

Minutes of a Regular Board Meeting held by the Town Board of the Town of Riverhead, at Town Hall, Howell Avenue, Riverhead, New York, on Tuesday, June 16, 1998, at 2:30 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 2:30 p.m. and the Pledge of Allegiance was recited, led by John Franco.

Supervisor Villella: "Thanks a lot. Sorry we started the meeting a little late, but we had to take care of some duties in the Town Hall. We are going to change the format of the Town Board meetings from here on in. What we-- we're going to start the meeting exactly the same way up to the public hearings. After the public hearings we are going to what we call old business and it's comments on the resolutions that we're going to be doing today. And then after the resolutions are done, then we are going to start the new business and that's when the public comes up here and they speak on whatever they want. So that's the format that we're going to be using from here on in."

All right. Who wants to approve the minutes, guys?"

Councilman Lull: "I so move the approval of the minutes of the June 2nd meeting and June 10th Special Board Meeting. So moved."

Councilman Kwasna: "I'll second that."

Supervisor Villella: "Moved and seconded."

All in favor?"

The Vote (Collective response): "Aye."

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

REPORTS:

Receiver of Taxes	Total collections to date - \$56,858,831.87
Recreation Department	Monthly report for May, 1998 - Total collected \$18,431.00

APPLICATIONS:

Parade Permit	Roanoke Avenue School, June 9, 1998, at 9:45 a.m.
Shows & Exhibition Permit	Doc's Tavern, Lobster Fest, BBQ & Karaoke, August 14, 7 p.m. to 11 p.m. and August 15 and 16 from 12 noon to 6 p.m.
Concert & Fireworks	East End Arts Council, on Peconic Riverfront, E. Main Street, July 3 from 7 to 9:30 p.m.
Shows & Exhibition Permit	Jamesport Fire Department, annual carnival on July 14 - 19 from 6:30 to 12 p.m.
Site Plan	Byzantine Catholic Church of the Resurrection requesting a renewal on their site plan for a Catholic cemetery on Twomey Avenue
Special Permit	Riverhead Landing Apartments, LP southwest corner Middle Road and Osborn Ave. An application to install a trailer as a temporary

sales office during construction of senior citizen apartment complex

CORRESPONDENCE:

Mr. & Mrs. Josephson Complimentary note about the personnel in Town Hall, especially if the offices of the Supervisor, Town Clerk and Assessor's

Mr. & Mrs. Ferraro, William Darrow, and Mr. and Mrs. Gerald Hirsch Regarding Long Pong Road, Wading River, residents concerned about the safety due to speeding cars and the dangerous accidents which have occurred there

East End Arts Council Thanking the Town Board for their support for the Mosaic Street Painting Festival

Secret Pals: Women's Club of Rhd. Requesting that the Henry Perkins Adult Home be kept open

Supervisor Vilella: "Thank you, Barbara. We are going to be going into the public hearings now."

Public Hearing opened: 2:33 p.m.

Supervisor Vilella: "Let me see the clock. The time is 2:33. Let the record show the time has arrived. Barbara, would you like to read the first one, please?"

Barbara Grattan: "I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall, Riverhead, New York, at 2:05 p.m. on June 16, 1998, to hear all interested persons who wish to be heard regarding Chapter 54 Unsafe Buildings and Collapsed Structures, property owned by Brookfield Farms, Inc. located at 446 Main Road, Aquebogue."

Supervisor Vilella: "We're going to have to table this because-- is that what you want to speak on? Okay. You can take

care of both of these then."

Adam Grossman: "(inaudible) that are on the agenda for this afternoon, the first being Brookfield Farms, at 446 Main Road in Aquebogue, and the second for 432 East Avenue in Riverhead are both to be tabled to the next Town Board meeting which I believe is July 7th, at 7:00 p.m. here at Town Hall because of the unavailability of Sharon Kloss from the Building Department to give testimony in connection with these two proceedings. Thank you."

Supervisor Villella: "Thank you. You can read the third one."

Public Hearing opened: 2:35

Supervisor Villella: "Let the record show that the time of 2:34 has arrived. Barbara, can you read the public hearing, please?"

