass off. You'd be starting to come up with a budget and you're just going to put it to the taxpaying voters of this town."

Supervisor Janoski, "I'm not debating it. I'm just pointing out..."

Charles Cetas, "I don't see why if the School Board can do it, why can't you? It's a simple thing. You publish it in the newspaper and the people have a chance to vote on it."

Supervisor Janoski, "When you finish, let me know, give me a signal."

Charles Cetas, "You can vote it up or vote it down one way or another."

PUBLIC HEARING, CONTINUED

Supervisor Janoski, "Are you finished? It's not permitted by law. The law can not change...."

Charles Cetas, "Laws can be changed."

Supervisor Janoski, "I would suggest that you contact your state representative to suggest that change in the law to him."

Charles Cetas, "Why can't you guys do it? You have lawyers that work for the town."

Supervisor Janoski, "The law of the State of New York looks at us as having a responsibility and that is to prepare a budget..."

Charles Cetas, "I understand that. I understand your point. I'm not stupid."

Supervisor Janoski, "...to listen at this public hearing, to weigh all the other evidence that we have and decisions that we have to make. And then for us five people to make a decision."

Charles Cetas, "Yes. That's all a budget is is spending."

Supervisor Janoski, "I'm not disputing that. It's partly mine too."

Charles Cetas, "I realize that. We're all citizens of the town."

Supervisor Janoski, "But that's the answer to the question that is presently not permitted by law for us..."

Charles Cetas, "Well I just don't understand why you can't get your law department or your town lawyer to investigate that possibility of getting the law changed so that the people of this town can vote on their town budget. That's all."

Supervisor Janoski, "We'll do that. I think it's an interesting idea. Joe Lynch and then Richard."

Joseph Lynch, "President of the Wading River Civic Association. I've been sitting back there listening tonight and I feel I had to jump in right now. A comment was made earlier this evening about the accessibility of Board members to the public. I understand that the gentleman had frustration and evidently had trouble in getting in contact with a Board member. And I understand that frustration because as a citizen, he should have a right to do this. He should have access. But as an officer in a civic association for the last four years, I thought I should relate an insight that I have dealing with the Town Board. I think that through my position, I've seen inside some of the time that they've put in. And to me, it's awesome. They have to be involved in everything from farmland studies to hamlet studies. From landfill problems to land acquisition. From zoning changes to site plan approval. From county meetings to state level meetings and every little petty problem from model airplanes to street lights to ugly beach guardrails. The amount of paperwork is awesome. And I have found that through the civic

PUBLIC HEARING, ContinuedJoseph Lynch, Continued

activities, that they've always been accessible and they've never turned down a meeting they've been invited to. I've always had my phone calls returned. I understand that private citizens may have this trouble and possible solution to that would be to get involved in community groups where these Town Board members can deal with larger groups rather than every individual groups problem."

Supervisor Janoski, "Thank you."

Richard Carey, Middle Road, "I'd sure like to have the opportunity to vote on the county budget. I think I could get a good story going on that one. There was one point that no one has referred to and I thought I might like to mention it to you. These adjustments, I calculate the average about 13.5% and that's for the whole group. And incidently, whoever did the figuring, did it right because I checked their figures. It was 59 thousand 500 dollars. But one point I'd like to make is the paper said we're also negotiating on PBA and CSEA. And this factor would be noticed by them and might cause some serious problems for us. And I have had some experience in this field and know that mediators and fact finders and arbitrators look at all of that type of information. So I would suggest that the Board take a more good hard look on it because it might cost a lot more than just what this 59 thousand 5 hundred is. Thank you."

Supervisor Janoski, "I would judge from the presence of the members of the CSEA here this evening, that you're absolutely right. Yes, Bob."

Bob Pekar, Calverton, "I'm not going to try and second guess you on your budget. Obviously you know more about what this town needs as far as funds then anyone sitting out here in the audience. Maybe you could get a vote on a budget if you had school buses and library books because that's about all they vote for in the school budget. No you don't. A couple of comments though. Again, looking through my favorite form, the local newspaper, I can't help but notice that we've got a \$21,900 bill for consulting work that we're not satisfied with. We've got \$55,000 that the Board spent on the scavenger plant from H2M and the Board's not satisfied with their results. And almost every meeting there's more talk about hiring more consultants. Mr. Pike said it today and he was quoted as saying it's been a terrible year for fiscal management. I would hope that the management of the town, the selection of consultants improve. That we do a little bit better job in who we hire and why we hire and when we hire. And stop paying money which appears to be thrown down the drain. Again, I'm only reading from the newspaper. But there's a couple of other things. You're hiring the Bay Constable I'm told. I also read in the paper that you're selling the police boat. I don't understand."

Councilman Pike, "There would be a new boat."

Bob Pekar, "I'm sure there will be a new boat. That's the whole point of my question. What's the matter with the police boat? If you're selling it, it's obviously serviceable because you would not sell a hulk."

Councilman Pike, "You would find that the operators of the boat find it basically unusable for some basic police missions. It is not a liftable prop so there's just an operations problem there. It can't go into beaches to do police work. More importantly, it is quite on in its age and it has gotten to the point where the service cost for that is exceeding the acquisition cost of a new one. And so it's basically gotten past its useful life. And anybody who wants to take up the challenge of maintaining that, is entirely welcome to. But you're right, there would be a new boat."

Bob Pekar, "So you're saying it's beyond economical repair as far as the job is concerned."

Councilman Pike, "Correct."

