

Minutes of a Regular Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York, at 7:00 p.m. on Tuesday, January 19, 1999, at 7:00 p.m.

Present:

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

Also Present:

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

Supervisor Villella called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited, led by Henry Pfeiffer.

Supervisor Villella: "Thank you, Henry. We are going to approve the minutes of the January 5th meeting."

Councilman Kent: "So moved."

Supervisor Villella: "Is there a second?"

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

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

REPORTS:

Juvenile Aid Bureau	Report for the month of December
Recreation Department	Monthly report for December. Total collections, \$6,480

Receiver of Taxes	Total collections to date - \$27,094,347.26
Sewer Dept.	Sludge volume report for the year 1998
Sewer and Scavenger Waste District	Scavenger Waste District influent gallorage for 1998

Supervisor Villella: "Thank you, Barbara. I see we have no applications. Would you please read the correspondece?"

CORRESPONDENCE:

Patricia Ann Fuchs	Regarding the special permit of Dwayne Early - not in favor of the expansion
John Black	Regarding Traditional Links Draft EIS
Coastal Environmental Corporation	Regarding new personnel in the Planning Department, expresses con- cern and supports the professional abilities of Rick Hanley and his staff
Louise Papayanis	Regarding the need of an Adult Day Care Center in the Town of Riverhead
Stanley Krupski	Regarding the deer hunt on the former Grumman property
Carlo Oliveri	Regarding the Grumman deer hunt
Mariane Cook	Regarding Dwayne Early and David Borders - recommending the Town approve the special permit petition
Charles and Beatrice Tramontana	Thanking the Town Board for resolv- ing the drainage problem on Long View Road in Wading River

Anthony F. Gadzinski Regarding the post office building on Second Street. Notification to the Town Board of a dangerous condition that exists in the roadway at this location

Supervisor Villella: "Thank you, Barbara. We'll go into the public hearing.

Public Hearing opened: 7:15 p.m.

Supervisor Villella: "That the time of 7:15. Can you please read the public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall, Riverhead, New York at 7:05 p.m. on January 19, 1999 to hear all interested persons who wish to be heard regarding the consideration of a special permit petition of Dwayne Early to expand a non-conforming dog kennel use on property located at Church Lane, Aquebogue."

Supervisor Villella: "Okay. Thank you, Barbara. We'll move this out of the way-- "

Councilman Kent: "Barbara, can I just ask you a question? I notice in the public hearing notices here, do we have one repeated twice here? We have 243 twice. The condemnation-- we have three of them and one is just repeated twice and I wanted to find out-- "

Adam Grossman: "Thanks, I didn't notice that."

Supervisor Villella: "That's okay for now. We'll get to that. Let's start. Can you please state your name?"

Valerie Marvin: "My name is Valerie Marvin, 685 Orchard Street, New Suffolk. And I represent Dwayne Early and David Borders. I have the affidavit of mailing-- here you go, and I have also a couple of letters that didn't make it to the (inaudible).

Good evening. I intend to try and keep my presentation brief at this time and I'd be glad to answer any questions from the Board or from the audience here.

I'd like to (inaudible) at the end of all discussions

(inaudible).

We are before the Board requesting an extension of non-conforming use. Yet we can scarcely call the proposed project an expansion of use. There presently exists 30 dog runs on the property. There is a kennel that has been working on the property for 35 years. There are 16 outdoor runs and 14 indoor runs. The proposed kennel will add only two runs to make it 32 dog runs in all. And-- "

Unidentified: "We can't hear you in the back."

Councilman Kent: "You have to pull it closer to you."

Valerie Marvin: "I'm very short. Should I start over?"

Supervisor Vilella: "Yes, for the people-- "

Valerie Marvin: "Okay. We're before the Board to request an expansion of a non-conforming use, yet we can scarcely call the proposed project an expansion. There are presently 30 existing dog runs on the premises, 16 outdoor runs and 14 runs indoors, which have continuously been used over the past 35 years.

The proposed kennel will add only two runs, not much of an expansion, and the new runs will be entirely enclosed and insulated to protect the neighbors and the surrounding area from noise, and to protect the boarded animals from the elements.

The kennel sits on more than six acres (inaudible) land which provides a natural buffer. Further, my clients have agreed to set aside a 50 foot buffer zone on the perimeter of the property.

The kennel is AKC registered, opened and operated by (inaudible) in 1964. Ms. (inaudible) still resides on the premises. David Borders is a dog groomer and handler and Dwayne Early who shows dogs and is very involved and on the Boards of various dog organizations both national and local took over the operation of the kennel in 1997.

They now wish to improve and modernize the kennel to answer an increased need for their services and to provide a safe, clean and efficient space to house dogs and cats. The kennel is clean and well kept. David regularly sleeps in the kennel to ensure that it remains quiet at night.

(Inaudible) the proposed building fully insulated and properly ventilated will certainly (inaudible). It is the only kennel of this kind on the north fork and is the choice of referral for veterinarians in the area.

We are aware that some neighbors are concerned about increased noise from the new kennel. But this fear is based on a misconception of the project. Let me make it very clear that noise is a primary concern to my client. The new facility will decrease noise. My clients have researched the project for years now, searching for a quiet, modern design. I have-- and I'd like to hand out an article talking about-- it's entitled Quiet by Design and it's about a noise control program for kennels.

The proposed design and building materials were chosen specifically based upon successful new kennel building techniques and operation. Gary Strang, the architect on the project, and Bill Kelly of Morton Buildings (phonetic) will go into further detail on the design and materials.

The property is zoned Agricultural. The proposed use expansion will continue in Agricultural. It will not generate traffic on the roads any more than there is now and will provide ample parking for customers.

The Planning Board has made a recommendation for approval to the Town Board and did bring up one issue about the driveway and recommended the use of a paved driveway. We request that this Board not approve-- if you approve and we hope you do-- with a paved driveway for a number of reasons. First, this agricultural use is surrounded by residential use. We'd like to keep it-- the look as if an agricultural or a residential use. We're also concerned about cars moving quickly on this driveway. Dogs and cats and people will be coming in and out of cars into the kennel and we'd like them to move more slowly. We, therefore, request a gravel or stone driveway.

The Fire Marshal also made a recommendation that will be addressed by Mr. Strang. At this time, I would like to introduce Gary Strang."

Supervisor Villella: "Gary."

Gary Strang: "Good evening. My name is Gary Strang, an architect. My office is at 1230 Traveler Street in Southold. And at

this time, I'd like to maybe run the plans-- if I could approach and come up front-- I'll speak loudly so I can be heard in the back as well."

Barbara Grattan: "But I've got to have you-- "

Supervisor Villella: "Someone has to be recorded on the other mike, that's the problem that we have. Can you bring that closer to you by the mike?"

Gary Strang: "Maybe I can bring it to the other side."

Supervisor Villella: "Yes, please. If you feel comfortable. And then we'll show it to the camera after you-- "

Gary Strang: "Can I take one of these off and hand hold it and stand on the other side so-- "

Barbara Grattan: "Try it, Gary, and see how it goes to see if-- "

Supervisor Villella: "No, but, the other mike is the one you want to-- "

Councilman Lull: "That one doesn't broadcast."

Barbara Grattan: "That's for the machine here, Gary."

Supervisor Villella: "That's not the broadcast one."

Gary Strang: "Okay, so if I speak loud enough everyone can hear me and it will pick up on the machine."

Adam Grossman: "You need to use the other mike."

Councilman Kwasna: "No, just put that mike right down there. Speak loud enough-- "

Supervisor Villella: "What do we need? An engineer now? That's okay."

Barbara Grattan: "You can do that, Gary, it should be okay."

Gary Strang: "Okay, how's that? Okay. What we are looking at

here with respect to the design of the building is the original kennel area-- indoor kennel part of the kennel area is over here. The addition is in this area, the street is out in this area north basically to the top of the chart."

Supervisor Villella: "I hate to interrupt you, but we do have to have the people see what it looks like and also on TV-- camera. Just tilt-- that's fine, that's beautiful. Just like that."

Gary Strang: "Okay. On the westerly side of-- addition on the first floor, it's mostly the support services that you find with respect to kennel reception area, office space and things of that nature. Behind that is the actual working aspects of the kennel. It's divided into two sections. The forward section has 18 rooms. They're all indoor. Everything about this kennel here is indoor. There's a separation in the center which will be the support services with respect to food preparation, storage of materials and things of that nature with respect to the day to day operation of the kennel.

Behind that is another 14 runs, again, all enclosed in one building. The reason for the segregation of this is that obviously like with a business of this, like any other business that's seasonal, changes, is peak demand times and other times that are less demanding so that they can-- if the demand is somewhat less than average, they could just use this portion. As the demand increases, they can flow back into this area and as it rescinds again they can move back into this area. So, we're trying to make the most utilization out of this space.

On the second floor-- there is only a second floor over the front support area and it is basically for the personal use of the owners with respect to-- there's an isolation and whelping room with respect to the animals that are being bred as well as the fact that there's an area for training since there is a need for training dogs that go into shows. So, that's for future purposes. But that's the only section of the building that's two stories.

And the appearance of the building is traditional in design so that it will lend itself nicely to the north fork and to the Town of Riverhead. This is the front approach-- if you come to the building by car to either drop off or pick up your animals, and at the side you see this is the kennel area itself, it goes out toward the rear of the building.

And as can be seen from the elevation pictorials here, everything is enclosed. We've gone to great lengths to ensure that the type of construction and materials that we use will address the concerns that everyone has, both my clients and the neighbors with respect to sound contained. We're making every effort to do that. We've also built this building in such a fashion that it is fire resistant which is a good practice with respect to the fact that we're housing animals there which are obviously loved ones of people. So we want to make sure that we have that addressed as well.

Two points that were earlier addressed that I'd like to address as well was issues that were brought up-- excuse me-- in a letter from the Fire Marshal to this Board and I think one of them had to do with the need for a yard hydrant and sprinklers and I think that may have been brought up by the Fire Marshal with his concerns for a building of this size but not knowing at the time he reviewed it that it was intended to be fire resistant construction. These are issues that I'd like to discuss further with the Fire Marshal and the Building Department when we get to that point. So if it's at all possible, I would prefer that the Board didn't put that as a contingency of this approval but possibly carried over into the Building Department jurisdiction so we can address it at that time.

Likewise the-- I'm sure the Fire Marshal is aware of it but we felt that the site was adequately serviced with the hydrant since there is a hydrant out of the northwest corner of the property out on the road. So, (inaudible) active fire hydrant-- I think we've got that covered but, again, I'll address that further with the Fire Marshal and make sure everybody is comfortable with the end result.

And the last issue that I wanted to address here was, again, it was brought up a moment ago but I'd like to address the issue of the asphalt versus the softer type of paving for the access driveway and parking area. Again, given the fact that we're a rural type of a setting, we'd like to keep it that way. I know personally I don't like to really use too much asphalt if we can avoid it for certain situations where (inaudible) is needed. I don't think this is one of them. The traffic in here is not like the volumes that you would consider with a retail type of establishment where you've got traffic coming in constantly. There's certain periods of time during the day that are allocated for patrons to come in and drop off or pick up their dog or cat and the same thing in the evenings so it's not like it's ongoing traffic on a regular basis. So I would ask that this Board give consideration to possibly relaxing that particular criteria

for a paved driveway and parking area and go with a soft material, stone or stone and oil type of a situation.

And, lastly, I'd like to introduce Mr. Bill Kelley who represents Morton Structures. Morton is the company that we've had discussions with and, hopefully, will be successfully working with on this with respect to they have experience in kennel design and construction and we're looking forward to doing a successful project with them together. I'd like Mr. Kelley to come up and address Morton's involvement in this."

Supervisor Villella: "Thank you."

Bill Kelley: "Thank you. I'm Bill Kelley from Southold, New York. I represent Morton Buildings and we're a design (inaudible) concept and have our own engineering department and we'd be working together with Gary and his team to construct and design the heating and ventilation as well as sound barrier systems in the building.

So I guess there were some questions with the sound barrier and how we handle that and actually the way we really do that is to put (inaudible) in the walls and we can create a sound barrier and it would reduce the decibels that would be transmitted through the walls to the exterior of the building.

In design, this particular building has all the kennels-- "

Supervisor Villella: "Mr. Kelley, you have to address the Board, not the audience."

Bill Kelley: "Oh, I'm sorry."

Supervisor Villella: "That's all right. That's okay."

Bill Kelley: "In the design, the kennel area has all the runs in the interior so by having the runs in the interior, you eliminate the biggest problem is when you have dogs outside that are communicating with each other. So, in that case, they've eliminated the biggest part of the problem.

If there's any questions you have for me."

Supervisor Villella: "Does the Board have any? If not, are you finished with this then?"

Bill Kelley: "Yes, I mean, I'm not sure-- "

Supervisor Villella: "We're going to have other people."

Bill Kelley: "-- where they want me to take this to but as far from the standpoint of my understanding-- my involvement here was addressing sound transmission through the building and it can be-- "

Supervisor Villella: "We'll ask other people if they have anything they want to say on this and then you can address it if it comes up to something."

Bill Kelley: "Okay."

Supervisor Villella: "Thank you, Mr. Kelley. Would anyone else like to speak on this public hearing? Yes? Good seeing you, Steve."

Steve Charkow: "Mr. Supervisor, Town Councilmen. My name is Steve Charkow and I live on Church Lane in Aquebogue. I'm here this evening to request that the Town deny the special permit petition of Dwayne Early to expand a non-conforming kennel. We-- my wife and I, have personally had-- have witnessed problems with dogs in our area, including dogs at large, dogs dragging personal property away, dogs killing chickens, and dogs growling and barking at all hours of the day and night.

My wife and I have were both compelled on multiple occasions to contact the police to help us in order to secure a feeling of privacy, well-being and safety on our own property. I'm not sure how many of those incidents were caused by dogs directly boarded at the kennel. Nevertheless, neighborhood dogs tend to act in concert with each other, one howling dog incites others to do the same and more.

We can hear the dogs from the kennel. So can families on Ida Lane (phonetic) and Apollo and probably in Crystal Estates. Much of the area is zoned Agricultural A but it's becoming very residential right now.

My wife and I also understand that the sole relief available for a barking dog is to lodge a complaint only after the dog has been barking for 15 continuous minutes. Extremely difficult to substantiate, much harder to enforce, and unbelievably annoying. Mr. Early seems to be a conscientious individual who has made noticeable improvements to the property. But small projects once approved tend

to become large projects. Therefore, given (a) the non-conforming nature of the kennel, (b) the broad and unabated residential growth in the area, and (c) the near impossibility to realistically enforce the noise ordinance, my wife and I request that the Town Board deny the petition to expand the non-conforming kennel. Thank you."

Supervisor Villella: "Thank you, Steve. Well, you've got to hold that up during the public hearing. Wait a minute. Appreciate your excitement back there but we got to be fair. Who else would like to speak on this? Yes, sir."

Gregg Grothmenn: "For the record-- this microphone-- for the record my name is Gregg Grothmenn. I live at 33 Highland (phonetic) in Aquebogue and I have a statement I'd like to read.

Mr. Villella, Board Members and fellow neighbors:

Thank you for allowing me the opportunity to speak tonight on behalf of my family and friends and neighbors on Ida and Church Lanes alike. My comment is related to the feelings of these neighbors as things are presently, without not even taking into consideration the proposed expansion.

I speak tonight to urge you to take serious consideration-- the proposed increase in capacity or configuration to the (inaudible) kennel operation being owned and operated by Mr. Early and Mr. Borders. Our experience started shortly after happily purchasing our first home here in Aquebogue in April. After some initial fix up time we moved in and after a short time it became apparent that we were not alone.

The barely visible structure in our back yard was indeed a dog kennel with dogs barking and howling hours upon hours the much needed peace and quiet after a long day's work was not to be had. To almost our embarrassment, friends and family would question our sanity or that what was left. I must impress upon you that this is not a dog, or two or three, but a kennel's worth whose structure acts as a sound stage. After a personal visit to the kennel by my wife it became apparent that it was unclear as to actually who held the license to carry out this operation and if those activities were in line with the agricultural zoning of this area.

One thing was clear, the drastic effect upon the quality of our life, of my family and those around me, was being affected.

Discussion with neighbors revealed what I thought initially. The impact of this noise pollution affected everybody but no individual felt empowered enough to speak out. We do so now.

I submit the following petition signed by the residents of Ida and Church Lane urging you to reject the proposed expansion of this operation. I hope as you ponder the question as to the want to expand an operation whose legal use of agriculturally zoned land may be in question, whose ownership of license by the principals to carry out those activities is not apparent and who has demonstrated difficulties in keeping within town code 85-5-- 81-5 Part B in regard to animal noise control (inaudible) by the means to regain a quality of life by the neighbor-- neighborhood and taxpayers of Ida and Church Lanes alike. Thank you. Signed Gregg and Nadine Grothmann and I'd like to submit this petition to you."

Supervisor Villella: "Thank you. Anyone else like to speak on this? Ann?"

Ann Morrow: "Good evening, gentlemen. My name is Ann Morrow. I live in Baiting Hollow and I am here to support the renovation of the existing kennels on Church Lane. I've known Dwayne and David for a number of years now, Blanche, certainly for a number of years, both in their professional capacity-- David as a dog groomer-- and certainly Blanche by reputation as an esteemed-- she gives dog breeding a good name.

David and Dwayne in their operation of this kennel have worked very hard and I say that because I've seen them at maintaining not only the best quality operation given the existing circumstance that they could in that existing boarding operation. But also with the plan which they have finally been able to accomplish of fixing what was wrong, addressing the complaints about noise, addressing the idea that it be a facility that I can tell you from my experience-- I manage a veterinary hospital and, yes, they would be in competition with us in some respects for boarding, but I can tell you how many people we turn away that are residents of this town that cannot find a nice, clean, safe, quiet, operation to safely house their dogs while they are away on a holiday or a trip with the kids or summer vacations.

I think that they have-- I know because I've had a number of discussions with them-- they have gone to great expense and great time and effort to put forward a plan that is as efficient as possible,

both in use of the space on that six plus acres, to be considerate of neighboring zones. I remember back when they first were considering doing this, the first things they wanted to tell me about was how they were going to buffer the property and, you know, keep the thing situated. Again, as it exists today. This is remedying and fixing a current problem. The expansion of two runs to my mind is minor compared to the improvement in the existing property that's going to be made, and as I say, the idea that there would be additional space where residents of this town without having to leave town could house their dogs would be beneficial to us all.

I also offer that common sense tells me, these people are going to be living there. Now, they don't want noise, so it does not-- I mean, they live on the property. They're not going to put together an operation that is going to create more of a noise problem for themselves. I mean that just doesn't make any sense. So, as I say, given my experience with them, David and Dwayne, and certainly with Blanche, my knowledge of the planning that's gone into this and a demonstrated need in the town of Riverhead for this kind of quality operation that blends into the surroundings and, again, remedies existing problems, I would strongly urge that you support this venture. Thank you."

Supervisor Villella: "Thank you, Ann. Anyone else like to speak on this? Yes?"

Lynn Krauza: "I didn't plan a speech but I just wanted you to know that I live at 52 Ida Lane. My name is Lynn Krauza."

Barbara Grattan: "Lynn, what's your name?"

Lynn Krauza: "Lynn Krauza. I did sign the petition opposing this expansion. The noise level now is not contained in any way, shape or form. I can go out of my house at 10:30 at night to put garbage at the side of my garage, and I can hear those dogs barking continuously. I can't let my own dog out in my fenced in back yard to go to the bathroom at night because she'll start barking and I don't want her to disturb my neighbors. So I have to bring her in. Or I have to go out in the back yard with her and keep telling her to be quiet and go to the bathroom.

We also live on a street that is loaded with children. From my house and the next four houses after mine, there are 11 children, ranging in age from 16 months to seven. I don't want to have-- we

worry as it is now of loose dogs finding their way into our development and what would happen when the kids from the spring to the fall are outside playing on the cul-de-sac in the circle until it's dark out and all of us parents are out there with them. That's another concern. If they expanded, then we would have that added worry, what if one of these dogs should become loose.

I have-- some of my neighbors that live in the circle couldn't come here this evening for babysitting reasons. One of my neighbors did submit a letter in opposition which I'd like to submit to the Board, and I do know that the other neighbors did sign a petition. We strongly oppose any expansion. The noise now is absolutely ridiculous. So, I don't know how they are going to contain it, if they can't do it now. And if they were that concerned about it, they would do something now. That's all I have to say. Thank you."

Supervisor Villella: "Okay, thank you. Anyone else like to speak on this? If not, oh, excuse me, there is one other-- Bill, I'm sorry. He's right in front. Bill would like to speak first."

Councilman Kent: "And then I have a question actually. But, I'll wait until after the last speaker."

Supervisor Villella: "Why don't you ask it now."

Councilman Kent: "Well, I'm trying to get this clear understanding. Presently there's 30 runs, 16 of them are outdoors and 14 of them are indoors. Is that correct? The proposal is to expand it to 32 runs, but all indoor. Is that correct? With noise abatement."

Valerie Marvin: "That's correct. So the problems that are being raised-- and I must say that some of these problems are not the kennel's dogs and, you know, it's very difficult to prove it. But as I said, my client sleeps in the kennel. Those dogs are not making noise at night, but that-- be as it may, all of the problems addressed if they exist will be fixed by this expansion. All these dogs will be moved inside. They won't be noisy, the building will be insulated. They're worried about dogs getting away. The dogs are never going to leave the building unless they are accompanied by their owners. All of these problems are going to be addressed by this expansion."