Barbara Grattan: "I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall, Riverhead, New York, at 2:15 p.m. on June 16, 1998, to hear all interested persons who wish to be heard regarding the consideration of the purchase of development rights from a portion of a tract of real property located at Union Avenue, Aquebogue."

Supervisor Villella: "Rick is there. Rick, could you-- "

Richard Hanley: "Yes. Richard Hanley, Planning Director. In October of 1997, the Town Board created an agricultural land preservation local law #13 and one aspect of that local law is the provision for the Town Board to consider the purchase of development rights on real property which lies within the agricultural area of the town. Since that local law was adopted, a number of bids from owners for consideration by this Board, purchase of development rights, and the ordinance requires that the Board hold a public hearing when it is at a point where it is seriously considering such an offer.

The property that was described by the Clerk is on Union Ave. in Aquebogue. I have two members of the Peconic Land Trust in the audience this evening who will speak the specifics of the property. The reason they are doing that is because they are working with the

owner of the property to purchase development rights and put together a plan for both the extraction of the rights as well as a subdivision of the property. So, if I could introduce them?"

Supervisor Villella: "Sure, definitely."

Timothy Caulfield: "Good afternoon. My name is Timothy Caulfield. I'm Vice-President of Peconic Land Trust. I'm pleased to be here to speak to the Board about this application for the property on Union Avenue, we're referring to as the Union Avenue Farm. I have with me the affidavit of posting of sign and the affidavit for the mailing that we needed to notify all the land-owners. I also have a couple of smaller copies of the same maps that you see up on the easel here that I'd like to just get out to the Town Board.

As Rick had said, the Peconic Land Trust has been retained by the Town to help implement your farmland preservation program. We have been working with many towns throughout the east end-- actually we are working pretty much all of the town on the east end and recently also been hired by Suffolk County to assist the county with the implementation of their program.

This particular property is in Aquebogue; it's on the east side of Union Avenue, approximately 160 acres in size, and it's a mixture of different natural resources, therefore, it was a little bit more difficult for us to come up with a-- it wasn't standard farm field that was a very simple defined agricultural development rights purchase. So we had to go through what we call a conservation opportunities plan wherein we take a careful look at the property and work closely with the landowner to blend-- what the property is telling us really what the goals and objectives of the landowner.

In this case, 160 acres, approximately 65 acres are good prime agricultural soils. They've been farmed for many years by farmers in the Riverhead town and most recently by, I guess, the McKay (phonetic) family. There is a farmstand that's up on the north end of the property right where the property pretty much comes up to Route 105. But everything you see on that map that's shaded in green, is the 65 acres that we've proposed for the town to purchase the development rights on. The rest of the property, what we're

proposing to do is what we call a conservation limited development plan where the Trust would-- after we've done our work for the town, work with the landowner to implement a reduced density limited development plan that would actually have additional conservation components to it.

In this case, what we're looking at is a property that has a very significant density potential. I believe it's in the once acre zone, so the density there could be very high, you know, somewhere, you know, close to 140 probably units. So what we're looking to do is then protect all the 65 acres of farmland and then you can see other development parcels which are-- the one parcel on the northeast corner is the long narrow parcel that you can see, is an area that would probably have a fairly substantial density but we're working with the landowner to reduce the density on that section as well. The middle section is a preserve area, some probably 30 acres. That is mostly wetland but does have some substantial upland habitat and woodland and we're working with the landowner to-- the landowners are willing to consider a conservation opportunity there. Oftentimes we find it beneficial to blend in private conservation tools when we are in the process of implementing public purchases. Many landowners are faced with significant capital gains taxes when they sell real property and the sale of development right will trigger that as well.

So we're looking at a potential donation of the preserve area in the middle section of the property and then finally the lower section of the property is another development portion. That is a property that used to be farmed at one point. When it was up for development the soil was taken off the property; it's a highly disturbed state at this point and it's immediately adjacent to an area that is already developed so we've targeted that as a potential -- another-- just a development site, probably a standard development when and if the landowner decides that he wants to do that.