Bob Pekar, "Ok. Just a couple of other items. Mr. Pike, in the paper you're quoted as favoring a 24 million dollar project on the Sound that has a third supposed to be allocated to Hallockville Society, a third for some kind of Sound recreational facility and a third for resort community. And then it goes on to say that the resort community would finance the cost of the other two thirds of the project. And then it says that the cost of this project at 24 million dollars, would be paid through private donations."

Councilman Pike, "Let me explain a justifiable confusion that that article created and Mr. Wooley has heard it from me on this subject. That is misleading and let me just put it before you accurately. The only way that that project will happen is if there is some private market participation in it to pay the cost. In no way do we anticipate going out and having a fund raiser for 24 million dollars and that's just directly wrong and stands to be corrected. The basic idea is not to go ahead with the project but to take advantage of what I think is a limited window in time, an opportunity that we have to make sure that somebody else doesn't put a power plant on the site which is likely to happen with the Shoreham deal. And in the process, waste the single largest remaining possibility for public access to the beach and waste the possibility of expanding Hallockville. Rather than lose that opportunity, what that report suggests we do is to try to develop a package that would have three parts. And now what you said gets accurate. One third of it, again that is psychological rather than physical, a major portion of it would be a large public access facility for the public. One third of it would be dedicated to the future success of Hallockville. And one third of it would be put into a private market development like Entenmann. The idea would be is if you do this carefully enough, I do not say this would be easy nor am I sure this is possible, but I am sure it's an opportunity that we ought to take a look at. But if you do it carefully enough and it is structured well enough, that if you could close on the acquisition with permits that this town can grant for that sort of tri-part triple

PUBLIC HEARING, Continued

Councilman Pike, Continued

development if you could and immediately flip over the one third portion for private development into the private market, you could use the money from the one third private market development to pay the remaining cost of the rest of it. That basically uses private market initiative and funding to develop two public facilities. That is an extremely complicated piece of legal and practical work. I don't even offer you an opinion now of whether it's possible. I do know it's impossible if we don't try to develop that and if we don't try to develop it, there's a substantial likelihood that we're going to lose the site to PASNY with an oil burning or coal burning power plant and I just think we ought to take that opportunity now."

Bob Pekar, "I assume you don't have the 15 million dollars for the amphitheatre either then as far as private donations."

Councilman Pike, "The same basic idea. That was again, the idea is and it says quite clearly in the report. The reporting about it did not say that. And that one I just suggested that there is an industry that feels the air with music rather than smoke. It doesn't have a lot of impact on the environment. The town is not going to go ahead and build a 15 million dollar facility. But if you're seriously interested about industrial development at the end of the Expressway, some sort of recreational facility that is consistent with the actual population fluxes here, and I would refer you to the Great Woods facility in Massachusetts or Saratoga in the State of New York. That we ought to not prevent that. That the zoning code ought to enable so that the private market, if it chose to, could come in and do something like that. Again, we're not going to have a 15 million dollar fund raiser for building an amphitheatre like that. All I want to do is make sure that the private market can do what might be a good idea and that's why it's on the list of things to be analyzed."

Bob Pekar, "One other thing then. You refer to here the development of a beach or recreational facilities. You mention this more than once. I just want to remind the town that one of our best facilities in the town, our town couldn't handle and we basically gave away to Galasso for the Jamesport Marina. There was, there is town property that should be a boat facility for town residents that is basically for the private profit of an individual and for the usage of anybody that's got the bucks to put their boats in there. Now, it was a disaster before Larry took it over. But if this town is going to have recreational facilities and if we're going to be able to do the things for the people, then we've got to learn how to support them ourselves and take care of them and not have to give them away basically in order to keep it from deteriorating worse. Thank you."

Al Lane, Riverhead, "I notice a little hypocrisy getting back to the salary issue. As I remember it; two weeks ago, the resolution was brought up for raises between four and sixty-five hundred dollars I believe. Or forty-five hundred to six thousand. An amendment to that resolution was entered on the floor by Rob Pike recommending twenty-three hundred dollars which was voted down. Then the original resolution came back. A vote was taken on that original

PUBLIC HEARING Continued

Al Lane, Continued

resolution of raises and it passed unanimously by all five votes. Hypocrisy is the biggest sin of all. Now how can we justify that Rob?"

Councilman Pike, "Quite simply. The fact is that the over-all vote is.... The first vote is on what we have a hearing about and the second vote is simply; do we have a hearing on the budget or not. Should we have this meeting. And I was unable to limit which was what that vote would have done. It would have pulled down the upper limit on what those raises could have been in that vote. But I have a legal responsibility to make sure that this hearing takes place. Because if we don't have this hearing, it goes back to the original Supervisor's budget without any changes whatsoever and there is certain substantial improvements from the Supervisor's budget to the budget you're hearing. I'm not going to vote against having the hearing for that one item."

Supervisor Janoski, "I wouldn't go along with that Rob. I think some of the things the Board did were ridiculous but go right ahead."

Councilman Pike, "In any event, for example; the addition of the actual raises to all of the employees are not in that budget. I will be consistent throughout the vote process and the attempt to get those salaries down. I will also be consistent in making sure that these sorts of hearings take place and I don't see any hypocrisy in voting for having a public hearing on a budget part of which I disagree with."

Al Lane, "But then you should certainly not vote affirmative on something like that if you honestly and firmly believe that 23 hundred dollars was the figure you would have accepted."

Councilman Pike, "You're telling me that I should have voted against having this hearing that you're now speaking at?"