Councilman Cardinale: "Could I ask you to clarify one other thing? There are 30-- as he just indicated, 16 out, 14 in now."

Valerie Marvin: "Yes."

Councilman Cardinale: "You are proposing 32 inside right now?"

Valerie Marvin: "Yes."

Councilman Cardinale: "And they would replace the existing?"

Valerie Marvin: "They would replace all of the existing runs."

Councilman Cardinale: "So that-- "

Valerie Marvin: "They-- none of that area that existed will be used for boarding."

Councilman Cardinale: "So in effect you will have no outside runs."

Valerie Marvin: "No outside runs. No. For boarded animals."

Councilman Cardinale: "So one could argue that the outside runs-- and they exist as a matter of pre-existing right right now, will be withdrawn or abandoned."

Valerie Marvin: "They will be abandoned as kennel runs and moved inside so the-- we're adding only-- the only expansion is two runs. You know. We have a right to those 30 as it is now."

Councilman Cardinale: "I understand what you're saying. And could you tell me the square-- the interior square footage of the building as it now exists and as it is proposed?"

Valerie Marvin: "May I look at my application?"

Councilman Cardinale: "Sure."

Supervisor Villella: "Does Mr. Kelley know?"

(There was some discussion among the Board members which was inaudible)

Councilman Kent: "Mr. Strang."

Gary Strang: "Yes."

Councilman Kent: "I'm sorry."

Gary Strang: "I was just waiting-- "

Councilman Kent: "Could I ask you just one question while you're up here?"

Gary Strang: "Sure."

Councilman Kent: "And I'm not sure if this is within your expertise, but if it isn't you can tell me that. But would you-- would it be fair to say that with this improvement on the property, the noise would be reduced?"

Gary Strang: "Substantially."

Councilman Kent: "Okay."

Gary Strang: "Substantially."

Valerie Marvin: "Sorry, it took me longer to find my application. The existing square foot area used at the kennel right now is 11,400 square feet. The proposed square footage for kennel use is 15,140."

Supervisor Villella: "What do you mean kennel use? What about the rest of the building? How big is-- "

Valerie Marvin: "Oh, the building itself?"

Supervisor Villella: "Oh, the second floor, you mean."

Valerie Marvin: "No. I'm talking about runs. I'm talking about runs. I'm talking about runs used in kennel use."

Councilman Cardinale: "Thank you."

Councilman Kent: "How much area is covered by outdoor runs?"

Valerie Marvin: "I don't know that I have that number without calculating-- "

Councilman Lull: "Well, every one of those runs that you're talking about, every one of them, 11,000 square feet, has at least

partially outside right now."

Valerie Marvin: "Some of them-- yes, yes."

Councilman Lull: "Every single run is at least partially outside."

Valerie Marvin: "But to calculate the square footage, I took the square footage of the existing kennel building and the square footage of the existing runs together. So whatever number of those are outside are (inaudible)."

Councilman Lull: "And part of the-- again, let me ask you another question. Part of the difference in size we're talking about here is not necessarily runs but rather the-- you have a storage facility, a storage room-- "

Valerie Marvin: "A whelping room."

Councilman Lull: "And you have a whelping room, you have all that type plus you have aisle-- inside aisles all the way around the building so that-- so that when you were measuring before, you were measuring the size of the runs that goes from the end of the run to the end of the run. Now you're talking about the outside of the-- the inside of the building which includes another three or four feet outside the runs, which is containment area."

Valerie Marvin: "There was some extra space that was inside the building, you know, the interior runs-- but, now, yes, we have a lot more storage, there is office space, there is a reception area, you know. Also, just so that the Board understands, there is much more that goes into the kennel construction than meets the eye. There's radiated heat in the floor, the floors are angled so that they run off, so that it's sanitary inside and clean and a state of the art facility."

Supervisor Villella: "Bill, would you like to speak on this?"

William Kasperovich: "William Kasperovich from Wading River. (Inaudible) But when I saw the elevation of this building it reminded me of the chicken buildings in Alabama that (inaudible) add to the appearance of the neighborhood. It was a very fine neighborhood. I heard the architect say the decibel of sound will be reduced. But in no way the word baffles were used. In no way did they indicate how

they're going to accomplish this. On a hot July day when you need maximum ventilation, how is this going to be accomplished? The sound can be contained and isolated from the outdoors, but I don't see that it has been shown to us this evening by the presentation."

Supervisor Villella: "You're thinking on a hot summer day, they're going to be outside instead of inside?"

William Kasperovich: "I don't know where they're going to be. I don't know where they're going to be."

Supervisor Villella: "They can't be outside because it's all indoors now."

William Kasperovich: "I don't know where they're going to be. If it's all indoors, it's got to be airconditioned. I haven't heard those words used. And I don't know. Baffling on the plans that they've shown, I don't know what they're talking about."

Supervisor Villella: "Mr. Kelley, do you have any answers to those questions that Bill is saying? Maybe we could get some of those answered for you, Bill."

Bill Kelley: "As far as the design, the heating and the insulation of the building, insulation works both ways. It keeps the building warm and it keeps the building cool. So, the building will be ventilated and quite possibly airconditioned if we thought that there was going to be a need for airconditioning. However, it's a totally enclosed building. From the standpoint of-- if he wants to hear the word-- sounds from the exterior of the building would be eliminated, all I can say to that is I've constructed sound studios in people's houses and in one case it was for a rock and roll band, it was in the basement. When you're in the kitchen you're standing directly over the sound studio and there's no sound transmission at all. Zero. So, that's possible, yes."

Supervisor Villella: "Bill, you want to continue?"

William Kasperovich: "This is all possible but what are they going to do to make it possible? If they were going to (inaudible) this problem after they move in and get it operating, then (inaudible). But at this point, the entire township (inaudible) and manner in the conditions that we permit things to be built. If this place is going to be airconditioned, let them so state. If it's going

to have isolation areas, let them so state. (Inaudible).

Secondly, the paving outside, I think that this manner of installation (inaudible)-- should be sealed such that it can be hosed clean. And if you've been in other animal areas other than dog, you have to put on overshoes and garments (inaudible) bacteria and diseases (inaudible) to hose the area that animals are on. So to me there is no question but that there should be paved with a material that can be hosed (inaudible).

The need for a kennel in this part of the island may very well exist and these people no doubt qualify to run a kennel. But we here in the township look to see (inaudible). Thank you."

Supervisor Villella: "Thank you, Bill. Anyone else like to speak on this? Yes."

Cliff McCowly: "Cliff McCowly, 43 Ida Lane and the only thing I have to say is I've been living in my house for five, six years, and when I first moved into the house I did not hear any noise from this kennel, pound, whatever it is. And since the last two years, the noise has just been outstanding. There's a new management that's taken over this facility and it's total disregard for all the people in the neighborhood. And I think the whole thing is going that way. All the houses on that block pay tremendous taxes. My taxes are \$6,500 a year and I really would be very upset with you people if you passed this. I feel real strongly about this. I think it would take away from my real estate values. I take somebody in to show my house if I'm going to sell my house and I bring them in, these dogs are out there barking like mad, I'll never sell my house and it could be \$100,000 to me if they do this in just the decrease to my real estate value because I can't sell my house because of it. Thank you."

Supervisor Villella: "Thanks, Cliff. Yes, sir."

Chris Kyprianou: "My name is Chris Kyprianou. I live on 23 Ida Lane. I agree with my neighbors that this thing is going to be a trouble for the neighborhood and the noise and everything. And they're (inaudible) try to explain to us that the building will be soundproof. By looking at those plans, I see there (inaudible). Most of the buildings there, they're basically good structural with steel tunnels that in the winter time will be very cold, in the summer time it will be very hot. So to have that building soundproofed with all those windows closed, that means that thing has to be fully

airconditioned and even if it is, what about the smell? I have a client who lives in Hampton Bays who breeds dogs and she's up six in the morning until six at night washing and cleaning the dogs. And when we're not talking about a very amount-- large amount of dogs. Maybe 10 or 12 dogs. It is a big concern for everybody, the noise. I remember I bought my house nine years ago. The property was owned by an old lady who didn't have that many dogs and still then, back then, it was a problem sometimes to put our kids to sleep because of the noise. Now we can imagine how this is going to be. And also everybody that presented this project, there was concern addressed to the Board about the driveway how it's going to be, the building how it's going to be, the Fire Marshal what it is going to do as far as safety. I didn't-- we didn't hear that much to convince us that this building is going to be soundproof. That it's going to be clean, that there's not going to be a problem with the smell also.

We already-- in the neighborhood we have the duck farm to deal with. Can you imagine if we have this one to deal with too which is right (inaudible). That's all I have to say. Thank you."

Barbara Grattan: "Sir, I'm over here. Can I have your name again, please?"

Chris Kyprianou: "Yes. My name is Chris Kyprianou."

Barbara Grattan: "Spell the last name."

Chris Kyprianou: "It's K-Y-P-R-I-A-N-O-U."

Barbara Grattan: "Thank you, sir."

Chris Kyprianou: "Thank you."

Supervisor Villella: "Is there anyone else who would like to speak on this? If not-- I think the noise is what we're hearing."

Valerie Marvin: "I have to say I'm surprised, is the best way to put it. What we're doing is we're making this kennel better. We're not making this kennel bigger; we're not making this kennel more; we're making the kennel better. All of the outdoor runs are going to be moved indoors. A clean, new, state of the art facility. This kennel has been there for 35 years. Most of the people who stood up and spoke tonight live on Ida Lane and I was paying attention. That subdivision was built in 1985. Twenty years after this kennel

was put in.

There's something in the law called caveat emptor, buyer beware. You are charged when you purchase a house to do your homework. This kennel has been there, this kennel will be there. This expansion will make this kennel better. There are cases-- and I looked at one today, it was about a chicken farm that existed. And neighbors moved in and they started complaining about the smell and the Appellate Division said, hey, that chicken farm was there when you moved in. And at the time they moved in, the chicken farm wasn't even running. A new owner purchased it and they put it up and running and the Appellate Division still said even if it wasn't running, you should have expected it would be there. You should have expected the smell. This kennel has been there for 30 years.

I'm not trying to be adversarial, I'm just trying to make the point that this kennel was there. It's an agricultural use. There are many other uses that can be put to this property-- that this property could be put to. Some of them as you know-- some of them would be uglier. But this is a very useful kennel. There is a need for it. We've heard that the veterinarians refer people to it and noise is a primary concern. The first thing my clients said to me when they retained me, over a year ago, was we want to make sure that this place is quiet. And they showed me articles and I have extra articles if anyone wants to read them about the kennel that they're modeling this after. It is designed to be quiet. It is designed to be clean. It's designed to be neighborhood friendly.

The building will be beautiful. The front of it will be either cement or stone-- the facade-- I mean this is not going to be an objectionable building. It will be a very nice looking building. And as I said it will be state of the art. It will be clean and it will be safe and it will be neighborhood friendly. And we respectfully request that you approve it. Thank you."

Supervisor Villella: "If no one else would like to speak on this, I don't know-- I have a sense-- I'd like to keep this open for at least a week for written comment. Is that okay Board members? Okay. I won't close the hearing. I'll keep it open for another week for written comment. Thank you. Five o'clock next Tuesday."

8:04 P.M.

Supervisor Villella: "Let the time show it's 8:04. Could you please read the public hearing, Barbara?"

Barbara Grattan: "I have affidavits of publishing and posting in Newsday for five consecutive days and in News Review for two weeks of a public hearing to be held at Riverhead Town Hall, Riverhead, New York at 7:10 p.m. on January 19, 1999 to hear all interested persons who wish to be heard regarding the condemnation of property located at 254 Railroad Street, Riverhead, reputed owner, John and Joanne Calabrese."

Frank Isler: "Good evening, members of the Board, Supervisor Villella. My name is Frank Isler. I'm a partner in the firm of Smith, Finkelstein, Lundberg, Isler & Yakabowski in Riverhead. We're special counsel to the Town in this matter.

The Board is sitting right now in your capacity as the governing body of the Riverhead Community Development Agency. This is a public hearing and will be followed by two other public hearings on the acquisition of a parcel of land located on Railroad Street in the Town. For the record, we have presented in front of the hearing room an outline of this hearing as well as a copy of the taking map as is required by statute and we'll make that a part of the record at the close of the hearing.

The parcel that you're holding a hearing on at this moment-- "

Supervisor Villella: "Excuse me, Frank. Can we close the door because it's kind of noisy out there, please. It's hot in here? Can you please be quiet out in the hallway? Thank you. Walter, take your coat off; stay a while. Okay, Frank, I'm sorry."

Frank Isler: "The parcel that's the subject of this public hearing is 254 Railroad Street. It's located on the corner of Osborn and Railroad Street and the taking is part of the ongoing implementation of this town's urban renewal plan for the Railroad Street corridor which the Board adopted in April of 1997. The purpose of this taking as well as two others on which you'll have public hearings is the ongoing implementation of this urban renewal plan.

Unless the Board has any other questions, I'll step aside for the (inaudible)."

Supervisor Villella: "Anyone else like to speak on this public hearing? If not-- yes. What's that late hand, Gary? What's that late hand?"

Gary Jackquemin: "My name is Gary Jackquemin. I'm an architect in Riverhead and am the architect for the Riverhead Business Improvement District. For sometime now the Business Improvement District has been working on a revitalization plan for the downtown area of Riverhead and our top priority in selecting areas that were crucial to the future for the downtown area, like the Railroad Avenue area. And the Town Board through this administration and previous administrations has demonstrated their civic responsibility and vision in supporting the efforts to the urban renewal plan and to the support of the revitalization of this area. This is a very good signal to the revitalization of the downtown area. We look very to-- with the library opening there-- we look forward to imminent restoration of the historic railroad station that is currently being planned and the promise of new courts to arrive in the area. So this area is crucial to the future of downtown. Thank you."

Supervisor Villella: "Thanks a lot, Gary. If no one else would like to speak on-- ."

Councilman Kent: "I have a couple of questions."

Supervisor Villella: "Bill-- wait a minute. Bill will speak first."

William Kasperovich: "William Kasperovich from Wading River. We are taking over a piece of land that is one part of a large checkerboard arrangement where taking over a piece of land alone cannot justify this condemnation hearing."

Supervisor Villella: "What was that?"

William Kasperovich: "Alone."

Supervisor Villella: "Alone."

William Kasperovich: "One piece by itself-- take over that condemnation proceedings is not justified. The fact that it might be in a plan that was dreamed up by somebody, someplace prior, and what a possibility would be to improve downtown or the business area of Riverhead. There is no indication then that this would be the-- there

would be a corridor of property that would have to be condemned in order to accomplish this."

Supervisor Villella: "This is the first step, you're right."

William Kasperovich: "This is the first step."

Supervisor Villella: "We've got second and third step right after this one."

William Kasperovich: "All right. Yet (inaudible) I see hanging up on the wall outside to inform the people of the proceedings in the public hearing. I don't see this action on the wall. Now I'm sure you gentlemen don't care to hear me continually get up here and say this about these public hearings. But your annoyance doesn't justify your not doing it. We went through enough unsafe and collapsable buildings as an excuse or as a threatening device or as a beautification thing. Beauty at the expense of a lot of property owners that can be hurt by this corridor that will eventually (inaudible)-- "

Supervisor Villella: "Bill, who is getting hurt?"

William Kasperovich: "Hurt-- you ever see or hear of anybody getting a fair, equitable arrangement from the purchase of property by condemnation?"

Councilman Kent: "I think the system is set up so that it is fair and equitable."

William Kasperovich: "The system is set up all through the country but we are in the process of impeaching a president-- "

Councilman Kent: "Well, actually, no. People have probably received greater value than they could on the open market because there's nobody interested in buying it."

Supervisor Villella: "It's been on the market for about-- how many years now? Ten, 15, 20. I really don't know. I think we're helping out the people."

William Kasperovich: "Ownership-- private ownership of property is one of the mainstays of this country's (inaudible). The fact that (inaudible) anybody to say that people are not entitled to

(inaudible). Before this-- "

Supervisor Villella: "The other condemnations that we did in the past like the last couple of months, they were friendly ones. They wanted to be taken over. We don't know where this is going with these three parcels we're doing tonight, Bill, so what you're saying right now, you know, they might be happy, they might be jumping for joy. We don't know. We're starting the procedure. We'll let you know if they are or not though."

William Kasperovich: "I also notice this hearing and the two subsequent hearings-- and the other one, when you refer to the reputed owner. In my opinion, you don't know at this point who owns the property. Then this public hearing is out of order. Reputed owner. In the next public hearing, you'll say reputed owner. Now you have (inaudible) reputed owner. Fine. But three separate occasions this evening they are reputed owners. And I say you haven't worked this legality out to the point where it comes to the public hearing. When you don't know who the actual owner is then this hearing is in question. Thank you."

Supervisor Villella: "Thank you, Bill. Would anyone else like to speak on this? If not, the time is 8:14-- I declare the public hearing closed."

Councilman Kent: "Well, I just had a question. Maybe Frank could answer the question. Is this the property where we demolished the building?"

Frank Isler: "Yes."

Councilman Kent: "Secondly, do you know the status of the taxes on this property? The real property taxes. Whether they've been paid."

Frank Isler: "I could look it up (inaudible)."

Councilman Kent: "And I wonder if anybody had paid yet for the cost of the demolition which we expended and with the charge back."

Frank Isler: "My sense is no, but I will check for you."

John Calabrese: "When the town did the Chapter 54 proceeding, I don't believe there was any-- "

Supervisor Villella: "Sir, would you like to speak? You can come up."

John Calabrese: "My name is John Calabrese."

Supervisor Villella: "Yes, John."

John Calabrese: "I own the property. (Inaudible) and demolition (inaudible). I find it kind of ironic that (inaudible) and now you decide (inaudible)."

Supervisor Villella: "Because sometimes-- "

John Calabrese: "There's not that many (inaudible) you're looking for. I mean why do you have to-- "

Supervisor Villella: "Because sometimes it works out for your benefit on tax purposes this way. You should look into it."

John Calabrese: "But it seems to me if you were going to condemn the property (inaudible). So now you're assessing me \$20,000 for taking down the property and now you're condemning it. I don't think that's fair. If you knew you were going to condemn the property before you took it down, then you shouldn't have taken it down. Then (inaudible) and then take it down. (Inaudible) \$20,000 if you are going to go ahead and condemn the property. Two weeks later. A month later, whatever. I don't think that's fair."

Adam Grossman: "On the Chapter 54 proceeding on this particular property, that particular property was deemed an unsafe structure, that's the reason that the Chapter 54 proceeding was commenced."

John Calabrese: "The property wasn't deemed-- what do you call-- just the house was unsafe. The stores were not unsafe."

Adam Grossman: "Yes, right."

John Calabrese: "So you went ahead and took everything down."

Adam Grossman: "Well, I don't necessarily agree with that conclusion. The information that we have-- "

John Calabrese: "The thing is when I got the land, the house was unsafe. (Inaudible). The only thing I object to is if you knew

that you were to condemn the property, you shouldn't have taken it down. You take the property and you take it down after you condemn it. Why do I have to have another \$20,000 bill with you when I didn't have to have it?"

Adam Grossman: "Sir, I just want to clarify-- "

John Calabrese: "That's all I'm saying."

Adam Grossman: "-- that they're separate proceedings. The Chapter 54-- "

John Calabrese: "Believe me, I had the property a long time. I'm going to do something, they stopped us from doing it, then we give up on the property. Fine. But the thing is first you send me a letter saying the house was unsafe. Fine. You say the house should be taken down, we have to apply for a permit. We were going to take the property down ourselves, we didn't get around to it. Then you said you were going to take it down. I thought you were going to take down the house. I didn't think you were going to take all things down. The stores were (inaudible). But if you were to condemn it, why did you take it down?"

Adam Grossman: "Well, as far as what the town does with Chapter 54 of the code and the Board members could, I'm sure, add to my comments on this issue, we deem structures unsafe because there is a rationality reason-- the structures themselves or what is happening on the property that is a basis for which-- upon which the town perceives Chapter 54 so that something terrible doesn't happen on the property."

John Calabrese: "But you don't think-- most of the property has been like that for 20 years. I mean, so-- another month wouldn't have made a difference. Doesn't-- I mean, doesn't it look to you kind of fishy that all of a sudden the property, you take it down, and then you condemn it? Doesn't it look like you're trying to stick me with a \$20,000 bill? Doesn't it sound like that to you?"

Adam Grossman: "Sir, I just wanted to clarify the issue that Chapter 54 proceeding and condemnation are two separate actions."

John Calabrese: "I understand that. But I just want to tell you that (inaudible)."

Supervisor Villella: "John, I would like to have Frank speak on

this."

Frank Isler: "While this may not be the proper forum to answer that question, nevertheless I'll answer it here. When you value the property for condemnation-- you decide what the fair value is under (inaudible). If there were a bad structure that had to be demolished on the property when the town took the property, that would reduce the value of the property (inaudible). So in other words, it's a wash. If you tore it down first and charged the owner or deducted that cost from (inaudible) condemnation of this property, the value would be reduced by the costs of tearing down that building anyway. So it's not a (inaudible); it's a wash on the (inaudible). So then in other words, if your property now is vacant land is worth "x" dollars and its costs "y" dollars to tear the building down, if you didn't tear it down it would be worth at condemnation "x" minus "y". So it's a wash."