So what we have here basically is a combination of tools, potentially private conservation easements with a gift of a preserve with limited development and the key element, however, being the purchase of development rights by the Town of Riverhead. As I mentioned earlier, we have been also retained by Suffolk County to work on implementing their programs. The committee that the Town Board has created in Riverhead, the Farmland Select

Committee has recommended that this property be first acquisitioned for the Town, but they've also recommended that we try to work with the county on a partnership deal so that we can implement, you know, bring more money basically from the county towards this acquisition. And that was, I believe, the final recommendation of the committee. So we will certainly be working closely with the county to try to bring that to closure as well.

As I said, we only just got, notified all the neighbors, and we're just eager to move the program along. This would be our first acquisition. We have a long list to get through and we have other properties that (inaudible) with the county so we are eager to move through the public hearing process so we can get on to some of the more detailed mechanics of contract. I'm here, Julie Fiska (phonetic) is here from our office. If there are any other specific questions, we'd be happy to answer them."

Councilman Kent: "I have just one question. Do you know at this point how many residential lots are being proposed in the-- is it 64 acres now that are going to be developed residentially?"

Timothy Caulfield: "We have 65 acres in the development rights. (inaudible) The actual acreage would be 28 acres in the development parcel on the northeast section-- 36 acres-- the landowners have not decided on what type of a plan but they are willing to consider reduced density plans. We-- typically when we work on plans like this, we view conservation as a process. It's not an all or nothing process and it doesn't all happen at one time. We've very-- a number of successful projects where we have, over the course of years, reduced the density of the remaining portions of the property that we were not able to protect through the immediately available (inaudible). We would hope to do that here, but that's going to take an ongoing process of working with the landowners, people who would market the property, and people who would be interested in purchasing and further protecting those portions of the property."

Councilman Lull: "What you're talking about is through the PDR program and the preserve-- protection of 55 acres of the-- 55% excuse me of the property with the possible development, two parcels of the other 45."

Timothy Caulfield: "Yes. And then the preserve as well is about 27 acres."

Councilman Lull: "The preserve is part of that 55. Yes."

Councilman Villella: "Well, we're going to open it up for public hearing now, whoever wants to speak on this issue. Ken."

Ken Zahler: "Hello. I have a couple questions and perhaps the gentleman from the Peconic Land Trust might be able to help answer. It's my recollection that there's already a filed map on this property. Is that true?"

Rick Hanley: "There was a preliminary plat approval on this property which resulted in a reduced density through a settlement between the Planning Board and the applicant. That's probably close to eight to 10 years old now, at this point. So, yes, in fact, there is a preliminary plat that exists on the premises. It was for reduced yield to 80 lots, retention of the wetland area to be managed by the North Fork Environmental Council, and unless the Riverhead Planning Board rescinds that plat, that plat is still in existence."

Supervisor Villella: "So it's 80 lots?"

Rick Hanley: "80 lots."

Supervisor Villella: "And this plan is probably around 20, 22 lots, two acres, something like that?"

Rick Hanley: "Well, the yield according to the zoning would allow for the development of 160 lots. We were able to settle a number of years ago, for a reduced density plan. Unfortunately, however, I believe that settlement was with a contract vendee, not the owner of the premises so there is some legal question as to whether that settlement still exists or not. But in any event, we're looking at an as of right yield of 160 lots, a settlement on a plat of 80 lots and this alternative which is reduced density less than the 80lots. No. I was just about to explain that. At this point, the owner who holds the preliminary plat approval could, in fact, make a final application to the Riverhead Planning Board for approval for the 80 lots. And they would have to consider that

obviously. But that has not been done-- "

Supervisor Villella: "80 lots is too many lots for that area."

Rick Hanley: "I think it was a function of a change of ownership or something like that, but-- "

Ken Zahler: "Now, with that information established, I guess the question would be how much less, total, and not just for the 60 acres but for the entire 100 plus acres, how much total development can happen? Hopefully, substantially less than 80 with this proposal."

Councilman Lull: "With the proposal-- it looks like an as of right 64, but I'm sure that's something which would be part of the discussion with the owner."

Ken Zahler: "So it could be as high as 64? Is that what you're saying?"