Al Lane, "No, not at all."

Councilman Pike, "Perspectively you're saying that."

Al Lane, "It certainly would have firmed up your case."

Councilman Pike, "I think you'll find that the case is quite firm and will get firmer as we go along here."

Al Lane, "Thank you."

Supervisor Janoski, "Thank you. Anybody else on the budget? I see a hand way in... Yes."

Cathleen Berezny, "Everyone has said what I wanted to say but I really think that you should get a 3 to 4% pay raise and maybe a merit raise of 3 to 4%, 6 to 8% tops. Brookhaven National

PUBLIC HEARING, Continued

Cathleen Berezny, Continued

Lab got 2 to 6%, the employees. The senior citizens are going to get 4.1 in their social security checks. Would any of you give your employees 20% raise for the year? Mr. Pike?"

Councilman Pike, "Absolutely not."

Cathleen Berezny, "Ms. Civiletti? Mr. Lombardi if you still had your garbage business? Mr. Boschetti if you still were in mobile homes? I think it's a little high now with 5 million dollars that we have to pay Northville. The town taxes and the school taxes, 20% is a little too high. I wrote a letter. If you'd like to have it on file, I can give it to Irene. I just wanted to say that please be prudent and fiscally sound for the Town of Riverhead. And six thousand dollars for Dottie Jermusyk, that's just a little too much."

Supervisor Janoski, "Thank you very much. Please give that to Irene and it will become part of the record. Is there anyone else that wishes to address the Board? Mr. Nohejl."

Bill Nohejl, Aquebogue, "I'm going the opposite way. I believe that you should increase the highway budget to allow Charlie Bloss to buy mechanic equipment to widen our roads. They are narrower and narrower and narrower. I don't remember when they've been honed and the soil taken up and grass that goes in naturally and from the sanding. This kind of mechanical equipment that I'm talking about would fit with his new tandem trucks. It would be all in the front and the conveyor taking that soil right up into his truck. It would increase our drainage on the sound of the road. It would widen the road and it would beautify the road. I am not condemning Charlie for what he has done. I don't believe he has the right equipment to do it. And this piece of equipment, I think, is going to cost a hundred thousand dollars at least. The state has it. The county has it and you see them used along the Expressway, Sunrise Highway and on county roads to widen them up."

Councilman Pike, "Did you name a particular piece of equipment?"

Bill Nohejl, "I will get it for you. It has a man operate it and it has an auger right in the front. The scraper pushes it out into the road, the side of the road and hones it out. And this comes along with the tractor and a bucket to put it up into the truck. It just goes right along and it augers it into the conveyor belt and it goes right up into the truck."

Councilman Pike, "The treatment they did to Sound Avenue, I think I've seen this."

Bill Nohejl, "I don't think Charlie has got that equipment."

Supervisor Janoski, "Bill, the problem, and you know Charlie has been buying equipment every year...."

PUBLIC HEARING, Continued

Bill Nohejl, "I said increase it. I didn't say...."

Supervisor Janoski, That's what I want to say. The state law prohibits us from spending more than two hundred thousand dollars per year on equipment for the Highway Department and that was just raised."

Bill Nohejl, "Those two trucks cost 150 thousand right there and he's got other equipment that's worth more than 200 thousand."

Supervisor Janoski, "It used to be for a town of the size of Riverhead, a hundred thousand. And the State Legislature just raised it (I think at the most) two years ago. So that is the limit that we must adhere to; no more than two hundred thousand dollars for equipment. And Charlie makes a determination as to how much money he wants to spend for that equipment. But as far as the piece of equipment that you're talking about, certainly he will take a look at this hearing and consider purchasing that in the future."

Bill Nohejl, "Can any of you on the Town Board tell me when this has been in the last few years; the widening of the road and cleaning up the gutters? Can anyone recall?"

Councilman Lombardi, "I know they have been working on the side of the road Bill. I don't know where and there are some highway men back there that maybe could straighten it out."

Supervisor Janoski, "They're not veterans. They've only been here a couple of years."

Councilman Lombardi, "They've been widened. How wide I can't say Bill. I know we widened Sound Avenue where we put the drainage in."

Bill Nohejl, "That was a necessity to widen it. Another thing is that I think there should be somewhat, a person or some kind of department created somewhat like an arborist to clean the dead wood out of government in town here. And believe me, there is a h--- of a lot of it. And the number three item why I said more money tonight. I have some of the feeling of the first fellow that spoke here tonight. I wish that the Councilman shall be full-time paid. Thirty-two to thirty-five thousands dollars a year. They are to be here to see what is going on in town overlooking the town operations. You get the people who come in here about the airplanes. A man should be out there seeing what goes on first hand not by what heresay, what this guy says, that guy says. Right there. This is a five day a week town. Forty, forty five hours. After Friday afternoon, this is a wide open town. Things come out that's unbelievable. There is no one here to over look it."

Councilman Lombardi, "I disagree with you there Bill."

PUBLIC HEARING Continued

Bill Nohejl, "Maybe John you might see it. But there's no one you can call on to come and look at what's going on."

Councilman Lombardi, "I disagree with you again Bill because you have called me."

Bill Nohejl, "John, you have a right to disagree. I'll grant you that. But if a raise is given to a certain point, I say go full."

Councilman Lombardi, "I agree with that too Bill."