Supervisor Villella: "Thank you. If anyone would like to speak on this? If not, the time is 8:19. I declare the public hearing closed."

Public Hearing closed: 8:19 p.m.

Public Hearing opened: 8:20 p.m.

Supervisor Villella: "Let the record show the time is 8:20. Barbara, would you like to read the next one, please?"

Barbara Grattan: "I have affidavits of publishing and posting in Newsday for five consecutive days and the News Review for two weeks of a public hearing to be held at Riverhead Town Hall, Riverhead, New York at 7:15 p.m. on January 19, 1999 to hear all interested persons who wish to be heard regarding the condemnation of property located at 243 Railroad Street, Riverhead, New York reputed owner, Edith B. Lowell."

Frank Isler: "Good evening. My name is Frank Isler, special counsel to the Town Board. Again, we're going to be conducting a public hearing on the acquisition of a parcel situate on Railroad Street on behalf of the governing body of the Riverhead Community Development Agency. This taking as in the case of the property just conducted (inaudible) is pursuant to the urban renewal plan for the

Railroad Street corridor and was duly noticed and published in Newsday for five days-- public hearing-- as well as the News Review (inaudible).

The purpose of this taking is part of the assemblage of parcels (inaudible)."

Supervisor Villella: "Thank you, Frank. Anyone would like to speak on this?"

Frank Isler: "Just for the record, we do have in the front of the hearing room, the outline of the public hearing and the taking map of this parcel as part of your record."

Supervisor Villella: "Okay. Thank you. The time is 8:22. I declare the public hearing closed."

Public Hearing closed: 8:22 p.m.

Public Hearing opened: 8:22 p.m.

Supervisor Villella: "Okay, the time is 8:22. Would you please read the public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting in Newsday for five consecutive days and the News Review for two weeks of a public hearing to be held at Riverhead Town Hall, Riverhead, New York at 7:20 p.m. on January 19, 1999 to hear all interested persons who wish to be heard regarding the condemnation of property located at 227 Railroad Street, Riverhead, New York, reputed owner, Sajida Haier."

Frank Isler: "Once again, good evening. My name is Frank Isler, special counsel to the Town Board. This public hearing is the third parcel (inaudible) pursuant to the urban renewal plan for Railroad Street. We are conducting this hearing in the capacity of the governing body of the Community Development Agency. We have in the front of the hearing room the public hearing outline and taking map for examination to be part of the record. This taking, like the other two you conducted hearings on, (inaudible) of property pursuant to your urban renewal plan for Riverhead."

Supervisor Villella: "Thank you, Frank. Would anyone like to speak on this? Do you have anything else to say on this one, Frank?"

Frank Isler: "No, I don't."

Supervisor Villella: "The time is 8:23-- Bill."

William Kasperovich: "William Kasperovich from Wading River. Just to put on the record, just the fact that nobody gets up here to talk to you people. I get up to show that there is an objection and the record should so indicate. This procedure for these three items (inaudible) not be taken alone one by one. These three items-- the hearings are tied together (inaudible) tied together, (inaudible) but alone. Three such proceedings on a proper diagram or map would show to the town what the Town Board is planning to do. This would present a more defined picture of what and how this development will be. There are a lot of people in this town that don't think that this is improvement-- of development--is not necessarily improvement. But you are developing something different but as to whether it's an improvement or for the township and its residents, that is still in question. Thank you."

Supervisor Villella: "Thank you, Bill. Okay. Would anyone else like to speak on it? If not, the time is 8:25. I'd like to declare the public hearing closed."

Public Hearing closed: 8:25 p.m.

Public Hearing opened: 8:26 p.m.

Supervisor Villella: "Thanks a lot, Frank. Adam, that's okay. We don't have to go-- the time is 8:26, let the record show. Would you please read the public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall, Riverhead, New York at 7:15 p.m. on January 19, 1999, to hear all interested persons who wish to be heard regarding the consideration of the change of zone petition of David Fuhrmann, Island Water Park, to provide for the Industrial A zoning use district to the exclusion of the Agricultural Z zoning use district on property located at Youngs Avenue, Calverton."

Supervisor Villella: "Thank you, Barbara. Mr. Cuddy."

Charles Cuddy: "Good evening, Mr. Supervisor, Members of the Board. I'm Charles Cuddy, attorney for the applicant, Island Water Park, Inc. Initially I'd like to state for those who are unfamiliar with the application that Island Water Park, Inc. is a private water ski club consisting of approximately 100 members. It's not a public park. It's not supposed to be a public park."

The land that's the subject of this matter is on Youngs Avenue, it's next to or is west of the town disposal area, the transfer station sometimes known as, I guess, the town dump.

That land is essentially treed land. What we propose to do at that site is (a) and this is a change of zone hearing, to change the zone from Agriculture because it's next to the town disposal area, which is industrial in part, although part of it also is agricultural, and we ask the Town Board and we've asked the Planning Board to consider although they haven't reported yet, to have the entire disposal area an industrial area and then just move over the zoning for this site-- for this 51 acre site. The reason for that is so that we can have a special permit use which isn't permitted in agriculture but is permitted in industrial which is a recreation use. And the recreation use is to have what's shown on the board that's up here which is two large ponds, one of which is approximately 1,000 feet by 250 feet, the other is 1,600 feet by approximately 150 feet. Those ponds will be used by the club members. I don't want to get completely into that because we have a special permit application which follows this in just a few minutes.

But, again, we're asking and we understand it's subject to a recommendation from the Planning Board and unfortunately that recommendation has not yet been made, that this property be rezoned from agricultural to industrial and we think it's in the right location to do that. We're going to get into that extensively on the special permit application.

But, again, the Board has done at this point one thing-- this Board has, and that is to declare itself the lead agent and has made a determination under SEQRA of non-significance. The Board also in that determination did something I think that everybody should be aware of and that is the resolution is subject to a determination in the future that if this site is used for tournaments, in other words this is a private club and that's not the intention initially, but if

it's used for that purpose, we must come back to this Town Board and get further approval. But, again, this is simply on the change of zone and we think it's the right place to have this site. It's going to be buffered; it's going to be inside and not be seen and, again, I'll get to more when we to the special permit.

I would also point out that there are members of the club here, two of the members at a point in time which will be the special permit, Eric Scot and David Fuhrmann will assist and also Howard Young is here to describe the design."

Supervisor Villella: "Okay, thank you, Charlie. Would anyone like to speak on the change of zone? Yes."

Art Binder: "Good evening, my name is Art Binder. Together with my wife we own (inaudible) Ranch at 291 Deep Hole Road, in Calverton. We raise (inaudible) otherwise known as American buffalo and (inaudible) horses. I would like to be made aware by the Board what percentage of Industrial A acreage is located in the town of Riverhead. Anybody aware of that?"

Supervisor Villella: "We'll get-- it's a hard question. But, Rick, would you like to come up?"

Rick Hanley: "I don't understand what the question is."

Art Binder: "How many acres is Riverhead (inaudible)?"

Rick Hanley: "Rick Hanley, Planning Director. We just had a change of zone Industrial C-- Adam, that had kind of a bad history, legally, but I recall that when we changed that area, I recall that was the last vestage of Industrial A practically in the town which is in the Calverton area. It's about 3,000 acres, I think-- for Industrial A, something like that."

Adam Grossman: "Yes, technically at this moment, many of these parcels are Industrial C, however, there was a decision-- an adverse decision that may change that and if we were to lose in that proceeding, it would revert back to Industrial A and B, whatever the previous zoning had been in the Calverton area. However, in the rest of the town, I don't know if there are any parcels that are in Industrial A and B in other areas of the town. So, I think the lion's share of the areas that are currently-- that were Industrial A previously could possibly revert back to Industrial A. Currently,

they've been changed to Industrial C."

Art Binder: "So, in essence, there would be probably quite a few acres available and vacant right now to purchase property that's already zoned Industrial for this organization."

Adam Grossman: "Well, I'm not sure if Industrial C property would serve the same purposes or not. What it did was when we changed the zoning, it restricted the uses on these industrial properties, made it, in fact, a tourist destination rather than specifically industrial, so some of the uses were lost on the property when the zone changed to A and I'm not sure what effect it would have had on this type of application."

Art Binder: "Okay, I would like to state my opposition to any alteration of the zoning that's in effect as of right now which is Agricultural, Residential, low-density housing. Some of you may recall about 14 months ago, we had three buffalo (inaudible) they kind of like escaped during a northeaster, and they went over into that parcel of land and we gave chase and I, for the first time in 10 years that we're living out there, had the opportunity to see this particular parcel. It's really quite unique. It's-- I couldn't believe-- I've been looking at it for 10 years, the tree line, and then the time when we did get in there, it may be a former (inaudible) pond. There are trees over 100 feet tall in there. It's a beautiful piece, and if it's available at a greatly reduced price, I would suggest that the town might want to consider purchasing this piece and tying into the reclamation area of the town landfill which is just to the north of it.

We don't need any more industrial land in the town of Riverhead. We have enough."

Supervisor Villella: "Thanks, Art. Anyone else like to speak on this public hearing? See any hands? Yes, please."

Bill Anderson: "Hello, Supervisor, Members of the Board. My name is Bill Anderson. I live on Deep Hole Road. I also own property adjacent to this piece which I have nursery stock on. The property on Deep Hole Road if you go back to 1985 we had changes in zoning. We had a lot of talk about farmland preservation. On this particular road, we have five acre zoning which we agreed to-- we agreed to the Agricultural A zone so I really don't want to see the area down zoned. I'd like to maintain the agricultural zoning and I feel there's enough

industrial property located on main roads that this would suffice. So with 3,000 acres, I think there's plenty of land available for industrial use.

It's been mentioned as far as the zone being industrial, yes, the dump was there before any zoning was in place. The dump, however, happens to be an integral part of our community. (Inaudible) his mother-in-law lives across the street. His daughter lives across the street. I mean the dump has been a wonderful neighbor so to say that the dump runs the area down, we couldn't have a better landfill. And John Reeve has done a wonderful job, too. So I don't see anything negative about that influencing this.

We also, as taxpayers, just purchased the property north of Youngs Avenue so we have-- we're surrounded by agricultural uses with this property. Once we down zone, we're going to take the center of an agricultural area, probably one of the last left in Calverton, we're going to down zone. Once we down zone that area, what happens next? Then the next guy comes in with the next parcel and says, hey, we've got industrial, make one more piece, make one more piece. Then you have a domino-- we don't have any more agricultural land.

So, in 1985, with this particular street on this map-- this map here-- on the left hand side, that shows Youngs Avenue. Okay. That would be north. So this actually should stand up. Directly to the south of this, is Deep Hole Road. These are houses on what appears to be the right hand side of this lake and the same people that own these houses, own the property around this particular parcel. So why (inaudible) this is owned by those houses that are there. So, you know, once again, the dump is zoned industrial. There is nobody in that area that I know of that is in any way, shape or form offended by the operation formerly or presently of the dump. We're happy. It's a great neighbor."

Supervisor Villella: "We just got a good rating. It's the cleanest dump in Suffolk County. The water-- just got it."

Bill Anderson: "So that should not be an issue whatsoever. Thank you."

Supervisor Villella: "Thank you. Anyone else like to speak? Steve?"

Steve Haizlip: "Steve Haizlip of Calverton. I might not speak

quite as loud today. Seems that a cold just lingers on."

Supervisor Vilella: "That's why George isn't here today. You gave it to George."

Steve Haizlip: "I think-- George ain't give it to me-- he ain't been near me."

Supervisor Vilella: "No. You gave it to him. That's what he said."

Steve Haizlip: "Yeah, don't believe it. My concern is here when they take all these trees out, (inaudible) for the environment. As you know it helps to eat up the bad carbon monoxide or what have you in the atmosphere. Now when Tanger built, they had to go put a lot of trees back in along the apartments over there and they had to preserve a certain amount. I guess the tiger salamander was one of the reasons they had to do it.

Now, another thing, the guy gave 2,000 feet-- 1,600 and I think 200 feet wide and now what is the depth? He hasn't revealed the depth. And I'd like to know what the depth is."

Supervisor Vilella: "I think-- the deepest part of it is eight feet and what is it? Every six inches-- every-- would someone like to speak on that? Howie, would you like to answer?"

Councilman Kent: "What's the grade on it."

Howard Young: "The slope from the shoreline is one on seven-- 14 feet would be-- "

Supervisor Vilella: "Oh, it goes down to 14 deep."

Howard Young: "No, I said if it went out 14 feet, the pond depth would be (inaudible). One on seven. Every seven feet horizontally it would drop one foot."

Steve Haizlip: "Now, what is-- how do they plan to retain this water into the run that they call it?"

Councilman Kwasna: "They're putting in a liner, Steve."

Steve Haizlip: "They're putting a liner in? All right."

Supervisor Villella: "Would you like to speak on that, Charlie?"

Charles Cuddy: (Inaudible)

Steve Haizlip: "Is this coming back up later?"

Supervisor Villella: "The next one."

Steve Haizlip: "Oh, the next one. All right. I'll return."

Supervisor Villella: "That's all right. I even lost sight of-- this is just for the change of zone, Steve. That's what this is. This is just for the change of zone."

Steve Haizlip: "Yeah, okay. All right."

Supervisor Villella: "Ann, please."

Ann Miloski: "My name is Ann Miloski from Calverton. And I'd like to reiterate what Bill Anderson said." If you take a ride down Youngs Avenue and you look at the rezoning sign, you look at the parcel, and say, oh, this isn't bad, nobody lives here. But take a ride around the corner and you are on Deep Hole Road and these are people who are (inaudible) on five acre residential property that abuts this property that you want to rezone to Industrial A and I think that you have to really consider them.

Also, there's a 33 house subdivision that is going to be built in the area. It's already been put on the map on Deep Hole Road and that also winds up within this project. So I think you have a lot to consider and the other thing I wanted to say is the petitioner isn't the owner of the property and under the specific recommendation it says the petitioner is not the owner who by Town code should join in and swear to the truth of the petition when executed. So I don't (inaudible) having a public hearing until they do their plans properly and put in the petition as it should be. Thank you."

Supervisor Villella: "Thank you."

Councilman Kent: "Charlie, do you have any response to that?"

Supervisor Villella: "Well, all right, you could-- "

Charles Cuddy: "That's part of our application. The owner has been (inaudible) and that's part of (inaudible)."

Supervisor Vilella: "Come on up, Walter."

Walter Gezari: "My name is Walter Gezari. I live at 269 Deep Hole Road in Calverton and-- "

Barbara Grattan: "Walter, before you go on, could you spell your last name?"

Walter Gezari: "Yes, G-E-Z-A-R-I, a common spelling."

Barbara Grattan: "Yes, thank you, sir."

Walter Gezari: "I am-- just before I just make my comment, I heard something in this presentation that I wasn't aware of. Is it true that there was a SEQRA determination by the Board on this already? There was. And that was that there was no impact at all, there was no (inaudible), is that the-- "

Rick Hanley: "It's kind of confusing language. The Town Board decided that this could receive a negative declaration which is a declaration of non-significance. It doesn't mean that there are not any environmental impacts. It merely means that this Board could consider the impacts in the special permit process and does not require an EIS to discover those. So that's essentially the conclusion that the Town Board reached."

Walter Gezari: "Probably my-- I support the objections of my neighbor. I'm particularly uncomfortable with the not in my back yard argument. Personally I don't take that position. I would be just as concerned if this application were presented anywhere in the Town of Riverhead and I would just be concerned for any township in which this application was presented."

My-- what I think is emerging here-- my primary concern and I find that I'm discovering this as I review this thing, is the fact that a meritless proposal can be-- can occupy so much time of the Town Board and of the taxpayers, both in consideration and in opposition or in being in favor of that something of so on its face such absurdity can be even get to the point of being scheduled on a public hearing. Now, I don't understand why the two have been separated. That may be a technical thing; it may be a procedural thing. I guess it's a

procedural thing. Now that means nothing. But it seems to me that if anybody with a \$.33 stamp can tie up hundreds of hours of people's time to consider something-- a proposal which is-- requires a zoning change, and then even if that zoning change did occur, you would have to deal with the meritlessness of the ultimate proposal. I think it's possible for a town government to take a fundamental base line position without giving profound consideration to every scheme.

I mean I think it's possible to establish a base line for acceptance that can essentially defend townspeople from the onslaughts of anybody with a bad idea.

I think I'm becoming more concerned with this than the issue of it's across the street from my house, those trees are too high, there's a salamander living there, you know, all these other arguments are going to come up. I mean those are the obvious ones. The fact of the nature-- the rural nature, the residential nature, the agricultural nature, the character (inaudible), and all these other things. There are all perfectly good arguments, I congratulate my neighbors for their ingenuity in coming up with these arguments. But I'm really troubled by the fact that our time is just being wasted by what I consider to be a meritless application which should have been summarily rejected in the first place. And I would recommend-- I'm just proposing that-- I know there's a good reason-- I'm just saying that a letter should be drafted and 100 copies made that says basically, Dear Sir or Madam, thank you for your proposal to the Town of Riverhead for blank, blank, blank. The Town Board has deemed that your proposal does not meet the minimum standard for a proposal. Thank you very much for thinking of the Town of Riverhead. And you spend \$.33, send it back to them and then we can go on to the next piece of business which does-- "

Supervisor Villella: "Walter, Walter, let Adam speak."

Adam Grossman: "I just want to just comment on your suggestion that, in fact the Town Board before there's environmental consideration of an application, before there is an actual application with a proposal, with all the requirements that we have in terms of a proposed-- either a structure or a use for property, for the Town Board of the Town of Riverhead to summarily without reviewing this type of documentation, dismiss an applicant would, in fact, subject the town to numerous lawsuits. That is the definition of what's arbitrary and capricious and that's something the Town Board cannot-- should not do nor should any other Town Board."

Walter Gezari: "It's true. You're right. It would subject the town to lawsuits which the townspeople, the citizens, would vigorously support the Town Board in defending."

Adam Grossman: "And any judge and any court, in Supreme Court of the State of New York in this county would-- we would lose, every single time."

Walter Gezari: "Okay, I hear what you're saying. So it's out of fear-- it's out of fear-- a fear of lawsuits that we then allow anybody who wants to just come in in a predatory way and propose something completely out of the-- in other words, how outrageous does a proposal have to be before it doesn't merit consideration?"

Adam Grossman: "Sir, I understand what you're saying that the process should be streamlined, that the process should be simpler in terms of the way this application is handled in the town government. However, the reality is that in order for us to do what you're suggesting in the Town of Riverhead, we would end up having numerous lawsuits that we would lose over and over again against us and it's not a matter of fear, it's a matter of reality. There's something called due process that this Town Board has to follow. We have to give an applicant an opportunity to be able to show-- to establish their case in writing, have a public hearing to be able to show what the proposal can do, and we have to have a rationale-- a basis and a reason to deny that request. And that's what this public hearing is all about. That's why we do it and we handle these applications in the way that we do.

It may be perceived that that, in fact, is a waste of the public's time. I don't believe, in fact, that it is. I believe that it is the opportunity for an applicant to make their case and the Town Board after the facts are in front of them can either accept the application or reject it. But to summarily-- to suggest that we summarily dismiss applications because we don't like them, is not-- "

Walter Gezari: "I think there is a fundamental standard for frivolousness that's been established in the courts that's a legal precedent for frivolous submissions. Now, the Town should have-- maybe review its procedures regarding frivolous submissions. Thank you."

Supervisor Villella: "Thanks, Walt. Anyone else like to speak on the change of zone? Sid."

Sid Bail: "Sid Bail, Wading River Civic Association. I have three brief comments about this proposal. I agree very strongly with Ann Miloski and Bill Anderson on the issue of the amount of Industrial Z zoned land in-- not only in Calverton but in the town. I don't see the need for the change of zone.

Unlike the gentleman that just spoke-- I don't know if this is a frivolous or a meritless proposal. It might have a place but there are plenty of places for this proposal and it doesn't seem to merit a change of zone. For instance within the fence at Calverton might be-- I'm not sure-- are these the same folks that presented this idea four or five years ago-- no, it was a different group. It was a similar proposal.

Another thing that bothers me about the proposal or raises uncertainties, the issue this is a private club and Mr. Cuddy assured everyone that if they did have events, they would have to come back and ask-- I guess it's a special permit, etc. My guess is they would have events. Maybe many events, and, again, it would be the folks in the area, the Calverton area, that would have to put up with it. And so it may have a place in the town but I just don't think that this change of zone is merited. Thank you."

Supervisor Villella: "Okay, thank you, Sid. All right, there was someone else that raised-- yes."

Dale Fox: "Hi, my name is Dale Fox. I own the property directly across the street from this. They had given me a copy of that picture but on that picture it doesn't show my driveway which is-- if I could walk up here and show you where that is. It's right here. (Inaudible) Well, it's not there, but it's very clearly on my property. And I basically just want to say that when we purchased our property, the dog pound was there, the dump was there, Crown Sanitation was there. You know, we were fully aware of all this. And when they did our appraisal, they did discuss that that road is a very heavily traffic road and that was a detriment to my appraisal.

We don't have any problem with this. This is something we bought and were fully aware. But, to bring this in on the weekends there's no parking, boats, trailers, traffic, they're not-- I know it's a small club now but I don't think you would make this kind of an investment if you intended to continue it this way with no thought for the future. It's a large endeavor. So I think this would-- you know, there's a lot of agricultural and residential pieces across the

street, right along that road that are going to be affected by this."