Timothy Caulfield: "Yes. We do want to-- we're really focusing in on the farmland preservation right now. We are working on the other portions of the property and fully intend to work to see if we can reduce that density. As I said in the number of other instances we've been successful in reducing it substantial down to a minimum number. But what we do need to do is if we want to build in incentives for landowners to work along these lines, you need to leave that potential there, leave that value on the property so that it can be potentially (inaudible). And that's exactly what we hope to do in this case. (inaudible) but we've been successful in doing that in a number of instances."

The opportunity will most likely be on the northeast corner for us to reduce the density there. The lower portion of the property as I said is already disturbed-- highly disturbed. The topsoil is gone so it probably is best suited for a standard type of development in that section."

Ken Zahler: "Thank you."

Supervisor Villella: "Thanks, Ken. Anyone else like to speak on this? If not, I declare the public hearing closed."

Public Hearing closed: 2:47 p.m.

Public Hearing opened: 2:48 p.m.

Supervisor Villella: "The time is 2:48. Let the record show. Barbara, could you please read the next one?"

Barbara Grattan: "I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall, Riverhead, New York, at 2:20 p.m. on June 16, 1998, to hear all interested persons who wish to be heard regarding the petition of Swezey-Riverhead Holding LLC to be designated as a qualified and eligible sponsor with respect to Urban Renewal Project on Main Street and Roanoke Avenue (the Swezey's project)."

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

Frank Isler: "Good afternoon. My name is Frank Isler. I'm special counsel to the Town of Riverhead in its very (inaudible) capacities on this project and just so that the Board is clear and the public is clear, there are a series of five public hearings on your calendar today and this is the first one and they'll come in succession after this one. They all involve the assemblage of properties on the corner of Main Street and Roanoke as part of an urban renewal plan.

The hearing that you're opening right now is the hearing to entertain a petition by Swezey's Riverhead Holding LLC to be designated a qualified and eligible sponsor as an urban renewal project (inaudible). You're going to be operating as a Town Board as the governing body of the Community Development Agency in this particular public hearing. As we go through the rest of them, I'll tell you your capacity you're acting in. Right now, you're going to be the governing body of the Community Development Agency and I think Mr. Sheinberg is here to explain on behalf of the petitioner, the petition that's before you."

Supervisor Villella: "Shep."

Shep Sheinberg: "Good afternoon. My name is Shep Sheinberg of-- my law firm is in Aquebogue, New York and I am here representing Swezey-Riverhead Holding LLC, Limited Liability Company. We have before you a petition. This petition requests from you your approval so that Swezey's can be made a sponsor in order to deal with you. Under the Urban Renewal Law, in order for someone or an entity to deal with the Town of Riverhead, it must be first made a sponsor and that's why we're here today.

I am going to explain to you in an overview of what Swezey's would like to do here in the Town of Riverhead. As you know, Swezey's has been here for many, many years. It presently rents a number of locations on Main Street. Their intention is to acquire property as I will point out to you on this survey in order to build a 60,000 square foot department store. In order to do that, it takes the cooperation of the Town Board in its various capacities to enable it.

The first thing that we would like to do is to acquire the old Rimland Building. The oldtimers here will remember the Rimland Building was the Myers Department Store building. The Town of Riverhead, I believe under the Riverhead Community Development Agency, owns that parcel right now. And for a number of years, the Town of Riverhead has been seeking outside persons to come in to acquire that property to put it to a new and useful use. So what we-- if you do designate us a sponsor, we would then be in a position to negotiate with you to acquire that parcel and our preliminary negotiations with you have been that you will convey that to us for no consideration. Now we say, that's a pretty good deal. However, it's going to cost us approximately \$600,000 to tear down that building and surrounding buildings. So we will be helping each other.

The second part of the plan is to acquire the old Suburban Furniture Store, the oldtimers known it as the Hardings Furniture Store (phonetic) buildings, which is situate on Roanoke Avenue. Suffolk County owns that parcel right now by reason of the fact that taxes went into arrearages and the county took over that parcel. Negotiations have been had with the County of Suffolk and the County of Suffolk is willing to convey that parcel to the Town of Riverhead for the sum of \$45,000 plus an adjustment in real estate taxes.