Bill Nohejl, "And every... One of the four councilpeople, whoever they shall be, shall take two days off during the week and have one car between them and circle the town on Saturday and Sunday. Keep the Town Board advised. Keep the Highway Inspector advised. Keep the man that's handing out the violation of what's going on. After Friday, he will not come out an issue a summons. He will not come to see any violation. As I say, it's a five day a week town. And the extra money that would be involved I think would come back first hand. We need it. This town is too lax."

Mary Andruskiewicz, Jamesport, "I just want to make a quick comment on the 20% pay increase for the elected officials. I think 3% which was offered to the rest of the town employees would be more appropriate."

Supervisor Janoski, "Is there anyone else present who wishes to address the Board on the matter of the budget? Yes."

Donald Owen, Riverhead, "What criteria and guidelines do you use to come about, to come up with the salary increase you get?"

Supervisor Janoski, "Well, Donald I couldn't begin to tell you because it was... I really couldn't begin to tell you. It was an interesting discussion. But let me say this Donald. A public hearing is for you to tell us what you think of it."

Donald Owen, "Too much. For a poor town, you're making more money than the Southampton Town Supervisor and they're richer than we are."

Supervisor Janoski, "That's true."

Donald Owen, "It's a bigger population."

Supervisor Janoski, "It's an easier job. They have money over there."

Donald Owen, "You're taking it. We don't got it but you're taking it. Councilmen should be cut down to two councilmen. You've got two that are here, they're attorneys. You've got to speak to them in their offices. Town issues should be discussed in Town Hall. Law should be discussed in attorney offices. If John and Lou are the only ones here, the other two are wasted. You're paying 54 thousand for nothing. Right or wrong?"

Supervisor Janoski, "I don't know and that's something we are going to have to discuss. The answer to your question is that information was gathered of salaries paid in other towns. Numbers and calculations were provided and discussed. And the discussion we're having is exactly what should be taking place. The numbers that were published were agreed to as far as the purpose of this public hearing. We will see what happens as far as the actual setting of the salaries which will be very shortly. But we don't actually set the salaries until January but the budget has got to be adopted by November 15th."

Donald Owen, "Well, by reading it in the newspaper, it sounds like it's going to be four to one. Mr. Pike being the one that's not going to vote for it. So you're going to get your increase anyway and nobody has no say about it. You put it in, you vote, that's it. It's finished. But then you've got the people coming in their place, they get the salary too and they're going to increase it. Robbery starts at the bottom and then it goes to the President of the United States. It starts here and it goes up. Local government to the United States. Some people do their job. I won't push names. Some people do their jobs. I do my job. I take on work more than I'm paid. I'd like to get 45 hundred dollars. It's the people that do the work in the town. People said that Charlie Bloss cleans the road. Charlie Bloss don't do nothing. He just says this is what you're going to do today. We do the manual labor. We do the physical work. I don't think people realize that. Everybody gets the credit but the people that are doing it. He's not worth 43 thousand. A person that spends four months in office isn't worth 43 thousand. Six hours a week, 27 thousand for two days, three hours a day. I've got to be there eight hours, rain, sleet or shine."

Supervisor Janoski, "Well, I'd like you to spend a couple of weeks with me any time you'd like to."

Donald Owen, "Sure. I'll be Town Supervisor for a day."

Supervisor Janoski, "You're not young enough for that."

Donald Owen, "Thank you."

Supervisor Janoski, "Ok. I'd also like you to buy the tickets and raffels that I buy also. Anyone else? Yes."

Brad Berthold, Northville, "I'm not sure whether the councilmen and the supervisor deserve the amount of the raise that we've asked for but I'd like to say that I've been attending the work sessions for the past several weeks. I haven't had any problem with accessibility to the councilmen, particularly the two that were mentioned; Mr. Pike and Ms. Civiletti. I've seen the other councilmen just about any time without any appointment, just walk in when they happen to be here. I don't think it's a big deal if these part-time councilmen who are working very hard on any number of projects as has been mentioned here that I don't think any average person has any idea what their workload really is. If they're not

Brad Berthold, Continued

here in their office, I think the office is here for the convenience of the councilmen and the townspeople. But these people all live in Riverhead and it's a small town. They all live in the central downtown area and they're all accessible any time you want. They are doing their job. I'm particularly interested in the Long Lake project up in Northville and we've done a lot of work researching that. And we see the type of work they have to do to read a 400-page volume just on that one project and then you look at all the other projects that they have to pay attention to of which Long Lake is one small item. And I think they do more than their share and I can't imagine doing this job plus trying to do another job to survive on. Some of the councilmen have more time to spend down here than others but I don't think you can disparage any of them for not doing more than they have to do. What's amazing to me is I can't imagine after you watch what they do here, envision the town ten years from now with take double or triple the population and imagine them being able to do anything. You look at the Planning Director, Mr. Hanley and some of the councilmen will ask him to look up some information. One of the things he had to do recently at the bequest of the county was to go over every single lot in the Town of Riverhead and decide if every lot were built up to the maximum that was allowed under the zoning, how much sewage flow projection would be. Can you imagine trying to do that and that was one of many many tasks that he had alone. So I think that town government is basically doing an impossible job for a group this size. I think we should commend them on the work they do do. Thank you."

Supervisor Janoski, "Thank you. Anyone else wish to address the Board on the matter of the budget? That being the case and without objection, I declare the hearing closed."

8:05 PUBLIC HEARNG CLOSED AT 10:29

Supervisor Janoski, "Does anybody have any comment on anything on the agenda? Yes."