Supervisor Villella: "Thank you, Dale. Yes."

Amy Lucas: "Amy Lucas, I live in Calverton on Middle Road. I'd just like to really reiterate a lot of the points that everybody else made to show that there is quite a bit of agreement and I'm speaking for some family and friends that are in this area. The last proposed change of zoning was for the Riverhead Center and we all know the problems that that really caused. And I think this is really heading in the same direction."

As everybody has mentioned, there's a lot of properties that are zoned for this type of a facility and I think that if you wanted to change Industrial C to Industrial A, that that's not as big of a deal as changing Agricultural A to this Industrial.

One of the things I think that you have to look who is running this. From what I read that Dale had, said that these people were being kicked out from other places. Well, if they were being kicked out from other places, why would we want to put them in our community? Obviously there's a reason and I believe they were in Jamesport which, correct me if I'm wrong, but people there expect there are to be water activity. If you buy a piece of property on the water, you expect motor boats, you expect skiers, you expect these type of things. So if you are being kicked out of that type of environment, what makes you think that people who are in the middle of land are going to want this?

I think it's a little sad that when they first introduced this, they're ignoring the fact that there is residential and agricultural property. There's odors, the dump odors, Crown-- well, that's fine, but they're still horse farms, there's a lot of community right in that-- Manorville community, there's plenty of houses there that will be impacted.

The other thing, I don't think this is going to bring any revenue to the Town of Riverhead. I don't see how it's going to really help us in that respect and most of the members might not even be from our community. So, how are we benefiting from this project?"

Supervisor Villella: "Thank you. Anyone else like to speak on this? Would you like to speak on this?"

Eric Scot: "My name is Eric Scot. I'm running the organization, the Island Water Park. We've never been kicked out of any place. We exist right now in Westhampton. We have zero complaints, nobody even knows we exist there. The only reason why we want out, it is 1,000 foot of lake which is too small to ski at. Riverhead is a nice choice because it is growing and it is a nice place for us to be. It is a very family orientated sport and when I say you will not even know we're there because we're going to be surrounded by trees, is exactly where we are now except the lakes are smaller. We are not kicked out. We are still there. We are still operational and we never had a complaint of us being there.

And as far as the community, it will bring-- there will be Riverhead members. It's open to anybody. It's just going to be a limited membership. It will never grow to be a big club because we've shown that every club in the country-- you don't want it big but the object of a country club like ours. The reason why we're doing it is for a controlled environment and we want to keep it controlled. But it is something that is a very-- all my sons, my wife and 70% of the club members have families that we want to keep that out of public water and keep them in a safe environment.

And as far as the buffer zone, we are keeping more than enough trees all the way around where you will never even hear a boat on the site and everyone of the boats are mandatory to have mufflers and they're all tournament boats."

Supervisor Villella: "Excuse me, I just want to interrupt. I think that will come at the next public hearing that you are going to be speaking on. This is just for the change of zone. So, but I know this has to help out to let them know what's going on, but this is just on the change of zone now. If anyone else would like to speak on the change of zone-- you can come up and speak later. But we're going to have to keep open for written comment for two weeks, guys? Two weeks. Because we want to hear from the people and everything that live in the area and we want to get written comment. So we'll keep it open for two weeks."

(Public Hearing left open for two weeks.)

Public Hearing opened: 9:00 p.m.

Supervisor Vilella: "The time is 9:00. Would you like to please read the next public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall, Riverhead, New York at 7:20 p.m. on January 19, 1999 to hear all interested persons who wish to be heard regarding the consideration of the special permit petition of David Fuhrmann, Island Water Park, to allow the construction of a 19.5 acre man-made lake for use as a water skiing practice area and tournament grounds on property located at Youngs Avenue, Calverton."

Supervisor Vilella: "Charles."

Charles Cuddy: "Charles Cuddy for the applicant. We withheld some of our remarks and I'd like to go into detail now what's actually being proposed for this site. And I would point out to members of the audience that as zoned we probably could put 40 houses in there but we're not proposing to do that. We are proposing to have a club that has people come to the tune of about six to eight at a time and there's minimum traffic from that. They bring their equipment to the site. Their equipment consists of two boats and water skis. They then leave the site with those things. They are not open obviously at night time. It's a seasonal activity from April to October. So the use on this site is quite minimal. It's not going to cause a traffic problem. I think that we can give issue it's not going to cause a noise problem. People seem to be very concerned about what they're going to see. It is our position you are going to see virtually nothing. There's 27 acres of land out of 51 that are left as treed acres-- see more acres are left as meadow. So we're talking between the meadow and the forest area of 30 out of 51 acres left and that means a buffering, there's screening.

What this is, is a modest attempt by people who are interested in a sport to conduct this sport in an area. It would be nice if the town had recreational use in agricultural areas. But they don't. The town has decided not to do that. If it did, we certainly would apply for it in the agricultural area.

I'm not going to go through the zone change but certainly we can comment on that by letter later. But I would point out to people that are concerned, that this is a very modest activity. It's not a public club, it's a use that's very confined. As Mr. Scot said, it's an attempt to control environment; it's an attempt to use a site on a

minimal basis for part of the year. We believe that with the screening, with the use, with the club members who are from this area-- I'm talking about the Town of Riverhead as other towns, that this is an appropriate use at this site and it's not going to impact the surrounding area.

So we're hopeful that the Board will take really an objective look at what these people want to do. When I say these people, I'm talking about Island Water Park and its membership. And we believe that the type of use that they're proposing for this site is not going to adversely affect their neighbors. And for somebody to stand up here and just time after time put down not having merit, for somebody who hasn't really examined what these people do. And I would ask the Board to look closely at what they want to do. It's a decent proposal; it's a proposal by people that are interested in sports, that want to conduct a sport in this area and it would seem a very appropriate thing to do.

Howard Young is also here tonight. He designed the ponds. He can talk a little bit more about the area and what's done to the area."

Supervisor Vilella: "Howie."

Howard Young: "Good evening. I'm Howard Young of Young & Young. May I come up-- "

Supervisor Vilella: "Maybe we should-- Adam, why don't you bring those up?"

Howard Young: "I can speak loud enough."

Councilman Kwasna: "Just take that other mike with you, that's all. Just bring that one with you. It will be all right."

Howard Young: "I can do it from here."

Supervisor Vilella: "We can see it fine."

Howard Young: "I'm just going to-- really, I was-- I was wrong again. I thought this was one of the most wonderful projects that had come into my office in a long time creating wetland and preserving a piece of property in this manner and with people in a club that want some family recreation, I thought it was just wonderful. But, I see

there's always a difference of opinion.

I didn't know there was such a thing, but evidently the Island Water Park will probably speak to those things but these are done throughout the country and they are quite beautiful. I believe that this is well designed. It's approximately a little bit more than 2,000 feet long which is necessary for competition skiing. The lower or westerly lake is, I guess, a practice lake I believe. That's so-- I believe there's only four or five people that use one of these lakes, they have a certain amount of people in the boat.

But I really was enthused about the project so I just wanted to (inaudible). But the site is 51 and a half acres, the water surface area when built, would be 19 and a half acres. We have a meadow on the easterly side at the top of the pond there. That was needed for grading and in case they could have some spectators or a place to park their cars so they are just going to be planted wildflower meadows for now.

The woods remaining is 27 and a half acres. The net yardage-- we tried to adjust the elevation of the pond so we could fill in holes and have the minimal amount of yards to be removed because of costing money. But there is going to be a net excess yardage of 136,000 feet --of yards. The total volume of the lake is 4,636,000 feet. I'd be glad to-- talk a little bit about the slopes, the maximum depth of the pond or the lake is 10 feet. The slopes going out from the shore are one on seven which is very safe and not only safe but they have a function as far as skiing that they break up the waves before it hits the shore.

I don't know-- I'll answer any other questions, technical questions. I think it's designed safely and adequately. I think that animals would enjoy this, they'll be able to drink and everything. I think it's really a great use of property. Certainly-- I was involved in the-- "

Supervisor Villella: "Can we have it quiet in here, please."

Howard Young: "I was involved in the late '80' with a reality subdivision of housing on this which was really sidetracked because of the environmental concerns with the landfill and really after many, many tests of all kinds of things, that the project fell apart. But that was certainly a residential development here from my experience, would certainly be much more destructive to this property. And I

think this is just a beautiful use of land. Thank you."

Supervisor Vilella: "Thank you, Howie. There must be someone that wants to speak over here. Go ahead. I heard some mumblings going on out there."

Art Binder: "Art Binder, Calverton. I would like to submit to the Board a water park petition signed by a number of people from the area who are against the water skiing. That's number one."

Supervisor Vilella: "Just give it to Adam."

Adam Grossman: "Art, please give me your last name again."

Art Binder: "Binder, B-I-N-D-E-R."

Adam Grossman: "Thank you."

Art Binder: "I have before me a SEQRA report which outlines the description-- a site description-- a description of action for this park. I would like to read it if it's okay with the Board."

Description of Action: Discussions with petitioner and his counsel indicate the club to use this facility have about 100 members who will be present in groups of from 10 to 12 persons at a time and four to five vehicles. The club's idea of a tournament would involve about 40 competitions-- competitors, two times a year. The presence of spectators and their number isn't known. Hours of operation would be from sunup to sundown, from April the 1st through October 31st yearly. That's seven months, sunup to sundown, seven days a week potentially.

A maximum of two boats would be on site at any time. I think Mr. Cuddy said there would be four or five boats."

Supervisor Vilella: "We're going to have them speak on it."

Art Binder: "Maximum of two boats would be on site at any time. No fueling or servicing will be conducted there. Their bilges will be disconnected to prevent pump out on site as well. No formal site support improvements such as grandstands, snackbars or restrooms are proposed. Only a boat ramp, dock, ski jump and an overflow structure to control lake level. The club currently uses a lake in Speonk which does not have as favorable a shape and layout as the proposed for use

in slalom jumping practice. Use of creek, bay, ocean or sound waters often leads to conflicts with other uses or noise complaints from residents. And the proposal also offers a calmer surface that is suited to the intent.

Gentlemen, the intent of this water ski club is to have a waveless environment period. They could care less about noise; they could care less about pumping 34.6 million gallons of water from our drinking table and filling this pond. 34.6 million gallons. We live on wells. We don't have town water. So if that things fills up and my pump turns off, what will I do? What does everybody in the area do? We have a serious problem. They're talking about removing 134,000 cubic yards, approximately of material. That's a lot of material. 134,000 cubic yards of material. That's a lot of sand; that's a lot of topsoil; that's a lot of trees cut down to have a calm water surface. That's really what it boils down to gentlemen, a calm surface to ski on. Thank you."

Supervisor Villella: "Thanks, Art. Yes, sir."

Paul Schaefer: "Good evening. My name is Paul Schaefer, I live directly across the street, 41 Youngs Avenue. Somebody from the club - somebody it may have been Eric Scot, dropped off literature to me. After reading through the literature, a lot of it seemed very-- a large discrepancy as to what they're saying. They have the club rules which say how fast you're supposed to be prepared to go so you can maximize your time. With eight to 10 people, I can't see why they would try to maximize the time, the drop off points and how fast you can bring people up. They also said they keep a spare boat ready and the first boat has three-quarters of a tank of fuel in it. With eight to 10 people skiing, 15 minutes at a time, I don't see how you can use that much fuel between the second boat.

As far as the noise, maybe Mr. Young can address this. The corner of the lake that's by Youngs Avenue, how far is that from Youngs Avenue? Maybe 25, 30 feet?"

Howard Young: "The road width there is 49 and a half feet. I believe (inaudible) that point right there."

Paul Schaefer: "So Mr. Scot said 80 feet and you won't be able to hear anything. I find that incredible that you couldn't hear a sound from an 80 foot span. My house is only 60 feet on the other side of the road. He also enclosed decibel readings from the boats.

I believe the legal limit is 65 to property line. Their boats create 66 at 25 feet. So they're right on the edge of it now. These tests were conducted in the sandpit. The sand pit is below ground level. I don't know how much of it absorbs the ground but I'm sure it's different than having it above the ground. Also we don't know if the tests were done (inaudible) or-- I mean it was their test. I mean-- I think tests should be done somewhere else (inaudible) before we can make a decision. It may also be two boats at once, I don't know.

They also came and mentioned to me-- maybe it was in a patronizing way that if they had tournaments we would be able to rent parking on our property-- subsidize our income. Well, if I don't want to, does that mean there's going to be 100 cars lined up on Youngs Avenue? I mean it's ridiculous."

Supervisor Villella: "No. They would be towed away. Don't worry about it."

Paul Schaefer: "You know, the plan that they dropped off at my house is the same map as that but it shows their driveway and all. If they bring two boats, it's-- the specs on the boats, they're 40 foot long on trailers, two boats, two trucks towing them and five members, they're almost extending themselves into the street before they do anything. Not counting any kind of sanitation. I mean if they're there from sunup to sundown, there's no bathroom facilities, there's nothing there. There's so many things. I don't know about mosquitos, stagnant water, the end that's built up. If it does cave in and run across the street is that higher than street level? There's just so many things I question about all of this.

I guess for the time being, that should pretty much cover it for right now. I mean if need be, I'll come back up. Thank you."

Supervisor Villella: "Thank you. Let me see-- I see a hand way in the back. How are you doing, Rita?"

Rita Hoden: "Rita Hoden, Calverton. With this excavating, he's taking out 136,000 yards of soil. Do you realize that that's 4,000 trips-- that's 8,000 trips up and down these back roads? Now these roads cannot handle these big trucks moving that much dirt. The taxpayers are going to have to pay to repair these roads. And what is it going to do to the tax base? They say there's no houses in that area. There's the manor, there's the trailer park on Osborn Avenue, there are all of our homes on Deep Hole Road; you've got Riley Avenue

School; you've got Baiting Hollow (inaudible) that comes right in back of (inaudible) property. It affects a lot of people. I don't see where improvement on that property is going to bring any tax (inaudible) into this town and what it's going to do to our taxes. I think there's a lot to be considered. No buildings, no bathrooms. What are these people going-- they're there-- some of these people be all day and there's no bathroom facilities. There's a lot of problems in running these boats all day long. We have Sunday afternoons off, we're going to listen to boats?

I think there's a lot to be considered. Thank you."

Supervisor Villella: "Thank you, Rita. Yes."

Bill Anderson: "Bill Anderson. Would someone explain the aeration of this pond to me?"

Supervisor Villella: "Rick-- no let them, please."

Kevin Kreiger: "Kevin Kreiger from Randal Avenue in Port Jefferson. I learned how to water ski when I was four years old and I've been involved with about 20 lakes just like this and about half of them run catfish ponds because the boats going up and down the lake, perfectly aerate the water and keep the water from getting stagnant. There's never a problem with mosquitos or anything. Natural movement of the wakes of the boats moving through the water aerate the water perfectly and like I said, you know, 10 or 20-- in 10 out of 20 of the lakes I've been involved with run catfish farms because of the way it aerates the water. You don't have to put in a separate aeration system."

Supervisor Villella: "Okay, thank you."

Bill Anderson: "So, if the boats were not running for some reason, we would have no aeration and we possibly could have a potential problem. Once again, we have wells; we have hydraulics. Middle Country Road is the center of the hydraulic system. Sound pushes under fresh water this way, the Atlantic Ocean pushes towards Middle Country Road this way. As a result, fresh water from Middle Country Road flows south and north. If we pump out 34 million gallons of water, I'm not a hydraulic engineer. I have no qualifications on hydraulics. But, I don't want to pump sand out of my well either. I mean 34 million gallons. How many gallons does Gary have? Does he have 34 million?"

Supervisor Villella: "I know we've got-- "

Bill Anderson: "That's a lot. Thank you."

Supervisor Villella: "Okay, thanks. Rolph."

Rolph Kestling: "Rolph Kestling, Wading River. I just want to add a comment on the water problem. Nineteen acres of water. How much evaporation-- how much water disappears every day from 19 acres? It's a hell of a lot of water, there's got to be some resupply again. You're not just talking about what they're using to fill up the pond or the lake. Nineteen acres-- you've got evaporation and you're going to be pumping and pumping and pumping."

Supervisor Villella: "Does anyone have an answer to that? Howie? Thank you, Rolph. It's a good question."

Howard Young: "We've done some calculations regarding how much-- how we would fill the pond up and what methods we would use and we've had lots of thoughts on that. We did submit to the New York State DEC and I believe to your Planning Department a report about evaporation and (inaudible). And the bottom line is and I won't read all this, but we are more worried about excess water. We did propose to put in a 45 gallon per minute well on site so that we could build a pond slowly if we did get into the droughts in July and August but mainly we have to worry about getting rid of the rainfall rather than pumping this (inaudible). I can give anybody copies of this report, I believe it's in your record."

Supervisor Villella: "I wish it was but we don't have it."

Howard Young: "Anyway, this was submitted to the DEC at their request and it's only a page here. I'm not sure that reading the numbers would do much for anybody but it's available. But the bottom line is to fill the pond up we have some methods, you know, some ideas of how we might fill it up. And certainly we would fill it up at a pumping rate that wouldn't disturb the aquifer. And we were hoping that we could come to the Town of Riverhead and put some wells in-- temporary wells on the town's land where they excavate close to groundwater. But one of the other ways that we figured of filling it up was to go to surrounding farmers and ask them if they could-- but that seems to be unrealistic at the present time.

But anyway it's really not a problem and it wouldn't be done to--

it is a lot of water when you think of it but there's a lot of water down there. The water here is 19 feet above sea level and if you're using hydrology there's 19 times 40 feet of fresh water below (inaudible). And that water is tremendous.

We won't use in filling up this pond the amount of rainfall that falls on the 51 acres in a year and if we didn't put any pumps in there at all, (inaudible) would fill it up in two years."

Supervisor Villella: "Thank you. Anyone else like to speak on this? Yes, just take care-- you can finish up then. Dale."

Dale Fox: "Dale Fox. I live across the street from the water park. When they had given us this booklet that basically gave an idea of what they wanted to do, there's a few quotes in here that are kind of disturbing so I'd like to give you a different picture of what might happen in the future. Eric and this is a quote, speaking about skiing on the bay. The folks who regularly ski the bay use 6:30 a.m. as their earliest kick off time, summer and winter. Eric's shop sells ski warm dry suits for that express purpose. Quote, I've got a cool picture of us in the course with the entire shoreline covered in about 10 inches of snow. So we're talking seven months now, okay, but, you know, the possibility does exist that this could go on longer than seven months.

They haven't been thrown out of the quarry, there are no houses over there. Nobody lives there. There's nobody to throw them out. They were asked to leave Jamesport. Something to do with the fact that the water-- the effect that the skiing had on the shoreline, the homes along there, but also the noise.

Another question that I have is regulation. Another quote. The problem we've always had with the towns is getting a place to practice. They say go out to the sound. Why? Why did the towns not want this? What towns are they talking about? Further one, another example, officials at public lakes he says almost regulate them off the water. I think they will ultimately kill our sport. So now they're going to be a little private group in a little private place and they're not going to be regulated. What kind of regulations are causing them to not be welcome in other places? And for a modest little proposal.

I don't know if this is any of my business or not, I'd like to know how much this venture is going to cost for a modest little

proposal. In the case of flooding, natural-- like say the winter that we just had-- with all the rain, all the snow, yes, this is unusual. What happens then with all this extra water? Our house is downhill. If whatever barrier that they must-- or berm or whatever they are proposing to create there, that does give way, that water is going to go directly down to my driveway, into my house. So these are just a few more of the things that, you know, that I'm concerned with as well."

Supervisor Villella: "Thank you."

Greg Sund: "Hi, my name is Greg Sund. And I live locally. I run a business, underground lawn sprinklers. I have about 700 customers."

Barbara Grattan: "Greg, spell your last name."

Greg Sund: "Sund, S-U-N-D."

Barbara Grattan: "That's what I thought."

Greg Sund: "And my children waterski. I have a 10 year old daughter, a seven year old daughter, and a two year old son. Hopefully, he'll be skiing soon and I ski also and I just want to say that I'm in favor of this and that's it."

Supervisor Villella: "Thank you."

Greg Sund: "Thank you."

Supervisor Villella: "Yes."

Joan Griffin: "Good evening. My name is Joan Griffin. I live up in the Manors in Baiting Hollow. I have a couple more questions about this. To maintain the area, who is going to do it? The private club or our taxes? Our taxes are very high to begin with. Why are they, you know, coming to us in an area that's not developed yet and this Splish Splash that has parking area, they have that whole second parking area. The road on Youngs Avenue is deteriorating very badly now. It needs desperate repair work and it's not being done for the residents. Why should we do it for this private club?"

They're going to run from sunrise to sunset seven months a year, possibly going through the winter with the right equipment on them. What about the noise and if they don't run in the winter, what about

that standing water for the five months that they're not using it? It doesn't get aerated; it's not being (inaudible) by boats. And I'm just opposed to the whole thing. More discussion needs to be done and why not other than the price of the land that's probably really cheap because they are by the dump that nobody likes, why not go up by Splish Splash, they have the land. They have the land. Thank you."

Supervisor Villella: "Thank you."

John Griffin: "My name is John Griffin. I live in the Meadows. And I'm picking up from my other half. The aeration of the boats-- the water by the boats if we're aerating the water by the boats, I'd like to know how we're going to do that with two boats running a day-- with eight men a day. I don't see that as being possible. We're only running I think somebody said 100 members. I can't see this expense of a project for 100 people. Maybe it is, but 100 people sure seems kind of strange.