Mary Beth Andresen, Aquebogue, "I'm here this evening not to speak on the aforementioned budget hearing or all the other public hearings. But I do have one comment that I would almost like to agree with Bob Pekar on industrial development and where it's appropriate and what not to put next to it. What I'm speaking of is the resolution of Mill Pond Commons. And I find it hard to believe that this town can accept the final impact statement on the Mill Pond Commons without investigating the CCC Plant, their operations, their containments as well as their ingress, egress traffic studies and any escape plans that might be necessary for chemical spillage. During the scoping hearing, the one item that I felt necessary to address was the impact of high density housing proximate to a potentially hazardous and possibly murderous facility. I think this town is negligent now in not addressing this issue. And it is as negligent as it was when the issue of hazardous chemicals stored in the plant first became known. Mr. Janoski's only comment was that there was only

Mary Beth Andresen, Continued

two tablespoons of chemicals that were on the site. What he neglected to add was that the potentiality of these two tablespoons of chemicals that could contaminate and poison the entire East End if inadvertently handled in a less insensitive way. That was brought out at the last investigation of the plant. Gentlemen and Ms. Civiletti, I feel that this town must look into the CCC Plant and their entire operations with difference to heavy density housing planned adjacently. And by not doing so, leaves this town negligently responsible in case of any accident. I don't think that we, as taxpayers, can afford the potential lawsuit. I must also state that if scoping hearings are held and potential problems are focused by individuals to be answered during the impact studies, I feel that by not addressing these issues, the town has truly failed their constituents. And obviously the town is making their own decisions without difference to the questions of the people. And if that is the case, why have scoping hearings and public hearings when the impact is not investigated, when the input is not investigated and information is not assessed for it's impact. Thank you."

Supervisor Janoski, "Mary Beth, would you prefer an industrial use for that property?"

Mary Beth Andresen, "I would prefer a less dense housing use of the property. I think that property is a very very.... The adjacent property to the CCC as long as the CCC is what it is, is a very very questionable thing. I think what I found out about it and I called you, I think one of the first mornings after hearing, I was very very concerned. I think we've put it under the carpet. We've hidden it. We've pretended that it doesn't happen. And I know the government is very very hesitant about talking about it. But the fact is that in that facility, there does exist something that is very very potentially dangerous. I know your comment about Agway and I know you could get a full list of items that are stored. I know that you can not get that list from the CCC. And until you can or make issue at it, I don't think you can make the decision for high density housing adjacent to it. I don't want to take the responsibility. I hope you don't."

Supervisor Janoski, "Rather than argue with you Mary Beth. It's just that you intend to dramatize. The material that's there. Do you know what's there?"

Mary Beth Andresen, "I can't remember the name of it. I did know it at the time."

Supervisor Janoski, "And it's your contention that it represents a danger to the entire town. I feel that the Fire Department facilities in this town are not able or equipped to handle it. That was one thing that did come out on the first investigation. They were not aware that this chemical did exist. The potentiality of that chemical getting into the water supply was very.... Even just be handled injudicially. I'm not talking about a threatening type

PERSONAL APPEARANCES, ContinuedMary Beth Andresen, Continued

of situation where somebody actually went in and took it and used it for a situation. The chemical that is in there is very very potent in a very very small amount. And they did say at that time that a leakage into the air or the water supply could be very dilatarious."

Supervisor Janoski, "It is a matter of fact, very closely related to insecticides."

Mary Beth Andresen, "Yes but it's a much more volatile substance."

Supervisor Janoski, "As a matter of fact it was developed by a German scientist who was developing insecticides."

Mary Beth Andresen, "And so was the Norden Bomb developed by a German scientist. So we're talking about a situation that could be very very....."

Supervisor Janoski, "The nationality as you recognize, makes no difference. What I'm saying is that yes indeed, we use insecticides in this town in a great amount."

Mary Beth Andresen, "Yes. This was not an insecticide. To my understanding at the time that it came out over the 60 Minutes, is a nerve gas. This is a little bit stronger...."

Supervisor Janoski, "A nerve agent. It's not a gas. It's not a gas."

Mary Beth Andresen, "..than your basic insecticides which does work on the neurosystem because I am a nurse and I've seen cases and point."

Supervisor Janoski, "I understand. Now, you made reference to the way it's handled. Do you know how it's handled?"

Mary Beth Andresen, "I know it is in some sort of a container and it's being stored in this facility. What I'm saying is that I don't know if the people that work in this facility are trained in not touching this item. I mean, I'm saying if all proper precautions.... I don't know if we've investigated the area or not, or if we have the ability to do so."

Supervisor Janoski, "I contacted them today and we're making arrangements to go over and inspect the facility. I was unsure whether they were still manufacturing the same kits but they are still in the same business; manufacturing testing kits and the camouflage face paint."

Mary Beth Andresen, "And still containing this nerve gas or nerve liquid?"

PERSONAL APPEARANCES, CONTINUED

Supervisor Janoski, "Yes. They have a very small amount. Less than two tablespoons now. But we're going to go over. Mr. Cohen is in China I understand and when he comes back, we're going to make arrangements to go over and inspect the plant and ask any questions that can occur to the Town Board."

Mary Beth Andresen, "Ok. Thank you very much."

Supervisor Janoski, "Betty."

Betty Brown, N.F.E.C., "I have two things to tell you about. So I'll just say it if that's all right. I wanted to be able to hand in the petitions tonight regarding the five-story building along Route 58. Ann Miloski was in just a minor accident and I think she has quite a few petitions that she will be handing in tomorrow or perhaps the next day. She was unable to come tonight but I have the rest that totals one thousand and probably there will be a few more that will be handed in tomorrow. I just wanted the opportunity to tell you what the petition said if you had not already seen it."