Tournaments twice a year. I don't think anybody wants to rent their land for parking spaces. I don't. One of the gentlemen came up and said that we shouldn't not look at this because we don't know what it is. Well, we don't know what it is, that's why we're looking to the Town Board to look into this real closely because I don't want it, my neighbors don't want it. I don't think it's good for the town.

We only moved here five years ago. We came out here so that we could have the quality of life that we didn't have in Queens. I never want to sit in my back yard on a Saturday and a Sunday and hear boats going up and down. If I want to do that, I'll go down to the beach.

Somebody said that they only come out here twice a year for tournaments and I just want to let everybody know that we live here 52 weeks a year, not two times a year. So we have to live with it. And as far as-- Vinny as far as the cars being towed away on Youngs Avenue, we do worry about it, that's why we're here."

Supervisor Villella: "I know that. Thank you."

John Griffin: "Thank you."

Supervisor Villella: "Anyone else like to speak on this? All right, we'll get to you. Steve, I just want to get the others out of the way. You can finish up-- Steve."

Steve Haizlip: "You've got somebody else?"

Supervisor Villella: "Go ahead, Steve."

Steve Haizlip: "Okay. Steve Haizlip of Calverton. Charlie said this is the time. Now, Howard left a loophole open. He said that they were going to put wildflowers on 30 acres-- "

Howard Young: "No, I didn't."

Supervisor Villella: "Let Steve talk."

Steve Haizlip: "The (inaudible). Now, when he said-- when they buy this land, you know, we've got one gentleman in the town which advocates they once they get a foot in, they will keep on going as long as they've got ground to go on. So, if they are going to stop at 19 and a half acres and leave the other 30, that's all well and good if they put the wildflowers on it. Now, Mrs. (inaudible) when Village Green was being built on Edwards Avenue, she used to get up here and stomp, fit and rage about all those heavy trucks taking topsoil out of Village Green and they literally tore up North Edwards Avenue. Now, they didn't fix it. The town had to go spend money to fix it. But they reaped the harvest of tearing it up. Now as Rita says, she's got a very good point. And that road ain't the greatest right now. And they start hauling out of there all that topsoil with their heavy equipment, I'm afraid we'll have another torn up road and the town will have to come up with the expense to repair it."

Supervisor Villella: "Adam, do you want to speak on that?"

Adam Grossman: "I just want to mention-- just to respond to your concern in that regard. This particular application is going to be subjected to the new excavation fees and the new excavation fees are going to cover removal of material on the site and it will also cover damage to the road. In other words, if there is damage to the road, the applicant is going to have to pay for that."

Steve Haizlip: "Very good. It's about time we started recovering some money from what we have to lay out from the taxpayers."

Supervisor Villella: "I see a hand in the back, yes."

Gary Theratetti: "Hello. My name is Gary Theratetti. I live

in this town. I have a business in this town. And I ski in this town. And I'm in favor of this. I've got my family that skis and I really don't see a lot that's wrong with it. Any development you put in that area is going to have truck traffic, the funds are going to go for the roads or repairs. Really you're talking two skiers at a time and two boats at a time. Most people are only there for a couple hours and then probably another crew comes in and really as far as parking, that meadow might turn to grass so there's extra parking for the folks that might be waiting. But, I can't see anything really wrong. It seems a nice proposal to me. Thank you."

Supervisor Villella: "In the back."

Carolyn Herring: "Hello, my name is Carolyn Herring and I am the neighbor next to Dale. If this thing folds up and the club doesn't run anymore, is the town going to take it over and what are they going to do with it? That's my big question. Are you ready to pick up the responsibility (inaudible). And what is this retaining wall? What is that about?"

Supervisor Villella: "We'll let them answer that. Retaining wall."

Carolyn Herring: "I don't know what that means. Why are you putting a retainer--?"

Howard Young: "Do you want me to answer?"

Supervisor Villella: "Yes, please."

Howard Young: "We're putting in a retaining wall to hold the water."

Carolyn Herring: "How many feet and like this looks like it's really high."

Howard Young: "I'd be glad to show you the plans."

Carolyn Herring: "It's right here."

Howard Young: "I'll get the plans. We're showing a (inaudible) retaining wall in series of-- (inaudible). It starts at elevation approximately 40 at the westerly property line, it goes up to elevation 72 at the top of the wall-- the top of the berm, holding the

water. Above the water is 73 and the lake-- proposed lake elevation is eight. There is a swale right here that goes up. If we lowered the lake down further that would just be more yardage to take out of site. We take what we thought was the best elevation for the water-- proposed water elevation and the best way to build the wall. The reason the lakes are where they are on the site is because of their required length. You can see that portion of the property is a little bit longer and we fit them the best way we can.

The water-- if it did overflow would overflow first out to the east where you see the little launching lagoon. It would overflow there first and go back into the soil through the sand and drain we have there. If this-- this is going to be a lake, hopefully, it would look natural. They have lots of pictures of these throughout the country and if somebody was to leave this site, it would be beautiful and there would be people dying to build a home there, I can tell you that from my experience with development. So it is not going to be something that's going to be trashed or left-- it's waterfront property once it's done and that's very valuable. That's right. It's a lake."

Carolyn Herring: "Where this retaining wall is, I've walked these woods many, many times. Where they're putting the lake, there is a natural hole. Where they're putting this retaining wall, there's three sections that run to the east and west. Well, this is the lake. There's three natural holes that when I have to go down in it, it's up to here on me. You go down one, you go down another, you go down another. Where is somebody going to build a house there for waterfront property?"

Harold Young: "The other side, that's not our property on that side. We don't own that."

Carolyn Herring: "The whole 52 acres? I thought you owned the whole 52 acres."

Howard Young: "This is the property line; this is where the retaining wall is. This here-- "

Carolyn Herring: "No, they wouldn't build there because that's-- they wouldn't build a house over there because this is where the dump is. If they are going to build a house, it's going to be on this side."

Howard Young: "We don't own the property over there."

Carolyn Herring: "That's what you said, that if somebody bought some property and that they would build a house there and don't worry about it."

Howard Young: "I didn't say don't worry about it. Those are your words. You said that if they abandoned this. I'm just saying if they abandoned this-- our property, that somebody would buy this and put some residences on the east side of it."

Carolyn Herring: "With the lake, it's not going to be fenced in at all. Is that right?"

Supervisor Villella: "I don't think so."

Howard Young: "That's correct."

Carolyn Herring: "There's a lot of children, the Manors, I have four of my own, and (inaudible) is 700 feet from this place. There's children in the trailer parks and I think that that's a really important thing-- on Deep Hole Road. When these people aren't here skiing, these kids-- not all of them, can't be trusted. And that's like a big concern. And like the parking is another thing. The road is very (inaudible) very windy. I don't know about this, I really don't. It sounds good, it looks good, but you're telling me you can't hear the boats. I can hear the Riverhead racetrack. You are going to hear those boats. You can hear the tractors coming down the road when they're going from farm to farm. You're telling me I not going to hear a boat? I just don't think it's a really good thing. And if they don't own all the property, how can they just build this thing?"

Supervisor Villella: "Thank you. That guy behind you. We've got a lot of them-- we still got a lot of-- there's quite a few, I'll tell you when to go up. There you go. Whoever wants to speak, why don't you just line up, we'll take care of one at a time, please. Mr. Anderson, let the others speak first. You can stand up behind them. Bill. You can stand up behind them. Yes, sir."

William Lunden: "William Lunden, Riverhead. I just have a few minor questions."

Supervisor Villella: "Say it again."

William Lunden: "William Lunden. Okay. I understand that it's not going to be (inaudible)-- that kind of (inaudible) because they are a public nuisance. That's a hell of a big pool. Kids in there and in the winter it's going to ice over and you know damn well people are going to play hockey on it. Kids are going to fall in this thing. You have a 32 foot berm, that's a three story high building. What's the elevation of the road? You said it started at 40 feet. What's the elevation of the road? Can I find that out, please?"

Supervisor Villella: "Howie, would you like to address that?"

Howard Young: "I don't like running back and forth-- I'm glad to answer anything but if you want me to."

Supervisor Villella: "I know it's a pain but we have to do it this way. I'm sorry, Howie."

Howard Young: "Pay attention now. We want to make you a member of this club and teach you to ski. You are never too old to learn. Now I forgot what the question was."

Councilman Kent: "What's the elevation of the road?"

Howard Young: "The elevation of the road in front of the house across the street is approximately elevation 78. The water surface of the proposed lake is 68."

William Lunden: "Also, I look at it this way. We live on an island. There's a lot of other water. We don't need to create it merely for 100 people. There's plenty other places for this to go. I think they should look into possibly someplace that's not going to agitate a bunch of people that already have a very quiet and serene place to live. Thank you."

Supervisor Villella: "Thank you. Yes."

Bob Ratimar: "Hi, my name is Bob Ratimar and I've been a skier for about 34 years now when my parents taught me how to ski up in Newfound Lake (phonetic) New Hampshire. And it's been a good family sport for myself. I have three young boys who all three ski also and what-- I travel to different ski sights. And I've seen the different ski sites develop. I've seen the problems develop that they run into. I've seen the pros of ski sites, not the professional skiers, but I mean I've seen the good parts of ski sites and I've seen the

opposition that's come up to these sites.

The last lady who came up here said it exactly right. She doesn't know. She's not sure. That's the thing. There's lack-- the more information that we can give-- the American Waterski Association sponsors the development of these sites, obviously for the furtherance of the sport as being a family sport. And there's a lot of information out there that can help them develop better working relationships with the people in the area.

Right now, I travel to Connecticut to ski. I travel-- bring my children to ski-- I travel to northern New Jersey. There's a site that was developed in Monroe, New York that I travel to. A couple skiing friends of mine and the families we go down to Florida where they actually have a public-- built by the town, a five lake site in Florida was built by the town for the people with town money and operated by the facility.

But we're not asking the town to do that right now although that would be nice. But we're going to-- we'd like to show everyone exactly how beneficial it is to the area and how not detrimental. One thing that sticks in my mind is the noise of the boats. At the present lake that we're at now, it is high side-- you can almost stand on the shoreline and not hear the boats. That's how quiet they are. They made a reference to Riverhead Raceway. We have open headers on-- I mean it's, you know, apples and oranges. It has nothing to do with it. These boats are muffled and they have tremendous noise abatements.

I'm just saying I'm for this ski site for a whole family orientated sport and through further information that we can supply these people to abate their worries, I think it will become a reality."

Supervisor Villella: "Are there any videos available?"

Bob Ratimar: "There are videos, American Water Skiing Association has not only videos but there's pamphlets, there's all kinds of information to support all our claims. And I'm sure that Eric Scot can help you with that. Thank you."

Chuck Kitz: "Hello. My name is Chuck Kitz. I'm presently Vice-President of the Wading River/Shoreham Chamber of Commerce and we're discussing this matter with the other officers. We are in favor

of this because it is a family sport. I also ski. I've lived-- I own a business in the town and I've lived here for 30 years and I've been skiing for 25 years. The boat traffic that is out in the bays and out in the sound now is dangerous. When I see a waverunner coming behind you and cutting you off, I've had it happen. It's dangerous out there. This is a controlled environment. We are all insured and like I said, I don't know how many times when you're out in the bays trying to waterski, that a waverunner or another boat is in your path and we know this for a fact because how many people are killed on the water each year between waverunners, boats, you know, crossing paths because people don't know what they're doing out there. Everybody waterskiing for this number of years and everybody that has purchased a boat has been skiing and knows how to drive a boat and it's in a controlled environment. You know.

These other lakes around the country, I've been to quite a few, are also controlled environments, they're all clubs like this, and they work. It's proven. And it's growing and growing. So what we're saying is that we support the club and it will bring beauty to that area. It is not-- it's a beautiful site. And like I said, basically we're all in favor of it and for the people that have lived here, you know, for 30 or 40 years, we all live here and we all came from Queens or wherever, too, but we've lived here for 30 years and we just want a controlled site to ski. That's all."

Barbara Grattan: "Chuck, what's your last name?"

Chuck Kitz: "Kitz. K-I-T-Z. Thank you."

Supervisor Villella: "Thank you. Yes."

Amy Lucas: "Amy Lucas. I just have a couple quick questions. I want to know if there was an environmental impact statement done on this property?"

Supervisor Villella: "That's what-- the town planner said there was none."

Amy Lucas: "It was done or it wasn't done."

Adam Grossman: "There was an environmental assessment form that was completed and this particular application, I believe, the determination of the Town Board was it was-- there was a negative declaration and an environmental impact statement was necessary

because we were handling that in the special permit process."

Amy Lucas: "Okay. Just because I know as a young girl when I was riding horses on that area and in the woods and the different places close to that property, I saw a lot of wildlife and different things I learned about that.

Another thing, if for some reason if people run out of money, what happens? We have a big sand pit. They've taken everything out and now all of a sudden oh, we don't have the money to finish the project, what is the town going to do with this? Also for those people who are skiers, I have nothing against the sport. I think that it's a wonderful thing and it's very nice to get your family involved in a sport like that. But is it in their back yard? The people who came up here to support it, I'd like to know exactly where they live and if this in any way impacts their property.

I, again, have to suggest that we don't necessarily down the project but perhaps look at another site. Grumman I think would be a wonderful place and there's many others. Thank you."

Supervisor Villella: "Thank you. Yes."

Marilyn Binder: "Marilyn Binder, Calverton. One question. How is this going to benefit Riverhead? We are here to help Riverhead. We've been living here 10 years and we are really pleased. We lived in Huntington for 18. I must say Riverhead is a wonderful place to live. And it's quiet and these people that are coming here. I understand-- my husband and I once skied years ago and we own boats and I understand exactly what they're saying. There's a lot of other places. And most of these people are coming in. What are they giving back to Riverhead? What are we going to get from these people coming in here? They're not going to go shopping here. They're not going to go into your restaurants here. They're coming and going. They're pretty much saying they're coming and going. I want to know what they're going to give to Riverhead. That's why I'm here."

Supervisor Villella: "We'll let them speak on that. Thank you. Mr. Anderson."

Bill Anderson: "Yes, Members of the Board, Supervisor. I just found out about the elevation of the water and the dam. My concern for that, the lowest point on my property is elevation 42 and I don't know that I have the figures correct, I thought I heard a top

elevation of the dam at 68 or 70. Was I correct?"

Howard Young: "I can't speak from here."

Bill Anderson: "Okay. And that-- "

Howard Young: "It's close. Adam won't let me speak."

Supervisor Villella: "No, no, continue and then we'll get-- "

Bill Anderson: "If the dam was to break, I'll get 34 million gallons of water. That's a lot of water. I could swim for a long time. (Inaudible)."

Howard Young: "It's our water, you'd have to give it back."

Bill Anderson: "I mean we watched several years ago some problems in the midwest when levees broke. They (inaudible) a whole town. What happens to my property value if this should break or if let me pose a question to the members of any one here. Would they like to purchase the property and build their house at the bottom of that dam? I think that's a fair question. Thank you."

Supervisor Villella: "Thank you."

Bill Sebarek: "Good evening. Bill Sebarek, President of Calverton Civic Association. I live in Baiting Hollow on Twomey Avenue. Number one, I've never known Youngs Avenue to be in good shape. The road has got a couple of 90 degree turns in it and it's as far as I remember, it's always been in pieces. But this is a nice project. It would go perfect in a place where land would need reclamation. But to take a 50 acre parcel, wooded land, strip it down, put a lake in it, it's nice but it just doesn't sit right. And to leave it unfenced is a big temptation and I hope jetskis aren't allowed in there because they are the most annoying things whether you're inland or on the shore. But I think you should think about the kids and even snowmobiles have been known to go in water. It's crazy but it's been done. And if this area isn't fenced in, it's not being controlled.

And even in the evenings, I mean, it's a big temptation. So I think there should be a lot more consideration to this project. But we'll take it from here."

Supervisor Villella: "Thank you."

David Fuhrmann: "Dave Fuhrmann, I'm a current club member. There's an awful lot of things on the table here obviously and I guess I'll just first start by saying there seems to be a lack of education and we had a couple work sessions together and meetings with Rick and Joe (inaudible) in the environmental department. It took about six months to educate the town on exactly what we're trying to do, so I think we need to keep that in mind. There's just simply no way we can educate everyone out here this evening in a couple of hours. So that's the first thing I'd like to say.

The gentleman who came up and said-- the gentleman who raises the buffaloes, said that we're looking for a calm water surface. I think that's exactly right. That is what we're looking for. The unfortunate thing about Long Island is we're surrounded by water and unfortunately there's no place for us to ski for the level of skiers that we are which is relatively high end. You think of all-- the gentleman that came up and said we're surrounded by areas where there's a lot of boat traffic and it's dangerous. That's absolutely true. That's why we want to build a facility of this nature.

Other areas where you could ski are where you have flat calm water as a gentleman quoted. You have to remember those are waterfront properties and no wake zones. So there really is no place for us to ski and that's why there's somewhere depending on the statistics and the articles you read, there's somewhere in the neighborhood of 800 to 1,200 facilities like these currently in the United States. Unfortunately, there's none here on Long Island and I think we deserve one. It's a long time coming.

The second issue was the competitions. At work session with the town we said that that's something we would like to do but if the town decided that-- you guys don't want competitions, there's no competitions. All we want is a training facility. What we thought it would be fun and exciting because there's competitions like this throughout the country that do generate a lot of money to the local commerce. We'd eventually like to bring a pro tour but obviously if you guys don't want it, it's certainly something we won't do. But if you have, you know, hundreds of thousands of people going to Tanger Mall, going to Splish Splash, staying at the local hotels and motels and going to local restaurants, I'd like to challenge that one a little bit if I could.

In terms of the yardage leaving the facility, 136,000 cubic yards, you're right, it is a lot. It's an awful lot. I remember when I read the report from Howard I was kind of amazed. You have to remember the local golf courses that are being built here in the local area, the average golf course removes somewhere in the neighborhood of 500,000 to 1,000,000 cubic yards. So I think we need to keep that in perspective. It's somewhere in the neighborhood of 10 to 15% of the total yardage of a golf course and I know there are several going up in the area.

Another issue that came up is membership and a lot of people think that, you know, we want 70 to 100 members and I think most recently we decided on 70 for the facility. We don't want it to get big and large and commercial. We want it to be private; we want it to be used on very infrequent basis just by a small number of people and I think we need to also keep that in mind. If you have hundreds upon hundreds of members, it defeats the whole purpose of having a facility like this and that is for us to go and have a place to train because many of us are, like I said, high end skiers.

Someone said well, what are we going to do in an event that we run out of money and we decide to walk away from this project. I will have you know that there has been a club established-- I've only been part of it for five years-- "

Supervisor Villella: "Dave, Dave, you have to address us, not them."

David Fuhrmann: "I feel that I have to-- "

Supervisor Villella: "They'll hear you, believe me they hear you."

David Fuhrmann: "Okay, well, the club has been around for about 15 years. We're not going anywhere. I think you can understand that. Many of us are married, have wives and children that are in the sport and it's a growing sport and we want a safe place to conduct this activity.

Lastly, a concern of one of the members out there is fencing in the two ski lakes. And, I, you know, I can understand the concerns and I sympathize with it, we all have children. Remember that it is on a 71 pitch so a young child is going to have to walk out 35 feet to be five feet deep. So, I mean, we're talking about a very gradual

slope here. In addition, I think it's also important to keep in mind that, you know, this is really no different-- and although it is a large body of water, it really is no different than say a man made pond on a golf course. What's to stop children from walking onto a golf course and jumping into a man made pond out there when no one's around to watch? Or say the river running on the south side of Main Street; I don't see that fenced in and that's just as liable for kids to jump in there as would be this facility which is kind of in the middle of nowhere.

So, I tried to address as many of these as I could. I think one other issue that came up was noise and a gentleman cited from the calibration report in terms of noise that we hit 66 decibels at 25 feet and with all due respect to the gentleman, 25 feet from his home would be like the boat running down the middle of Youngs Avenue, which isn't very realistic. The road is 50 feet. The peripheral edge of the property is another 100 feet so that's 150 feet and a decibel reading at 150 feet is actually 52 decibels and I don't know how educated anyone is in the room on decibel readings but it's important to also keep in mind that the average car that travels in front of your home at 30 miles per hour is somewhere in the neighborhood of also 50 decibels. I think there's a big lack of education from a lot of people in the room fortunately or unfortunately about these boats that are going to be in there. There's only one boat allowed to execute this activity on the premises and it's called a master craft and it really does come with very high technical silencing systems and muffling systems and all I can say is you have to see it and hear it to believe it.

And I guess that's it. I tried to address as many as I could and like I said, there's just so much education that needs to go on fortunately or unfortunately and I did the best to address most of the concerns out there as best I could. Thank you."

Supervisor Villella: "Thank you. Would anyone else like to speak on this? We getting back to give and take here. Go ahead, Art."

Art Binder: "Art Binder, Calverton. David, we do not live in the middle of nowhere. That's number one. You just said-- "

Supervisor Villella: "Over here."

Art Binder: "You just said-- you just made a statement that you

can come out here in the middle of nowhere. You've got a recorder, you could possibly play it back for the people. This is our home; this is our town. We love it out here, we support this town. This town supports the people of Riverhead. You have a situation where you are damned if you do and you are damned if you don't. It is a good sport. It's a great sport. I used to do it for many years myself. But, there's a right place for it and where you have it proposed, is not the right place. It's as simple as that. It belongs in a facility somewhat more like Grumman which has the acreage involved, thousands of acres which can absorb sound. You're surrounded here in a residential area. You're not going to be happy; we're not going to be happy and if everybody winds up miserable, it's going to be a tragedy.

Do yourself a favor, don't make a big investment in it up front. Talk to the townpeople, maybe the Board can steer you to a place that is more apropos for this type of thing and maybe I'll even join. Thank you."

Butch Langhorne: "Mr. Villella, Board members, Butch Langhorne, Calverton. I've sat and listened for the last hour on this hearing and I didn't hear anything about how much it would cost. Suppose Riverhead or Calverton wanted to become a family member, if I wanted to bring my family in and join this group. How much would it cost as a family to become a member of this? Well, that's one thing I think should be considered.

I just heard that you were only looking for membership of 70, I think I heard it was said. I think this is something else that has to be looked at. You're talking about a lot of confrontation for 70 to 100 families. If it was 100 families, I think it certainly is something that should be considered. I swim in a pool. No, I do not ski. I'm not against this. But I think it's something that should be considered. There's a lot of discussion going on. There's a lot of educating that has to be done but I don't know whether the education is worth 100 families. This magnitude for 100 families. Thank you."

Supervisor Villella: "Thank you."

Dale Fox: "Dale Fox. I just have two quick things and one was to address the issue of 52 decibels which is like the same amount a car would be going down the road. Well, if this is going to be going on for 5, 6, 7, 8 hours a day and I imagine it's going to be non-stop because they want to move it along quickly, I live there and that

would be like me moving to the side of the expressway because it's going to be non-stop 52 decibels all day long. So, I don't want to hear that.

And the other thing that I think you should look into and it is in the report-- you probably all got one like I did-- as far as the regulatory actions-- they said that they've been heavily regulated out of a lot of the areas that they had previously been looking to-- what those regulations are that they don't want to be regulated. What kind of regulations are these that they want to get away from? Thank you."

Supervisor Villella: "Thank you. I just want to poll some members here."

(Some discussion was held between the Board members.)

Supervisor Villella: "I would recommend to educate the people. You have videos? You have a lot of information which the people don't have, they don't know anything about. I was wondering, Ann, you have Calverton Civic Group at Riley Avenue School-- if you "

Ann Miloski: "My name is Ann Miloski and I'm from Calverton. This idea of educating the people-- we were educated on Omni. They gave us a wonderful presentation and the trouble we've gone through since then, I think everybody in this room knows about and so does this Town Board. I have nothing against water skiing. I used to water ski when I was younger. I think it's a wonderful sport. It does not belong in property that has to be rezoned from Agriculture to-- "

Supervisor Villella: "What you're saying, Ann, is fine. But what I'm saying is just in case they want to do it on a different piece of property, it's still going to be in Calverton, so I'd rather have your people get educated."

Ann Miloski: "It should be in Grumman. Well, I'll have to ask if they want to get educated. Thank you."

Ann Frische: "I would say something on behalf of the Calverton situation here. I have a big problem-- "

Supervisor Villella: "State your name, please."

Ann Frische: "I'm Ann Frische."

Barbara Grattan: "Spell your last name, please."

Ann Frische: "F-R-I-S-C-H-E. I'm hoping to be heard later after all this. I pray to God it's not another hour, I've got to get to Brentwood tomorrow to work."

Supervisor Villella: "Hear about what?"

Ann Frische: "About a different situation. Okay. But in defense of these people from Calverton, water seeks the lowest level and God forbid anything happens to that lake, you're going to have some unbelievable flooding in Calverton. And if I have a little pool in my property, I have to put a fence around my little pool. Imagine this big pool. These people are there first, and I'll be darned, there is a lot of commercial property that this really could-- really be better served."

Supervisor Villella: "Thank you. Yes."

Eric Scot: "I want to address-- my name is Eric Scot. I just wanted to address the sound. Where we're skiing at right now we have houses to the south of us and to the west of us at the site we're at. They never even knew we were there until they trespassed and were going around the woods and found the water and saw the boats. As far as hearing us, they never heard us. When we're talking about decibel reading, we're talking about if we were driving 150 feet away, you'd be 50 decibels. The boat can't even drive that close to shore because it's at a 71 pitch so you're talking at the closest point the boat would be is probably 250 feet and that's when the boat is stopped. When the boat's going, it's going to be more than 500 feet away from the closest point. I don't think anybody if they were standing on the property line is going to be able to hear if there's a boat skiing, let alone thinking there's going to be traffic like a car going up and down the street. We've done the tests on the water line at the quarry where we ski now and this is at the water line. At the property line, you could not even hear the boat. When we were three-quarters of the way in, you could not hear if the boat was-- until you can actually see a lake is when you can hear it but there was not-- you would have to be walking in-- nobody would hear it from the street or from their houses."

The other thing I wanted to address was about the revenue. When

we go and ski, we go and ski for about an hour and a half. When we're done, we all go to Triangle Pub. When there's five of us, five of us just went and spent some money at the Triangle Pub. We don't even have the benefits of having the (inaudible), the mall, the outlet stores. There's no doubt if I show up and I'm skiing and I have to go shopping and it's a mile from the place and every other member and every other family member is going to show up and go to a place that's convenient, that's been known for it's shopping-- where it used to be, we used to have to drive there. Now, we're going to say well, we'll be skiing. When we're done skiing, let's go shopping. And tournaments, if it does be allowed, it brings a lot of revenue for no impact. The only thing that they would even know is parking of cars which can be parked wherever is suitable to the town as far as whether they have to be bused to the place, but if it's rejected, it's rejected. But a tournament does zero impact. When you're at the place, it is going to be just like having a party in your back yard but you are bringing a lot of money to the community."

Supervisor Vilella: "Anyone else like to speak?"

Steve Yablonski: "My name is Steve Yablonski. I'm a potential member of this club, a long time water skier. Just to fill in one hole."

Barbara Grattan: "I didn't get your name. I was talking."

Steve Yablonski: "Steve Yablonski. Y-A-B-L-O-N-S-K-I. Just to fill in one hole. There was an issue here about what it brings the town. The site does pay taxes and it's not like the town is supporting the site. The site is, you know, the club is buying the land and it does pay taxes. So it's not looking for anything from the town from that standpoint. I just want to make sure that point was clear. Thank you."

Councilman Kent: "They never addressed what the cost would be for members."

Eric Scot: "The cost to be a member is-- the first year is going to be \$3,000 and the second year is \$1,000. Every year after that it's going to start at \$1,000. If there is increases, it would be minimal. But the first year is going to be a \$3,000 cost and the second year is \$1,000-- whether you-- no matter what resident you are or where you are. That's a single, a family member would be \$3,500 which consists of unlimited kids, husband and wife. All first

generation. And then it would be \$1,500 every year after that."

Supervisor Villella: "Okay, thank you. We are going to recess for 10 minutes."

Public Hearing left open for two weeks

Recess

Supervisor Villella: "We are going to reopen the meeting again, but like I said before for the first public hearing, this one will be open for two weeks for public comment also.

Now we will go into the CDA meeting."

Meeting adjourned for CDA meeting.

Meeting reopened

Supervisor Villella: "That ends the CDA. We're back into regular Town Board session. Comments on the resolutions. Public comment on the resolutions tonight. Steve, come on up."

Councilman Kent: "We should let them know we have certain resolutions that aren't on the agenda so they can make comments."

Supervisor Villella: "Would you like to address that?"

Councilman Kent: "You want me to give them-- "

Supervisor Villella: "Steve, hold up just one minute."

Councilman Kent: "Just before you speak, Steve, I wanted to let the public know we have a few resolutions that are not on the agenda in case anybody wants to make public comment regarding them. Can you hear me?"

Supervisor Villella: "Sit down, have a sit. Everybody is standing up back there."

Steve Haizlip: "Steve Haizlip of Calverton."

Councilman Kent: "One second, Steve. I just want to give the resolution. Give a new resolution #53 which is a general fund budget adjustment for the Economic Development Zone. It's taking the aid that we received from the Economic Development Zone and putting it into the Community Development contractual expenses. Then we have three more resolutions that are not in the packet-- wasn't listed but it's in the packet. Okay, then we'll start with that one. No. 103 I believe it is. We have a resolution authorizing the Supervisor to execute an agreement with the County of Suffolk regarding dredging in the town. There are nine projects in the town of Riverhead that are on the County's dredging list and we have an agreement that-- we have a resolution that authorizes the Supervisor to sign an agreement with the County for dredging of all those creeks in the town. If you'd like to-- there's nine creeks. It's not creating any water parks.

We have a resolution authorizing the Town Clerk to publish and post a help wanted ad for a site plan reviewer for the Planning Department. So if anybody's interested in being a site plan reviewer, you can come down and fill out an application.

We have a resolution, Community Development Agency budget adjustment. This is the Riverhead Foundation. There's \$36,500 partly for Riverhead Foundation. That's not-- no, 53 is the Economic Development Zone aid. That's the one you gave me as 53.

We have a last resolution of the evening, I think it will be #108 at this point or 107, will be the adoption of a local law amending Chapter 64 regarding fire prevention of the Riverhead Town Code. If you have any questions, you could speak to Bruce or to Leroy in the back of the room.

Steve, do you have any questions?"

Supervisor Vilella: "Go ahead, Steve."

Steve Haizlip: "Yes, I want to talk about #67. Now as you know I'm still on the CAC, the Citizens Advisory Committee, now I spoke here when we were meeting and John Reeve and Leroy was present and I raised a question about the methods of how they were negotiated-- the contract for the garbage removal and (inaudible)."

Supervisor Vilella: "Steve, are you talking about the town-wide garbage? This isn't that."

Councilman Kent: "This deals with only garbage generated by the town. We use Crown Sanitation to take away--to cart away our garbage."

Steve Haizlip: "That is what I'm talking about. Crown Sanitation takes care of practically everybody in the town."

Supervisor Villella: "No, no, no. That's not what we're talking about. This is just for us. The Town Hall."

Councilman Kwasna: "The Town Hall."

Councilman Kent: "For the municipal corporation of the Town of Riverhead."

Councilman Kwasna: "Town buildings."

Steve Haizlip: "Oh, the one for residential hasn't come up."

Supervisor Villella: "Don't worry about that. We'll let you know about that one."

Steve Haizlip: "Well, I hope so. Now, 74. I have a feeling that I our good CDA lady is going to take a little trip to Washington to get educated how to get some more money and-- "

Councilman Kent: "No, this isn't CDA. This is Charlene Kagel. She's our grant administrator for criminal justice grants that we receive-- that are received by the town, mostly police-- grant monies that are available to police departments throughout the country."

Supervisor Villella: "Congressman Forbes is-- he'll be there and this is a great thing for the town."

Steve Haizlip: "Oh, I see it is and I never knew we had a Charlene that was with the criminal justice but glad to hear about it."

Councilman Kent: "Well, she actually works in the finance-- "

Steve Haizlip: "And any money you can get-- "

Supervisor Villella: "I put her in charge of grants because she's doing a tremendous job getting us money."

Steve Haizlip: "Probably she is."

Supervisor Villella: "That's it-- no other-- okay, we're going into the resolutions."

Resolution #51

Councilman Cardinale: "Resolution #51 is a resolution to table-- to move the 1998 tabled resolutions off the table. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is adopted to move off the table."

Resolution #52

Councilman Kent: "This resolution withdraws all those tabled resolutions that were tabled in 1998. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #53

Councilman Cardinale: "This resolution is a general fund budget adjustment taking \$36,000 from Economic Development Zone aid and transferring it to Community Development contractual expense. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #54

Councilman Kent: "Resolution 54 adopts the very thorough final scope of issues for the site plan of Maidstone Landing. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #55

Councilman Kwasna: "55 amends resolution #7 of 1999. This is just adding Twomey, Latham, Shea & Kelley to our list of contracted attorneys for the town. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #56

Councilman Lull: "Appoints consulting engineer for the Iron Pier improvement project. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Supervisor Villella: "Wait a minute, you forgot Lull."

Councilman Lull: "Sorry, I didn't vote yes but I'm going to vote yes but I just want to thank Ken Testa who's not here, I'll mention it to him tomorrow, for the job that he did in coming up with this-- "

Supervisor Villella: "Very good job."

Councilman Lull: "-- this package from Sidney Bowne. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #57

Councilman Cardinale: "Yes, this resolution 57 appoints the law firm of Twomey, Latham, Shea & Kelley as special counsel to the Economic Development Zone administrative board. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #58

Councilman Kent: "This appoints Cynthia Piro as provisional account clerk typist in the accounting office. I hope she lasts longer than the last one. So moved."

Councilman Kwasna: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #59

Councilman Kwasna: "This appoints Jennifer Seebeck as contingent provisional account clerk typist in the office of the Town Clerk. SO moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #60

Supervisor Villella: "Resolution 60 is being tabled."

Councilman Kent: "I'll move to table it."

Councilman Kwasna: "I'll second that."

Supervisor Villella: "Moved and seconded."

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

Resolution #61

Councilman Cardinale: "This resolution appoints bus driver in the senior programs department, Kathleen Long. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #62

Councilman Kent: "Does anybody want to make a motion to table this?"

Councilman Lull: "Yes, I would like to make a motion to table it so that we can reword it. Two things. First of all it should be additional counsel and, secondly, there should be an attached retainer and there isn't. So, let's just put it aside and do it next time."

Supervisor Villella: "Sounds good."

Councilman Kent: "Yes. I'll second that."

Supervisor Villella: "Moved and seconded."

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

Resolution #63

Councilman Kwasna: "63 approves the Highway Superintendent expenditures. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #64

Councilman Lull: "Adds the law firm of Matturro & Associates as special counsel. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #65

Councilman Cardinale: "This resolution approves the special permit of Joseph Tomashefsky. So moved."

Councilman Kent: "Yes. I'd just like to add that a copy of this should be sent to Henry Saxtein. I believe he was here representing Mr. Tomashefsky at the public hearing two weeks ago. And I vote yes."

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

Resolution #66

Councilman Kent: "This approves the special permit petition of Wading River Pre-School Academy. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #67

Councilman Lull: "Authorizes the Supervisor to execute an agreement between Crown Sanitation, Inc. and the Town of Riverhead to take care of the disposal of waste generated by the Town itself. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #68

Councilman Cardinale: "This resolution authorizes the Supervisor to execute a contract for non-financial cooperative agreement with the State. That is attached. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #69

Councilman Kent: "This authorizes the Supervisor to execute a contract with the New York State Department of State for a \$20,000 grant for the development of a local waterfront revitalization program in conjunction with the master plan. So moved. And the agreement is attached. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #70

Councilman Kwasna: "#70 authorizes the Supervisor to execute a very lengthy change order #6 to the Commercial Sewer District Extension Sewer System Construction. I believe this is Route 58 Sewer extension and these are all the changes that were made-- that were needed to be made during the construction of it and we're going to authorize the Supervisor to approve it. I think the bottom line is they came up with a \$13,000 over run in the budget. So moved."

Councilman Kent: "Attached to the back of this is more information about the local waterfront revitalization program. I don't know if that's the same-- but I think this is the rest of the information we were looking for. I just noticed it. Somebody took the appendix out."

Supervisor Villella: "I'd like to make the announcement that we're finally finished, right Mike? The Sewer District. And we are not taking Tanger's waste anymore, it's going into the Sewer District so it's open. Are we under budget? I want to hear that. Thank you. Okay. It's moved and seconded."

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

Resolution #71

Councilman Lull: "Authorizes the attendance of Mark Griffin at a BOCES national electric code course. So moved."

Councilman Kent: "This is at Suffolk County BOCES, by the way."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #72

Councilman Kent: "This authorizes the attendance of an assessor at a seminar held in Newburgh, New York on February 22 through the 26. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #73

Councilman Cardinale: "This authorizes the submission of New York State D.C.J.S. Title V Delinquency Prevention Grant. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Councilman Kent: "Could I just ask a question on that? I'm sorry. I know it's late, but it says Youth Night at the Beach program."

Supervisor Villella: "Yes. We got a small grant of \$9,000 and we want to try and get some more."

Councilman Kent: "This is in Jamesport?"

Supervisor Villella: "At the work session, Tuesday, I want to talk about the kid situation. Is anyone here from-- Kim's here? No."

Councilman Kent: "Kim is here."

Supervisor Villella: "Kim, can you please, thank you."

Resolution #74

Councilman Kwasna: "Authorizes the attendance of grant administrator, Charlene Kagel, to attend the U.S. Department of Justice Financial Management seminar in Washington, D.C. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #75

Councilman Lull: "Authorizes the Town Clerk to post and publish notice to bidders for the demolition of property located at 519-525 Osborn Avenue in Riverhead. Those who have been here a while recognize that as Chris' store. So moved."

Councilman Kent: "Not my store."

Councilman Lull: "Chris' Market."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #76

Councilman Kent: "This authorizes the Town Clerk to publish and post the attached notice to bidders for the construction of the advanced wastewater treatment facility. So moved."

Councilman Kwasna: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #77

Councilman Cardinale: "I'd like to move to table or withdraw-- move to withdraw this resolution at this time. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Villella, yes. The resolution is withdrawn."

Resolution #78

Councilman Kent: "Resolution 78 authorizes the Town Clerk to publish and post notice of a scoping hearing subject Willow Ponds formerly the Racquet Club on the Sound. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Lull: "Question. As we know, this is huge action. Do we think that a Tuesday night is the best way to go with that?"

Councilman Kent: "Right now it's scheduled for the regular meeting of February 16th."

Councilman Lull: "Yes. That's what I'm saying."

Supervisor Villella: "I think-- yes, I would still keep it that way. I know what you're saying."

Councilman Kent: "If we have to recess it to another day, we can."

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

Resolution #79

Councilman Kwasna: "Authorizes the Town Clerk to publish and post notice of scoping hearing for special permit petition of William Dries and Anthony Specchio. So moved."

Councilman Lull: "Second."

Councilman Kent: "This is also scheduled for February 16 at 7:15."

Supervisor Villella: "Be another long one. Moved and seconded."

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

Resolution #80

Councilman Lull: "Authorizes the Town Clerk to publish and post notice for the Riverhead Code Revision Committee meetings. Adam, this is the meetings for the year?"

Adam Grossman: "Yes, it is."

Councilman Lull: "Okay."

Adam Grossman: "Every night-- the night after the Board meeting at 7:00 p.m."

Councilman Kent: "Ambitious-- ambitious schedule."

Adam Grossman: "Yes, twice a month."

Supervisor Villella: "How many people do you have on the committee?"

Adam Grossman: "Actually there are five members on-- there are currently five members on the Code Revision Committee and, in fact, we're getting quite a bit of work done already in terms of reviewing code."

Councilman Lull: "My question really was, you're publishing these at this particular time."

Adam Grossman: "Yes."

Councilman Lull: "I'm assuming you are giving copies of them. It's not going to be necessary to publish it every week from now on, every other week."

Adam Grossman: "That's correct (inaudible)."

Councilman Lull: "So moved."

Supervisor Villella: "You're saving us some money, is that it? Thank you."

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

Resolution #81

Councilman Cardinale: "This resolution authorizes-- is an authorization to publish a bid for grass seed. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #82

Councilman Kent: "Authorization to publish a bid for diesel fuel. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #83

Councilman Kwasna: "Authorization to publish bid for electronics. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #84

Councilman Lull: "Authorization to publish bid for janitorial supplies. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #85

Councilman Cardinale: "Resolution #85 is an authorization to publish bid for water service materials. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #86

Councilman Kent: "Authorization to publish bid for chemicals. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #87

Councilman Kwasna: "Declares lead agency and determines significance of action special permit of Foxwood Village II. So moved."

Councilman Lull: "Seconded."

Councilman Cardinale: "Yes, discussion, please. I recall that this was discussed at the last work session and I would ask that it be tabled. I have concern which I expressed at that time as to what the proper procedure is, whether it's a special permit procedure or a variance procedure or a overlay on the rec zone. I've discussed this

with Allen Smith. He's given me some cases to look at."

Councilman Kent: "Why don't we invite him to the next-- "

Councilman Cardinale: "And I think-- "

Councilman Kent: "We discussed this without him being present."

Councilman Cardinale: "Yes, I'd like to have him-- I don't want to delay this. I really do want to make the right decision; I'd like to table it so we can discuss it at the next work session. I would be glad to invite Allen to give us his cases and his argument."

Barbara Grattan: "Is there a second?"

Councilman Kent: "I second the motion to table."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes, to table; Kent, yes; Kwasna."

Councilman Kwasna: "If you feel Allen wants to discuss it, I'll vote yes."

Barbara Grattan: "To table?"

Councilman Kwasna: "Yes."

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

Resolution #88

Councilman Kent: "What we've all been waiting for. Establishes the position of Deputy Tax Receiver. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "It is my understanding that the establishment of the position of Deputy Tax Receiver is always and has

always been regardless of what we do in the purview solely of the elected official, Diane Stuke, the Tax Receiver. So I don't-- I do not believe unless the Town Attorney wishes to correct me-- I do not believe that we need to pass this resolution."