Supervisor Janoski, "I've already seen it."

Betty Brown, "Well, perhaps others have not. We, the undersigned residents of Riverhead, petition the Town Board to rescind resolution #648 that allows five-story buildings along Route 58 which we feel will destroy the rural character of our area. We do not wish to follow in the footsteps of Nassau and Western Suffolk."

Supervisor Janoski, "Interesting wording. Ok. Anyone else have anything else to say? Oh, you're not finished. I'm sorry."

Betty Brown, "I just wanted to talk for a few moments about the industrial facility. You mentioned that you were going to make an appointment to go over there. Will you do that and obtain that information before you accept this final impact statement that is of concern? Will you have all the information to evaluate before you accept the evaluation or are you planning to accept that and then hunt up the information later?"

Supervisor Janoski, "Well, the acceptance is on the agenda for this evening."

Betty Brown, "Well that brings me here. I would like to ask you if you could possibly delay that and I don't mean to obstruct the process in any way. Just perhaps for a week or until your council is back to advise you and that you might have an opportunity to stop in at that facility. I just wanted to tell you a few other facts that I have found out. The environmental assessment form submitted by the applicant states that the land within one quarter of a mile of the project is zoned residential "C". That information submitted while it may partly be correct, neglects to state that the adjacent parcel is zoned industrial "B". The parcel is actively being used as a chemical compound corporation. During the scoping process, residents and neighbors came forth with concerns regarding this industrial facility and it's compatible with

PERSONAL APPEARANCES, Continued

Betty Brown, Continued

a high density residential condominium. Issues regarding emergency plans were asked to be incorporated in the environmental impact statement. These concerns were ignored by the applicant and for some reason, completely left out of the draft environmental impact statement as well as the final impact statement. By failing to take this opportunity now before you accept the final as complete to require full public disclosure, the Board is holding back information from the public and itself making it impossible for an informed determination to be made. At the very minimum, the Board should require a supplemental EIS to publicly address, discuss and mitigate to the greatest extent possible any adverse impacts which may result from the industrial facility in close proximity to this high density project. We ask the Board to recognize that this issue has not been adequately addressed. That the surrounding property raises significant environmental questions. All applicants have been required to address adjacent land use. This applicant should be no exception. The attorney for the applicants did state on the record... Excuse me. I jumped ahead. Yes, he was on the record saying that all of the issues in the Town Clerk's file had been addressed. That is not correct. He pointed out that with the laundry list of items that are to be considered, individual items may be overlooked. We suggest that in fact this issue has been overlooked, it is now the obligation of the lead agent to take a hard look and require that it be addressed now. There is no other opportunity to do so. We ask this evening that since you had no occasion to check with your legal council as the Town Attorney is on vacation, Mr. Pike has indicated on the record that you may be leaving yourself open to problems on this project in the future. I urge you to delay an acceptance of this final statement until this matter can be cleared up. Thank you."

Charles Cetas, "I don't know how intelligent of a statement I'm going to make because I haven't had a chance to prepare it. I'm a little upset that simply by chance I found out you were going to vote on resolution 702 tonight. Such a huge project. I'd like to know what public notices or anything that you had published that you were going to vote on this tonight."

Supervisor Janoski, "The application has been going on for two years. I'm sorry you missed the process of procedure."

Charles Cetas, Howell Court, "No I mean but you were going to vote to accept this statement, this environmental impact statement to my understanding. It seems to me that there are over 290 people who signed a petition against this project and I think you owe to them an opportunity to examine this environmental impact statement and to have a public hearing on it."

Supervisor Janoski, "We had a public hearing on it."

PERSONAL APPEARANCES, Continued

Charles Cetas, "Not on the impact statement."

Supervisor Janoski, "Just a minute. Our taping equipment is malfunctioning."

Charles Cetas, "It just seems to me that it would be fair to the people that signed the petition of who live in the vicinity of where this project is going to be built that they should have the opportunity to examine the final environmental impact statement before you have a chance to vote on it."

Supervisor Janoski, "You have had that opportunity on many occasions. I'm sorry. Please finish your statement."

Charles Cetas, "Just by chance I found out you're going to vote on this tonight. There was nothing in the papers because I read the papers from cover to cover every week."

Supervisor Janoski, "You obviously don't."

Charles Cetas, "No public notification to the people at all. If I'm wrong, correct me. I challenge the Board to produce a copy of this environmental impact statement tonight."

Supervisor Janoski, "The Town Clerk can. I can."

Charles Cetas, "Go ahead. Go get it."

Supervisor Janoski, "Make your statement."

Charles Cetas, "I made it. Go get it."

Irene Pendzick, "Mr. Cetas, come to my office after this meeting please. I'm not going to leave the meeting to get it. I have to take the minutes."

Charles Cetas, "I'm just upset that by chance I found out about this. My mother happened to be downtown signing the petition against the five-story buildings which obviously your own lawyer (today) said was an illegal resolution that you passed."

Supervisor Janoski, "My own lawyer shouldn't really say that because it's part of her responsibility that it's prepared properly."

Charles Cetas, "Well she's the town lawyer. I guess she has a right to speak her mind as to whether or not it's a legal thing to do. It's obvious that the Town Board is not against passing resolutions that are not legal."

Supervisor Janoski, "Ok. Thank you. Anyone have anything else on their mind? Yes."

Betty Brown, "I just wanted to clear up the fact that there was no public hearing on the DEIS as is usual in all the processes that we've attended."

PERSONAL APPEARANCES, Continued

Supervisor Janoski, "There was a scoping hearing and there was a comment period hearing."

Betty Brown, "There was a scoping hearing but the public was waiting for a public hearing to address what perhaps wasn't adequately addressed in the DEIS. And then when the FEIS was drafted, hopefully that information would be incorporated in that study. It is not in that study. It is not in the DEIS and the public has had no open opportunity to come here and tell you about that and it's obvious that..."

Supervisor Janoski, "There was any opportunity to comment."

Betty Brown, "Some of the members didn't even know there was not a public hearing. We're just asking that this information be incorporated in the final so that...."

Supervisor Janoski, "Betty, you're ignoring my question. My question is that there was a 30-day comment period in which you could make observations."

Betty Brown, "That's not a question. You're making a statement and I'm also making a statement. There was no public hearing.."

Supervisor Janoski, "I agree with you."

Betty Brown, "...as we have on other projects where we come and make known what was not brought forth."

Supervisor Janoski, "Was there a thirty-day comment period?"

Betty Brown, "You don't know? Thank you."

Supervisor Janoski, "Betty, you're very good. And let me state for the record that there was a thirty-day comment period which certainly followed the laws of the State of New York and being adequately noticed and published in the official paper of the Town of Riverhead and so be it. Steve."

Steve Haizlip, "This lady, Mary Beth, I believe her name is, she brought up a point that I want to take the opportunity to elaborate on. Now this here nerve gas that she speaks of that came into the town. Now, if the government had any part in that, I mean the federal government had any part in that. Now, the federal government, the way I'm thinking, had at least the obligation to put confidential trust at least in you and the Police Chief and the Fire Chief. So that in the event of any accident that occurred, you would have been able to cope with it. You know what you're dealing with and you know what was there. Now if Hugh Downs and Tom Gerald can get this information and put it on the air and that's the first we've known about it, then what was the big deal not letting us know in the first place."

Supervisor Janoski, "Anyone else? Any comment before we get into the resolutions. And I can guarantee to you, this is the last opportunity. It is getting kind of late. We're not going to hang around after we finish with the resolutions. Anything else? Ok. Let's take up the resolutions."

**#691 ACCEPTS FINDINGS AND RECOMMENDATIONS RE: DISCIPLINARY  
PROCEEDING.**

Councilman Pike, "We have had, in the Highway Department, an internal personnel disciplinary matter go to hearing and recommendations to this Board. We're simply accepting those recommendations. Again, it's a personnel matter that is not going public."

**#697 RESCINDS RESOLUTION #648, AMENDMENT TO SECTION 108-142  
THROUGH 108-145 OF THE RIVERHEAD TOWN CODE.**

Councilwoman Civiletti, (before voting) "I'm looking for the language. In spite of everything, I have not changed my decision on this. And I think we better get to work quickly to expedite the saving of the Office Service zone because I'd like to see that zoning district saved. It's a lot better than the alternative. Given that SEQRA compliance was not had in this proceeding, I do vote in favor of rescinding that resolution as it was in fact an illegal act. So my vote is yes."

Supervisor Janoski, "I would simply like to say that the enactment of this change in the Town Code was not a hasty act. It was not embarked upon lightly. As a matter of fact, it was suggested by the Zoning Board, Planning Board, Planning Department and was rationally developed by professional people to address real problems. The one thing that I have noted which has been absent in the negative point of view that has been expressed through newspaper ads and comments is an alternative. It is very often a good idea that if you're going to oppose something, that you provide an alternative. That has not been provided. The Planning Department has been directed to investigate that area to try and come up with suggestions that will in fact address the problems that exist there. I have not changed my mind as to the vote that I made on this resolution previously. However, I can not deny that SEQRA was not complied with. So therefore, I support the resolution."

**#698 REJECTS DRAFT ENVIRONMENTAL STATEMENT PREPARED BY LONG LAKE  
CO-GENERATION CORPORATION.**

Councilwoman Civiletti, "I'd like to make a move to amend to add one thing to the following issues that must be further addressed in the DEIS. What I would like to add specifically; the DEIS must take into account both in terms of water, groundwater consumption and air emissions, the other two peaking facilities that are presently being pursued by LILCO. One at Shoreham and one at Port Jefferson because I think the accumulative effects of all three peaking facilities should be taken into account in this DEIS and the review of those other projects as well."

RESOLUTIONS, Continued

Supervisor Janoski, "Did you... Why don't you throw in your amendment."

Councilman Pike, "I'll second that and if Lou wants to add something."

Councilman Boschetti, "All right. We had discussed a problem I had brought up. Some people think it's frivolous but I think it's quite serious and that is the biological effects that might result from an accumulative exposure to the electro magnetic fields that could be generated by that plant. And I would like to see that included as well."

Supervisor Janoski, "All I can say is that I had not directly been in conversation with Long Lake today. But once again, I advised them of my feelings; why are we going through this but they are going through it."

Unidentified Speaker, (from audience) "I'd like to ask a question that wasn't really detailed."

Supervisor Janoski, "Hold it. Did you want to be recognized? Would you step up to the microphone."

Unidentified Speaker, "Councilman Boschetti asked if we wanted to read the whole thing. And in the interest of saving time, I don't think that's necessary. But I would want to find out if one of the main reasons for objection of the draft...."