Adam Grossman: "Well, I just want to clarify. I think what it is, is this establishes the line in order for us to pay her as Deputy Tax Receiver. The appointment, there's a letter attached although (inaudible)-- the letter attached actually appointing the Deputy Tax Receiver. And the Tax Receiver usually appoints the Deputy. We only put in the line for the payment."

Councilman Kent: "We establish the position; she appoints the person."

Councilman Cardinale: "Are you talking about the-- "

Supervisor Villella: "We have to put the money in there for her."

Adam Grossman: "We would have to establish the position in terms of what (inaudible). Okay. The appointment (inaudible)."

Councilman Cardinale: "It is my recollection that we passed a similar Deputy position for the Town-- for the Clerk's Office. Did we do that yet?"

Supervisor Villella: "No."

Councilman Kent: "There's litigation pending on that."

Supervisor Villella: "This is done the right way."

Councilman Cardinale: "I'm going to abstain. I still do not feel that we have to create this position."

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

Councilman Lull: "I didn't think that we should have abolished it in the first place. Yes."

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

Councilman Lull: "We didn't have the right to do it in the

first place."

Councilman Cardinale: "I think you're right. You are right. I don't think we have the right to abolish it and I don't think we have the need to create it."

Resolution #89

Councilman Kwasna: "This extends the bid contract for paint used by the Town of Riverhead. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent."

Councilman Kent: "Does this include that really bright paint that Steve likes so much or not?"

Councilman Kwasna: "Yes, the glow in the dark."

Councilman Kent: "I think it does. And I'll vote yes."

Supervisor Villella: "Day glow."

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

Resolution #90

Councilman Kwasna: "90 extends parentage leave to Donna Zaweski. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #91

Councilman Lull: "Releases the S.C.N.B. letter of credit of

Hallock Luce IV for the Hallock Luce subdivision. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #92

Councilman Kent: "Sets the fees for usage of recreation facilities. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #93

Councilman Lull: "It's an Iron Pier beach renovation budget adjustment from special trust transfer to the engineering process which has now begun. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #94

Councilman Kwasna: "94 authorizes the Supervisor to execute agreements which is to establish management contracts for employees that are not covered by union agreements. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "I am going to abstain on this vote. I understand but I will leave to someone else to explain the Deputy Tax Receiver position which we just abolished as I recall two months ago. And I understand this. I'm going to abstain because it is my understanding there is a grievance pending and I believe that the passage of this would impact that grievance. So abstain."

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

Councilman Lull: "Yes. The contracts do not allow for-- do not provide for overtime as I understand it. So I vote yes."

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

Resolution #95

Councilman Kent: "This is the resolution without a title."

Councilman Kwasna: "Yes. This resolution basically-- after all the public hearings we've had and everything, we feel it's in the public interest to increase and improve the facilities of the Riverhead Sewer District. Basically it says we're ready to go ahead with it. So moved."

Councilman Kent: "I'd like to just-- there's a couple dates that should be amended to reflect the proper dates. On page two, all those 1999's should be 1998. And I'll second it. Because they refer to the dates we had public hearings and such. So I think they should be correct. And I'll second that. I think there's three of them."

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

Councilman Lull: "I question \$40 for advertisement. Now I'm certainly voting a yes for eight million."

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

Resolution #96

Councilman Kent: "Okay, Resolution 96 is a bond resolution

authorizing the issuance of \$8,100,000 in serial bonds of the Town of Riverhead, Suffolk County, New York to pay the cost of the increase and improvement of the facilities of the Riverhead Sewer District in the Town of Riverhead. So moved."

Councilman Kwasna: "And I just want to add to that. The word increase is in there but we're not increasing anything. All we're doing is improving the capability of our sewer plant. And I'll second that."

Councilman Kent: "We're increasing the ability to remove nitrates."

Councilman Kwasna: "I second it."

Supervisor Villella: "Moved and seconded. Maybe we should ask the County to get some money from them because they want to add on to the jail across the way but I told them they can't because we don't have the sewage capacity. So they can't build it. Maybe they'd give us some money."

Councilman Cardinale: "Great idea, Vinny. Yes. I vote yes."

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

Resolution #97

Councilman Kent: "Yes, Resolution 97-- I'd like to make amendments to this. At the top of each Board, I'd like to put the title of the Board. The first one is Architectural Review Board. Second one is the Conservation Advisory Council. The third one is the Planning Board. And the fourth one is the Zoning Board of Appeals."

Supervisor Villella: "We have names for the CAC. Where are the names?"

Councilman Kent: "This does-- they're in a separate resolution. This just creates the salaries for those positions."

Supervisor Villella: "Oh, okay, okay."

Councilman Kent: "And with that amendment, I'll move the resolution."

Supervisor Villella: "Is there a second?"

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #98

Councilman Cardinale: "This resolution appoints members to the Conversation Advisory Council, specifically Fred Edel, Nancy Gassert, Owen Cassidy, George Bartunek, George Goode, Robert Kujawski and Charles Massoud."

Supervisor Villella: "Do we have to mention the member chair or anything?"

Councilman Cardinale: "George Bartunek is designated in this as the presiding officer and chairman."

Supervisor Villella: "Right, okay."

Councilman Cardinale: "And I will move that resolution."

Councilman Kent: "And I'll second it."

Supervisor Villella: "Moved and seconded."

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

Resolution #99

Councilman Kent: "Appoints a member to the Planning Board. Lou Boschetti. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Councilman Kwasna: "I just have some reservations on this because this name was not brought up at a work session and in the past we have-- the way it's been done in the past is we have received resumes from people that are interested in these positions and then the Town Board sits down and discusses which is the best person for the job. This was not done that way so I have to vote no if nobody wants to table it."

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

Councilman Lull: "To point out something else, too. I agree with Mark when we have always done this with the applications being accepted and resumes and so forth. But just to point out, I have heard just about the last I want to hear about the Chairman of the Republican Party being a member of the ZBA because now we are appointing a Chairman of another political party to the Planning Board and we have the Chairman or Vice-Chairman of another party who's a member of the IDA."

Supervisor Villella: "You're correct on that."

Councilman Lull: "So I simply-- I don't have any questions about that. The pool of talent that we have to draw from in a town this size, is reasonably small and I understand that there's going to be that. But I do not want to hear criticism of one person for being a member of the Board and Chairman of a committee-- political committee when you have two other people who are. Okay. And I would vote no because I want to see it discussed at a work session."

Councilman Kent: "I don't believe the pool of talent is that small. I think we have a lot of very qualified people in our town. I wish they would just volunteer to serve the town."

Councilman Lull: "Well, the pool of talent is partly governed by the fact that those who will come forward and raise their hands, Chris. It's not just those who can do it. We know that there's enough-- a lot of people can, but volunteers or people who can do and will do."

Councilman Cardinale: "I think we would be remiss not to mention that the retiring member is departing after a five year term, Richard Spanburgh, did an excellent job and I think in voting for Mr. Boschetti I'm impressed that someone who served on the Town Board is willing to serve in this capacity and I'm sure he'll do a good job for

the town."

Councilman Kwasna: "And I also wanted to add that it's nothing against Lou Boschetti. I'm friends with Lou Boschetti and I'm sure he'll do a great job. But I just regret the fact that I did not get a chance to discuss this with Lou before this resolution showed up tonight. That's all I have to say."

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

Resolution #100

Councilman Cardinale: "I'd like to-- "

Councilman Kwasna: "Could I say something before we do 100 because we do have a tabled resolution #27 that deals with the same matter as resolution 100. Can we bring 27 off the floor to get rid of it before we deal with resolution 100?"

Supervisor Villella: "That makes sense. You're correct on that."

Councilman Kwasna: "Okay, I'd like to bring Resolution #27 off the floor which reads, it reappoints member to the Town of Riverhead Zoning Board. So moved."

Councilman Cardinale: "Second."

Supervisor Villella: "Moved and seconded."

Councilman Kwasna: "All right. Now I've got to move the resolution-- bring it off the table."

Councilman Cardinale: "He has to move it onto the table."

The Vote: "Cardinale, yes, to move it onto the table; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. It's on the table."

Councilman Kwasna: "Okay, and I'll move the resolution which reappoints member of the Town or Riverhead Zoning Board to a five year term which is Don Gannon who has served I guess in the past year or so as Co-Chairman of the ZBA. I did get a chance to talk to Don Gannon as I know probably the whole Town Board did, and saying that he would

like to stay on the ZBA. He's been doing a good job over the years. Even at our last work sessions where we heard from other members of the ZBA state to the Town Board that they would also like to see Don Gannon stay on the ZBA because of the great job and knowledge that he has with the job and also because I believe the Supervisor did tell Don Gannon in December that he was going to be reappointed to this position. I see we do have another resolution 100 here tonight. So that's why I wanted to bring this one up which was tabled back on January 5th."

Supervisor Villella: "If we could have went to seven members, Mark, we would have gladly have kept him on there but state law states that we can't go to seven so that's the reason why."

Councilman Lull: "I'll second the motion."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "Sorry, but is this a motion to pass this?"

Councilman Kent: "This is a motion to approve Don Gannon."

Councilman Cardinale: "I would vote no on that in view of the next motion coming up."

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

Councilman Kent: "Again, I like Don Gannon and I have expressed that to other members of the Board. We have had some-- a situation with the Zoning Board of Appeals where I think the other candidate that is being offered, Joe Fox, who is a retired judge, can serve the Zoning Board of Appeals very well so I will vote no on Don Gannon."

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

Councilman Kwasna: "I'll vote yes."

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

Councilman Lull: "I think it's important that the Zoning Board of Appeals not be-- not feel that they have to vote the way the Town

Board would like them to vote. I vote yes."

The Vote (Cont'd.): "Villella, no."

Supervisor Villella: "And, again, Don Gannon did do a great job."

Barbara Grattan: "The resolution is not adopted."

Resolution #100

Barbara Grattan: "Now we are going back to resolution 100."

Councilman Cardinale: "This resolution appoints a member to the Zoning Board of Appeals, specifically retired Supreme Court Justice Joseph Fox of Jamesport. Again, I am moving this. Mr. Gannon had the opportunity to serve the town and served it well for five years. This is an extraordinary opportunity for the town in my view. I don't know too many retired Supreme Court judges who would be willing to sit as Vice-Chair of the Zoning Board of Appeals. He was, and I commend him for being willing to serve and I move this motion-- I move this resolution."

Councilman Kent: "I second it."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent."

Councilman Kent: "I believe Judge Fox will serve independently. He will not serve and act the way the Town Board wishes him to act. The fact that he's a previous Supreme Court Justice proves that he's a man with his own mind and that he will serve independently and he will do what he feels best according to the law and I vote yes."

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

Councilman Kwasna: "Okay. I've known Joe Fox for about 20 years now and I know he'd do a great job. But, again, in this situation we weren't given a chance to sit down with any candidates and discuss the job with them, why they want it or what kind of job they thought they were going to do. Also, to the fact, and this is nothing against Joe Fox, but for him to come in on his first day in and act as Vice-Chairman of the ZBA, I think, is wrong also and for

that reason I have to vote no."

The Vote (Cont'd.): "Lull, no; Villella, yes. The resolution is adopted."

Resolution #101

Councilman Kent: "Appoints Nancy Tesoriero to the position of part time senior citizen aide in the nutrition department at an hourly rate of-- why don't we just say \$10.00-- but \$9.9973 per hour."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #102

Councilman Cardinale: "This resolution appoints members to the Citizen Advisory Committee master plan revision, specifically Peter Huszagh of Jamesport, Vincent Lopez of Riverhead, and Jean Hudson of Riverhead. So moved."

Councilman Kent: "Is that correct, Vincent Lopez from Wildwood Trail?"

Supervisor Villella: "Yes."

Councilman Kent: "Riverhead."

Supervisor Villella: "Well, that's the address. It's the town of Northampton."

Councilman Kent: "Okay. Somebody outside the town. All right. Seconded."

Supervisor Villella: "Moved and seconded."

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

Supervisor Villella: "This is a group of people who came in

that were on-- for the master plan revision and they thought that we needed Peter because we have no youth-- you know, working with the master plan, they needed someone from the youth, the high school. Vincent Lopez is for the Hispanic group because there was no one representing the Hispanics in town and Jean Hudson is representing the minorities in the town. So we needed these three to be on the master plan."

Barbara Grattan: The resolution is adopted."

Resolution #103

Barbara Grattan: "Resolution #103 is to pay bills."

Councilman Kent: "No. 103 is-- "

Supervisor Villella: "We changed the dredging."

Councilman Kwasna: "103 is now authorize the Supervisor to execute an indemnification agreement between the County of Suffolk-- "

Barbara Grattan: "This is off the floor. These resolutions that are coming are off the floor now. These have all been on the agenda."

Councilman Lull: "I'll move the bills."

Councilman Cardinale: "I am seconding and advising that, in fact, I've been advised that these bills are all properly processed. So, I'll second it."

Supervisor Villella: "These were?"

Councilman Cardinale: "Yes."

Supervisor Villella: "I had a group that came in this past week that I denied because they weren't but they will be done the right way. I mean everything's fine. So we are top of it."

Councilman Cardinale: "So these are okay."

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

Resolution #104

Councilman Kwasna: "Once again, this authorizes the Supervisor to execute an indemnification agreement between the County of Suffolk and the Town of Riverhead for the dredging of our creeks. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #105

Councilman Kent: "Which one is it?"

Barbara Grattan: "Help wanted ad."

Councilman Kent: "I'll move it. Authorizes the Town Clerk to publish and post a help wanted ad for site plan reviewer in the Planning Department of the Town of Riverhead. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #106

Barbara Grattan: "Resolution 106 which is Community Development Agency budget adjustment."

Councilman Cardinale: "This is a budget adjustment by which \$20,000 is coming from appropriated fund balance to Riverhead Foundation and \$16,500 from a general fund transfer to engineering miscellaneous and office expense. I would move it for a vote."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "It is my understanding that the \$20,000 here is going to the Riverhead Foundation. This is the matter we discussed, Vinny?"

Supervisor Villella: "Correct."

Councilman Cardinale: "I have been on record as saying I thought much too much of this fund has gone to the Riverhead Foundation but I understand from the Supervisor that this is-- they need this additional infusion for this very brief period until the Aquarium situation contract is passed at which point I think Mr. Bisset has indicated he will be willing to help. And on that understanding, I will vote yes."

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

Supervisor Villella: "And this comes from mitigation."

Barbara Grattan: "The resolution is adopted."

Supervisor Villella: "Wait a minute. Engineering expense. Does anyone know-- Jack, does anyone know about the engineering? Kim? Jack. I told you it was Jack. Jack's shell shocked. The girls basketball team lost by two points today."

Jack Hansen: "\$10,000 is being requested by the Community Development office for (inaudible)."

Supervisor Villella: "Okay. Thank you for clarifying that. Did we vote on this already?"

Councilman Kent: "We already voted."

Barbara Grattan: "The resolution is adopted."

Resolution #107

Councilman Kwasna: "Adopts the local law Chapter 64 entitled Fire Prevention of the Town of Riverhead code. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Councilman Lull: "Thank you for your hard work on this, Bruce. Yes."

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

Supervisor Villella: "Did you help out, too, Leroy? No. Oh, come on. Try and give you a little-- it was a great job, yes."

Councilman Kent: "Maybe anyone would like to speak at this point? Please. Thank you."

Rick Macroon: "Hi. My name is Rick Macroon from Wading River Acres Association. I want to submit a letter that was mailed to Vinny and we never got a response-- "

Councilman Kent: "Stay at the microphone. Finish what you're saying."

Rick Macroon: "Sorry."

Barbara Grattan: "Give me a copy of it, please."

Rick Macroon: "Okay. A letter that was mailed to you that we didn't get a response from regarding being on the Advisory Committee. We just wanted to be sure it gets to Vinny."

Supervisor Villella: "Excuse me. For the master plan?"

Rick Macroon: "Yes."

Supervisor Villella: "Okay."

Rick Macroon: "And, also the second issue for the Association is drainage along the area roads in that area. (Inaudible) I called your office myself personally. We need something done basically."

Supervisor Villella: "19th Street."

Rick Macroon: "19th Street, Hulse Avenue. Okay. And there's a couple crossroads that have small problems but for the most part Hulse

Avenue and 19th Street."

Supervisor Villella: "We can't use-- Town funds cannot go into this area but we can get it from the CDA. Okay, we're going to go to, Steve, you're first."

Steve Haizlip: "Steve Haizlip of Calverton. Mr. Supervisor-- "

Supervisor Villella: "Yes, Steve."

Steve Haizlip: "-- and other Board members. You know, when the paper comes out with all the legal notations, it always refers back to 200 Howell Avenue. That is the number. Now, as I remember I think you assigned that job to Lynne but she got out of here pretty fast-- "

Supervisor Villella: "Hey, Lynne, did you hear that?"

Steve Haizlip: "And it sort of slipped. Now, if you are going to keep putting these advertisements in the paper, and even in write ups, 200 Howell Avenue. It's only fitting that the number out there and same as the police station. So since I brought it up, I believe there's been ample time to do it."

Supervisor Villella: "Ken's not here, right."

Steve Haizlip: "All right."

Councilman Kent: "I'll go out and do it tomorrow."

Supervisor Villella: "You're right about both of those."

Councilman Kent: "I'll got down to Pergament tomorrow and buy some numbers and we'll put them up over the door, okay."

Supervisor Villella: "We're going to paint Town Hall, too, so. What color do you want with numbers?"

Steve Haizlip: "What color I want the numbers? I don't make that choice, but-- "

Supervisor Villella: "You can have some say in it."

Steve Haizlip: "I guess some nice red numbers will stand out."

Supervisor Villella: "That's it. Forget about it. No red."

Councilman Lull: "The town colors are blue and green."

Steve Haizlip: "Town color, green. At the last meeting when I spoke about-- I was put out about all the hard work that Bobby Goodale put in on First Industrial, I was kind of under pressure to hurry up. Well, I have used about a minute now and one person I overlooked which worked very hard, too, on that project, was Andrea Lohneiss. Well, she worked very hard on that and I don't want to overlook her."

Now, my last item on here, I would have been on-- if I would have been on that (inaudible) over in Southampton where this guy (inaudible) was on trial and Steve Halsey accused every one of those jurors of being stupid, well, right now he would have been dealing with me because that's an assassination of character and their intelligence. And he would have had a lawyer right on him. So I don't think that's very nice."

Councilman Kent: "Thank you, Steve."

Steve Haizlip: "Right."

Supervisor Villella: "Thanks, Steve. Bill-- oh, Rolph. Bill, you're next then."

Rolph Kestling: "Rolph Kestling, Wading River. You probably don't know last year, the 25 meetings the Town Board held, I think I was here 24 of them. I usually miss the one in Jamesport. Having said that, the same problems keep arising and arising and it never seems to change. This is a Town Board meeting, members of the Town Board speak about things that concern the town of Riverhead. They shouldn't be concerned with anything else but Riverhead. When the people in the audience come up to make a comment on something, they are residents of Riverhead, they should identify themselves and their name and where they're from."

The Town Board or-- I won't say you, Mr. Villella, seems to forget that all the time about who they are. Today, two people that I caught came up here, never said who they were. They may have said where they live, but they never gave their name. Just because you know who they are, and some of us know who they are, doesn't mean that everybody knows who they are. Now, we just go with the meeting today. One gentleman up (inaudible) he got up and spoke, he never mentioned

his name. You got your records. Can I mention his name? Maybe he'll say he didn't. Okay. I believe it's Mr. Langhorne, right? He never mentioned his name."

Barbara Grattan: "No. He did say his name."

Rolph Kestling: "He did say his name?"

Barbara Grattan: "Yes, he did say his name."

Rolph Kestling: "I didn't hear, okay."

Barbara Grattan: "I'll tell you the reason why, very honestly. I thought he was going to say his real name, but he said Butch Langhorne."

Rolph Kestling: "Okay, I'll have to listen to Channel 27 and see if I can catch it."

Supervisor Villella: "There was one. I think it was Howie Young I didn't mention."

Rolph Kestling: "There's a couple, okay, we'll let that one go. Now we'll go back to the last meeting-- was about the golf course, right? You know you had quite a few people that came up here and expressed their opinion. Now I'm not saying people that have technical information and were invited up. But we had one gentleman that came up here and the person mentioned his name and the first thing he says, I'm not a resident of Riverhead, I live 20 miles west. And then he proceeded to give his input about the golf course."

Supervisor Villella: "Right."

Rolph Kestling: "Hey, he doesn't live in Riverhead. What the hell is he butting into Riverhead things for? We don't want to hear what he likes. We want to hear what the people of Riverhead like."

Supervisor Villella: "We have open government here. We listen to it."

Rolph Kestling: "You mean anybody from any place can come over and butt in and what they want done in Riverhead?"

Supervisor Villella: "If they're here at this meeting, yes,

Rolph."

Rolph Kestling: "Okay. You were shooting me down because we had a guy from Huntington, we had a guy from Southampton-- "

Supervisor Villella: "You're absolutely right."

Rolph Kestling: "I mean, the first thing, (inaudible), all right, the person's name or where they're from."

Councilman Kent: "That's so the stenographer can have their name and address for the record."

Rolph Kestling: "So in other words, I can bring some of my relatives from the Bronx up here and they can tell us what to do in Riverhead. Correct?"

Supervisor Villella: "We'll listen. It doesn't mean-- "

Councilman Kent: "Feel free. Are you going to put them up at your house? Okay, well, that's-- "

Councilman Lull: "Rolph, what you're talking about to a certain extent the people at that particular meeting, most of those people were invited experts. They were-- you know that."