(Speaker identified himself as Brad Berthold)

Brad Berthold, "I would like to find out if one of the reasons for rejecting the draft is the Board's concern about the effects of a full-time co-generation plant possibly being added onto this at some later time?"

Councilman Boschetti, "I believe it is in there."

#699 APPROVES CONTRIBUTION TO STUDY OF REGIONAL SOLID WASTE MANAGEMENT PROGRAM.

Councilman Pike, "Perhaps we should have mentioned this during the earlier discussion. But we and the other East End towns, in fact some of the other towns in the bi-county area but primarily the East End towns, are working with the center for the biology of natural systems. Those of you know Dr. Barry Commoner, he is one of the primary movers of this organization. The county is in a matching grant situation. There will be over 70 thousand dollars spent on the overall study for developing a research and development of a design and regional trash disposal system for our portion of Long Island. We are basically contributing a population pro-rated share to that."

RESOLUTIONS, Continued

**#700** RESOLUTION PROVIDING FOR THE CONSOLIDATION, DETAILS AND SALE OF \$9,874,000 PUBLIC IMPROVEMENT (SERIAL BONDS, 1988, OF THE TOWN OF RIVERHAD, SUFFOLK COUNTY NEW YORK) FOR VARIOUS PURPOSES IN AND FOR SAID TOWN.

Councilman Boschetti, "I'd just like to point out that we're consolidating them. It's not new debt."

**TOWN BOARD MEETING RECESSED AT 11:05**

**TOWN BOARD MEETING RECONVENED AT 11:15**

Supervisor Janoski, "The Town Board has met and discussed the resolution of 702, accepting the final environmental impact statement of Mill Pond Commons, Special Permit application. And the position of the Board is that we are going to act on the resolution as presented with the understanding there is going to be a supplemental report produced by the town government which addresses the situation of existence of Chemical Compound Company and the business that they are engaged in. Let me also point out that this application must receive a special permit which is the subject of another public hearing. Also must receive site plan approval which is another process that we must go through. So this in no way, grants the permit for this condominium project to be constructed. And this town government will in fact, investigate to the limit of its ability the CCC operation as it exists on Elton Street. Does that pretty much say it? Did you want to add anything to it?"

Councilman Pike, "I just wanted to explain one portion of it. I agree with the way the Supervisor characterized our discussion. The point is this; is that this Town Board, far more than the applicant, will have the ability to get inside the door there. This is the local effect of the municipality. That facility does have a Department of Defense contract on it and there is a limit under federal secrets to the amount of information that we will be able to get and go public with. And people should be aware of that. We will be dealing with because of federal secrecy act laws, a certain amount of uncertainty. We will evaluate and tell you everything we can publicly and we will probably be able to get information that we will not be able to tell you publicly. I just want to be candid that that's my understanding of their agreement with the DOD as it reads. But we will do everything we can to satisfy ourself that there's no risk to the public. And if there is a risk to the public, we will say so."

**#703** APPROVES SITE PLAN OF FINECRAFT ENTERPRISES, Inc.

Councilman Boschetti, "I just wanted to point out that this is another thing that came up yesterday. And because of a death in the family, I was not at the meeting. So again, I'm going to have to abstain."

RESOLUTIONS, Continued#705 OPPOSES DETERMINATION OF NON-SIGNIFICANCE.

Councilwoman Civiletti, "The Town of Brookhaven has before it a proposal by LILCO to build a facility that's nearly identical to the facility that's proposed by Northville and Long Lake for the Northville site. That is three oil powered turbined generating engines. It's nearly identical. The only difference is the facility at the Shoreham site in Brookhaven would require the construction of a rather large oil storage facility and the Long Lake proposal at Northville, obviously would not require that kind of storage construction. But otherwise they are the same project. The Brookhaven Town Planning Board which has jurisdiction over this and under the Town Code of Brookhaven, adopted a determination finding that the proposal by LILCO was a Type I Action under SEQRA and yet finding that the proposal would not have a significant impact on the environment. So they issued a determination of non-significance. A week or so later, yesterday, the Planning Board of the Town of Brookhaven approved that project after it found that SEQRA would not apply and that LILCO would not have to go through the kind of argument review that we believe in our hearts, is appropriate and necessary. Because we believe that, I submit #705 objecting to the action of the Brookhaven Planning Board and asking the Planning Board to rescind its determination of non-significance for that proposal and to rescind the approval that it granted there yesterday. I move 705."

Councilman Boschetti, "I have to make a statement and I'll keep it short. I promise. I got a few calls today about this very resolution and I said that normally and ordinarily I wouldn't vote for something which interferes with the operation of another town government. Because obviously I'm not exposed to the information they have when they made the decision and I didn't want to be in a position of second guessing what Brookhaven did or did not do in this regard. But I have read this resolution and I understand the intent behind it. I agree with it and I'm going to vote yes on it because it does have a very direct effect on the citizens of the town and that's what we're here to protect. I agree with you Denise."

Councilman Pike, "In voting yes on this quite simple and it's really quite... We would interfere with a good neighbor town if they were being a good neighbor. But in this case, we have the same event and getting an entirely a different environmental review. This parcel is immediately adjacent to town facilities. And again, prevailing northwesterly winds, we will be downwind of that facility, a large mass of Riverhead. So frankly what I think they're doing is procedurally outrageous and this resolution may not be enough to accomplish pointing that out. So I vote yes."

Supervisor Janoski, "Without objection, adjourned."

There being no further business on motion or vote, the meeting adjourned at 11:29 p.m.

IJP:nm

  
Irene J. Pendzick  
Town Clerk