Rolph Kestling: "That I know."

Councilman Lull: "But the rest of them when we look through the written record, we pay attention to those people who are the experts. We also pay attention to those people who are residents. Other people can get up and express their opinion. It doesn't mean as much."

Supervisor Villella: "The point you're getting at, Rolph, is 100% correct, what you're saying. But we still have to listen to them."

Rolph Kestling: "Now, we take-- all right, the meeting before that was with the deer in Calverton. Okay. Like Mr. Lull says, he's a hunter but he don't believe in shooting deer. I'm not a hunter, I don't believe in shooting deer but I'll eat them as far as that goes. But now we have-- "

Councilman Kent: "Somebody's got to shoot them then."

Rolph Kestling: "Huh?"

Councilman Kent: "You'll eat them, but you won't shoot them."

Rolph Kestling: "No. I'll eat them, but I won't shoot them.
All right."

Councilman Kent: "Death by natural causes."

Rolph Kestling: "All right we had a vet in the area here and he gave a lot of his input on it. He said he's from Wading River and yet the papers say Ridge. Two, three different papers."

Supervisor Villella: "That's his business."

Rolph Kestling: "Where does he come from? Ridge or Wading River."

Councilman Lull: "He lives in Wading River; his business is in Ridge."

Rolph Kestling: "Okay. Next question. Wading River encompasses Brookhaven Town and it encompasses Riverhead Town."

Councilman Lull: "He pays taxes here."

Rolph Kestling: "He pays taxes here. I've often wondered. I think that when you get people that say Wading River, where do you come from. I think you should also ask, make sure where they live when they give their name."

Now, it's getting late so the rest of it, some other day. Oh, yes. We'd be 15 minutes ahead of time if the Town Board would start their meeting on time. There wasn't one meeting last year that started on time. Ten minutes, 20 minutes, 15 minutes late. Why don't we see if we can improve it this year? Okay."

Supervisor Villella: "Well, there's things that come up, Rolph, that we have to talk about."

Rolph Kestling: "Talk about it when the meeting starts. You know, when you say the meeting is at 7:00, that's an appointment and there's an old saying. An appointment not kept is a promise broken. Thank you."

Supervisor Villella: "Bill."

William Kasperovich: "William Kasperovich from Wading River. I'm on the Riverhead side. (Inaudible) rather difficult to follow tonight's meeting by virtue of the fact that I just got the agenda. I don't know how many other people in this township (inaudible). I know they make an attempt to look at the book on the table outside at the particular resolution that they're interested in, the book is always out there (inaudible). However, there are other aspects in this meeting that there is no way to know what is being done or said or in what manner. So, I think it's up to the Town Board and particularly you, Mr. Villella, not to build up so many resolutions in the meeting because that's makes difficulties all around."

Supervisor Villella: "Correct-- say that again. I'm not comprehending what you're saying."

William Kasperovich: "Too many resolutions in one evening."

Supervisor Villella: "Do you know what's going on in this town, Bill? There could be even more in there. We had to cut back. You're absolutely right, there is a lot."

William Kasperovich: "But the only way to cut back is to have intermediate or in between the first and third Tuesdays meetings-- "

Supervisor Villella: "A third meeting?"

William Kasperovich: "-- that are of a perfunctory nature, that they're just a matter of putting in record and just clocking it through. But certainly not every resolution tonight is of that much importance that somebody can say, well,-- "

Supervisor Villella: "This is what runs the town, all these resolutions."

William Kasperovich: "If you please listen, maybe you'll understand what I'm trying to say. That you have a lot of resolutions here that are just procedural, that is a foregone conclusion, it's a minor item-- "

Supervisor Villella: "Some of them are minor."

William Kasperovich: "-- to accept a resignation, to appoint,

hire somebody of a lesser position-- "

Supervisor Villella: "Well, to them it's very important, these people that we're doing. This is something that-- "

William Kasperovich: "I'm not saying to eliminate them. I'm saying to put them in another meeting where it can be done quickly such that these evening meetings could be reduced."

Supervisor Villella: "All right. It can be reduced very easily. We just had so much-- look at what we had today. It was unbelievable-- the public hearings, Bill. I know what you're saying, you're absolutely-- you know. I have nothing against what you're saying, but we've got to run a town here. This could have been longer tonight. We had to take-- as a matter of fact, I've got one from the County Executive here I didn't even do that we have to do on Tuesday."

William Kasperovich: "Let's be practical."

Supervisor Villella: "I'm being practical."

William Kasperovich: "No, you're not. You just want to have your way."

Supervisor Villella: "Me have my way? I help everybody else out before I help myself out in this town."

William Kasperovich: "You gentlemen on minor items conclude certain aspects at your work session. Minor items of a (inaudible) nature, accepting the resignation, there's never any discussion or you don't expect any discussion, it's a small minor thing-- "

Supervisor Villella: "Okay, Bill, you've got one more minute."

William Kasperovich: "If you would pay more attention to what I'm saying instead of the clock, maybe I'd get something across to you."

Supervisor Villella: "I'd rather have you speak to me in my office instead of having all the people. Does it pertain to-- "

William Kasperovich: "Tomorrow morning. What time?"

Councilman Kent: "Six-thirty. He'll still be here."

Supervisor Villella: "Bill, I have no idea what my schedule is but definitely just call up and see what's open and just come by. No problem. I don't think this is the time now and it's getting late. But, you're right, there was a lot tonight."

Councilman Kent: "I have a quarter of twelve."

William Kasperovich: "All right. I just want to make that point. (Inaudible) talked about a change of zone special permit in the same evening. Now, that's something that could be resolved differently (inaudible) without ignoring the town business. All right."

Councilman Kent: "Thank you, Bill."

Supervisor Villella: "Thanks, Bill."

Councilman Kent: "Anybody else?"

Supervisor Villella: "Wait a minute. We have someone else? Oh, yes, please. Okay."

Henry Zebrowski: "I'm Henry Zebrowski and I'd like to address the Board. I'm a resident of Riverhead Town in Manorville. Basically my concern is regarding the special hunt at Grumman that was cancelled. I'd like to say that the special hunt was conceived, approved, planned and executed by the DEC which is (inaudible) basically by the people of New York State (inaudible) Management.

I object to the termination of this hunt by the Board because of pressures brought to bear by, you know, several people who purported to be game experts and I don't believe they were. I think the reversal was a huge mistake by the Board. I think it's an inconvenience to over 200 sportsmen who had taken the time and effort and taken time off from work and other obligations in order to participate in the hunt."

Supervisor Villella: "Were you on the list?"

Henry Zebrowski: "Yes, I was."

Supervisor Villella: "That's why. Okay. Continue. No, no, continue. But you're right, okay."

Henry Zebrowski: "Now the problem in Grummans will continue for another year. There is an overpopulation problem. The two days that the hunt did go shows basically that the deer population in there suffer from malnutrition."

Supervisor Villella: "That's what we're trying to find out."

Henry Zebrowski: "(inaudible) population control in that place. Generally speaking, deer are controlled by auto accidents and/or hunting. None of that has taken place in many years in that place. It is overpopulated and I think the Board was coerced or controlled by uninformed individuals and I think it was a real big mistake."

Supervisor Villella: "We were informed by both groups."

Henry Zebrowski: "And you had basically wasted a lot of time of people in the DEC who had-- "

Supervisor Villella: "Which was a shame, you're right."

Henry Zebrowski: "-- executed a plan, you know, at expense to New York State taxpayers and I think you let yourself be deceived by self-serving agendas of others and you reversed an intelligently made decision in the beginning and you inconvenienced a lot of people."

Supervisor Villella: "Well, we might do this next year, we don't know. We're just trying to get some facts."

Henry Zebrowski: "Well, then the problem will go for another year."

Supervisor Villella: "Well, it's been there 50 years so-- "

Councilman Lull: "The intelligently made decision was a decision that this Board made in December when we told the DEC we were not going to participate in the hunt this year. We made that decision twice as a Board and we sent that message to them twice. They refused-- "

Henry Zebrowski: "They told me that you flip-flopped several times."

Councilman Lull: "No, pay attention, please. We said no. No. We said no-- we said no. The DEC said think about it again. We said

no a second time. Then they brought in the big guns and brought out the political business. And they put pressure. Okay. The vote that was taken was taken in a special meeting at a time when none of us had a chance to see the agreement. Okay. As soon as we saw the agreement we went back to our original state. Now, you're not going to say about flip-flopping back and forth. I voted no five times on it. Okay. The Board voted no four times on it. The one time that we voted yes-- the one time that we voted yes, was the time that we voted without the information-- with incorrect information sent to us by the DEC."

Henry Zebrowski: "The DEC is basically (inaudible). They are the game management authority."

Councilman Lull: "I know what the job is. It's our property. We are in charge of the property."

Henry Zebrowski: "It's your property but the fact is it's my (inaudible) because I'm a town resident-- input into the situation and I feel that you should have never opened the property under the circumstances."

Councilman Lull: "I agree with you."

Henry Zebrowski: "It's a big mistake because a lot of people were hit with a major-- "

Councilman Lull: "I agree with you. And that's the decision we made in December first."

Henry Zebrowski: "I would like to (inaudible)."

Supervisor Villella: "I think it self-destructs at 12:00."

Henry Zebrowski: "(Inaudible) you know consider all sides of the story."

Councilman Lull: "There's no question about that."

Supervisor Villella: "I'm sorry for any inconvenience here. Yes, sir."

Harry Knott: "Mr. Villella, members of the Town Board, my name is Harry Knott. I'm Regional Wildlife Manager of New York State

Department of Environmental Conservation. I'm here tonight because I was told last week that this would be the meeting that people were going to be allowed to come and speak out on the deer hunting issue. There's a lot of misinformation that's gone back and forth on that. I came primarily prepared to explain to you the benefits of having the New York State DEC handle the hunting program for there. Some of the statements that were just recently made about this thing being voted down, our understanding was the first time that it wasn't voted in favor of having the hunt was that the issue was brought up that the DEC hires professional shooters to do the job. That's a myth. We don't do that. I was told that was the reason the first time.

The second time I was told there were questions about liability and the (inaudible) advisability of it. We provided information concerning that-- "

Supervisor Villella: "Opinions, yes."

Harry Knott: "And the General Obligations Law about the liability, we've been working back and forth with the Town which incidentally Town employees contacted us first back in November and said how can we have a hunt here, we have to reduce the deer population."

Supervisor Villella: "That's correct."

Harry Knott: "All right. We would have never-- initiating this if the town hadn't come to us. I say this is very late in the game-- "

Supervisor Villella: "Well, actually, that's right. I'm sorry, I was wrong. The DEC came to us in November. I'm pretty sure that's the way it was."

Harry Knott: "We first got a phone call from a town employee asking how can we have a hunt in there to reduce-- "

Supervisor Villella: "A town employee-- it wasn't the Town Board though. Anyway-- "

Harry Knott: "We would never have initiated this. It's been-- you owned the property for two or three years since Grumman has been out of there. We haven't initiated anything-- "

Supervisor Villella: "We just got the property in September."

Harry Knott: "The town came to us and said we want to have a hunt in there. How can we do this, reduce the herd? And I said at that time, it's very close to (inaudible), have a lot of work to do, a very short staff. I said we would do the best we can to do a good job for you because we know how to do this. Now some of the things I want to explain here are the benefits of what you have with DEC. We have over 30 years of experience and knowledge in running controlled (inaudible) safe public hunting as demonstrated by surrounding area that we have, the buffer zone on the outside, you know, it's gone on and on and demonstrated once again by Monday and Tuesday's successful hunt without any incident, the way the hunters were spread out."

Supervisor Villella: "No, I heard the program was working very well the first two days."

Harry Knott: "And the small sample that we have-- deer are very small in there, it's confirms our contention that when you have that browse line, the damage that they're doing to the ecosystem, the damage they're doing to the environment, they eat everything below five foot level. You get bad winters, they're going to starve in there. The age structure of the herd that we saw from the samples, very few fawns, very few yearlings. This is typical in places where there's (inaudible) activity and where the deer are dying of starvation. Typically the fawns die first of starvation in bad areas."

The DEC has pools of sufficient size to do the job. There are rumors that an individual club wanted to do it. I don't know how many members they have but to get sufficient people in there with sufficient (inaudible) to do a real management reduction of the herd to get the site back into condition, to reduce the auto accidents, things like that. It takes someone that has a big pool of hunters.

We are organized to obtain that pool of hunters as I explained some of our earlier dealings with the representatives that we were talking with. We had this drawing in the beginning of December which anyone can enter including Town residents, for all of the lands that we manage in the towns of East Hampton, Southampton, Riverhead and Brookhaven and people get in there that we obtain this pool in numerical order which try to accommodate your reservation. This generates hundreds if not thousands of phone calls, letters, whatnot. We can fit that system in there without having to go through the town, without anybody calling the town or anybody-- the Town Clerk, or

anything handling this. We could fit it right in with our existing system, which we did, in good faith and tried to do it.

We have the knowledge, the expertise and the biology to defend the hunt and explain it. We have the public relations and the legal infrastructure to defend the hunt as we have when we had cases at Fire Island and North Haven and we have consistently won these things. We have a trained and competent force of law enforcement officials that are specifically trained to know how to keep hunting season safe and legal. A lot of the other law enforcement wouldn't be involved with that. These environmental conservation officers are specifically set up to do that kind of thing.

The public has confidence in the DEC's conservation officers to hold a safe hunt. The system accommodates the Town of Riverhead residents and we had a lot of residents that were in there. There were several residents that got to hunt in the two days it was open. There was many residents that got closed out that had gone through the process and they were scheduled to hunt and they were eliminated by this closure. Just having limited-- the only thing that we can't do on this is run a system that's exclusive for residents of a particular town or some segment of New York State license (inaudible). And we are willing to do all this to provide an equitable basis for everyone.

We're also willing to recognize the preference of the landowners. The landowners should have some preference in the system. They do in the cooperative agreement throughout the state where they have farmers and stuff like that. There's sections-- incidentally, this is the standard cooperative agreement that's been used for, you know, more than 20 years. I think the date on it is 1976 the last time it was printed. Standard form and it has section 4, section 6, and section 8 have and I won't quote them because they're late, but these sections in there but there's nothing in this agreement that prevents a landowner from using the land for hunting in the safety zones, from setting aside lands that they want for themselves. We certainly would be willing to work with the town to try to fit in various ways of giving preference to the residents in deference because we're not.

Also, in recognition that Riverhead residents have hunted in Brookhaven Town, East Hampton Town, Southampton Town in our system for years and years. So, you know, it's a balance and basically that's what I wanted to get across to the town. I think there's other people here that had intended to speak, some of them have left, some of them

may still be here. And we are available. There's only three days left in the season. I know it's late. You probably are not going to vote on anything. It's a shame it's been lost for a whole year because-- "

Supervisor Villella: "It has, I know."

Harry Knott: "It's going to be debated, batted around, you're going to attract interest of many other people that have a lot of feelings, are going to say a lot of things. But you can see what was done in those two days; you can see the map, you are familiar with many of the people that we've worked with. It's just a shame that this was closed down on the say so of one veterinarian that was making claims and if there was one local sportsman club that wanted to have it for themselves they would have cut out the rest of the Riverhead residents. It's not possible one club could do this. But, you know, there it is, and-- "

Supervisor Villella: "I appreciate it. I know-- when I spoke to Ray on this I felt kind of bad about the situation but we figured we had to stop the hunt but we'll see for next year."

Harry Knott "I mean it took a lot of work, even the Town Attorney, you know, on New Year's Eve, 2:30 in the afternoon, our attorney, the Chicago attorney, the Town Attorney, you yourself was there, when we finally reconfirmed that (inaudible) was protected from the liability, there was a lot invested and I was shocked to be informed by a town police officer showing up Wednesday morning saying it had been closed on the say so-- I mean, common sense, anybody drives around, you see hundreds of them, you've got to realize you don't see them all at once, there's got to be hundreds more in the woods. Hundreds. There could be as many as 1,000 deer in there."

Supervisor Villella: "There could be. But we don't know."

Harry Knott: "And you see the food is missing, look in all the woods where there's balance and you see vegetation all the way down to the bottom. You look in Grumman you can see through the bottom of the trees. Where did that go? Something ate it. It's the deer. That's all."

Supervisor Villella: "I appreciate it."

Councilman Kent: "Let's work with it for next year."

Supervisor Villella: "And I want to thank you for helping out - you're right. We flip-flopped but we did it for a reason because we didn't have the right information ourselves. We figure this is the best thing. And we're starting to get more as we're going on like from you tonight and everything."

Harry Knott: "We thought we were communicating with the town (inaudible) take it on ourselves to show up here and talk and let's communicate and try to work something out. You did the right thing the first time (inaudible)."

Frank Phillips: "Members. My name is Frank Phillips. I am not a town resident but I do work with towns, part time. I also am a sportsman and I just want to go on record in support of having hunting on Grumman. The need for it or not aside, you have here an opportunity and it is lacking on Long Island, notwithstanding the property the DEC has, you have property here that is safe. You have an opportunity to provide to literally hundreds of people that don't have it or have little access to property to hunt other areas, there's actually no reason safety-wise other than people's personal feelings perhaps, but you have the safety reasons that will support a hunt. You have the access. You have the resource there that obviously can support hunting and if you don't have hunting there, you are really lacking on providing to the residents of New York State as well as more specifically the local residents an opportunity they don't have otherwise. And (inaudible)."

Supervisor Villella: "Thank you for speaking. Rita, you're still here?"

Don Cheshire: "Supervisor, Town Councilmen, I just want to-- "

Councilman Kent: "State your name and where you live."

Don Cheshire: "Don Cheshire, River Road, Calverton. A resident of Riverhead Town for a long time. I just wanted to state a things. Number one, I'm in favor of the deer hunt. I do not hunt deer on Long Island, I will not hunt deer on Long Island. I've never hunted on any DEC property but the condition of that herd is terrible. My son had one accident two years ago that caused over \$1,000 worth of damage on his truck which wasn't covered by insurance. I've had two accidents on River Road-- this is River Road, okay, by Grummans. Okay. That's three accidents that we've had just in our family-- "

Supervisor Villella: "I had two, my son, truck."

Don Cheshire: "Now Grummans controlled the deer herd not in a nice way but they controlled the deer herd."

Supervisor Villella: "They had to on the runway. The Navy went out there and shot them because of the planes."

Don Cheshire: "I've seen them do it with machine guns, with helicopters-- "

Supervisor Villella: "Machine guns?"

Don Cheshire: "Yes. And I've heard about poison. That's two ways that is not a pleasant way of controlling a deer herd."

Supervisor Villella: "No."

Don Cheshire: "For a hunter to see animals slaughtered that way is not pleasant to see. Many reasons, like I said, accidents, my son has a friend that lives right around the corner, so he's constantly going back and forth late at night and that's when it happened. It happened in the rut when the males are chasing the females and they don't look, they run right across the road. There's a lot of false things going on. They say that these deer are trapped inside the fence. They're not trapped inside the fence. I've seen them jump over the fence from a standing sideways position, go over that fence. They can go back and forth. So you don't have to lead them out or put them back in or (inaudible) trails or whatever like that. They can go in and out of that fence. And they do run across River Road going back and forth into that fence. And there are accidents caused. The herd is like I said in terrible condition. I seen one of the smallest deer that I've ever seen, the thing was jumping over the grass and that was the only time I could see the deer so this thing stood about (inaudible) high in Grummans-- the old Grummans, the Calverton property now. And I don't think it was right what happened. To have a hunt for two days and then stop it. I seen the preparation that went on by the DEC. They are professional management people. We are not. I am not. You are not. But you can go down and you can see how many deer are on that property and what you see on the outside is just the tip of the iceberg. There's so many more deer inside. They are all over the place. And it's a shame that you can't let people enjoy a sport which in that situation is fairly safe and there has been other-- Grummans instigated that turned out not too safe with

professional hunters, too. But the DEC has had a very good record of you know non-- no accidents, and they manage it, they control it. You don't have to use Riverhead Town police to let Riverhead sportsmen onto the property. The DEC will take care of that and I don't see what the big problem is.

I mean anybody can go down and see the condition of that herd. Anybody. And the amount of deer in there. There's too many deer for that piece of property. And there's too many deer that are going to be in accidents sooner or later. Like I said, we've had three in our family. Thank you."

Supervisor Villella: "Thank you."

Donald Fiore: "Hi. My name is Donald Fiore. I'm from Miller Place. I'm not a Riverhead resident. I'm a member of the Peconic River Sportsmens Club and one of the main reasons I'm here is because of the statement that I read in the paper about this veterinarian. I am one of the scary people that he's talking about. If you think I'm scary, this is me. I'm a 33 year detective with Suffolk County and I'm a scary person."

Supervisor Villella: "He crucified himself by saying that. You're right."

Donald Fiore: "Well, you know, that's no way to treat people."

Supervisor Villella: "No. It's not."

Donald Fiore: "Put a label on a person. The other thing I can't see they're literally starving and that's what's needed to be done. Those animals are stunted."

(At this time, the tape ran out)

The following were speakers who spoke after the tape ran out.

Paul Schulman: Spoke regarding the deer hunt - in support of the deer hunt and that the DEC should manage the deer hunt.

Joseph Mazza: Spoke regarding the deer hunt.

Meeting adjourned: 12:15 a.m.

Barbara Stanton
Town Clerk