The Swezey's organization is willing to advance that money, basically pay for that property by making a donation to the Town of Riverhead in the amount of \$45,000 plus the amount of the tax adjustment. That would give us two parcels. The Acard jewelry store-- the Acard jewelry store parcel is under contract of sale between Mrs. Acard who owns that property and the Swezey organization. The son, Andy Acard, who operated the jewelry store does not and has not owned the real estate. Mr. Acard by reason of the fact that the Rimland Building was falling down on the Acard building, was prevented from transacting business and the Swezeys-- or the Swezey organization have now entered into an agreement with him that he now has become a department in the Swezey's Department Store. That takes care of the third parcel.

The fourth parcel is a portion of the Riverhead Parking District #1 which lies to the north of the existing Rimland Building. And if you can see there is a grided portion on this survey and there is a portion below it and I will move forward at a later time, gentlemen, and show you there is an area-- there is an area, and I will give you what that area is-- let's see-- it's around-- it's 5788 square feet of that parcel which is part of what is now called Lombardi Park. Lombardi Park as you see presently has a gazebo improving it and is a wonderful little park area. It is the desire of the Swezey organization to acquire from the Riverhead Parking District of which you are the governing board, this 5788 square feet and to pay for same. The amount would be \$28,941.

The grided area is an area over which there would be an easement so that if there were a rear entrance to this new Swezey's Department Store there would be a walkway to that rear area over that remainder of Lombardi Park.

It is the intention of the Swezey's organization to have the input of the Lombardi family because their deceased father was a treasurer here in Riverhead and his memory should continue to be recognized. They, together with Judy (inaudible) who is also a treasurer that we have here in Riverhead, we would want them to be very much involved with us in the planning of the remainder of Lombardi Park and its improvements.

So that is the fourth parcel, is this 5788 square feet of the

present Lombardi Park.

The last parcel is the parcel which we call the Beeper building which is immediately west of the Rimland building. It's a small parcel and in order for this whole project to work, it is most important and vital. Without it, we could not proceed. We must have this Beeper building property and one of the hearings you have today has to do with the condemnation of that parcel.

Now, when you put all of these properties together, the total coverage is a little more than 20,000 square feet. Now as you know, that's half an acre. That's all it is. We need every square foot in order to put together a department store that would be three stories in height, to include all of those department which we presently have in Riverhead, and to have some space for administrative offices. That is what we'd like to do."

Supervisor Villella: "Okay. Thanks a lot, Shep. Who would like to speak on this hearing? Pat?"

Pat Frankenbach: "Pat Frankenbach. I own a store. I Chair the Parking District Liasion Committee and I'm also on the Board of Directors of Townscape which created the parking. I'm going to go through a couple of things and they're sort of disjointed, but as the construction goes along, as a business owner being directly across the street, I want to make sure that there is adequate, if not more than adequate, notification of all of the businesses because, frankly, I sell a store full of white clothes and the dust will kill me. So it's very, very important that we are fully notified about anything that happens on this piece of property. That's number one.

Number two. In the 2:30 public hearing you have a figure of \$28,941 which will be purchased-- which is the purchase price of the park property. Where is that money going?"

Supervisor Villella: "Right back into the Parking District. It should."

Pat Frankenbach: "Well, it should or it is? It is going into the Parking District account? Okay. Number three. I have very, very strong objections to the easement through this park. I have

discussed with Bill Knapp (phonetic) and I have discussed it with Monique Gablenz and my feeling is that there is really no reason in the world that their entrance could not enter onto the parking lot. If-- "

Supervisor Villella: "Or the side street."

Pat Frankenbach: "Well, I think the idea is to have the main entrance-- I mean, let's face it. No matter whether they have an entrance on Main Street or not their main entrance as it is now, the majority of their traffic comes in and out their back door. The majority of their traffic is going to come in and out the back door on this project. To leave us a park that has an entrance through it that cannot be completely used by the public, to me is not what they're doing here. If you're going to leave the park property open, and I want to go back to something. This park was dedicated in John Lombardi's memory. However, it was completely created by Townscape and I think they should be involved in this project. Judy is on the Board of Townscape, however, we have a full Board of Directors and they did, as Kenny can tell you, he was-- he chaired this. This was a very big project for Townscape and I think Townscape should be involved in this from the beginning.

However, an easement through this park basically negates any full and total use of the park by the public because now you're always talking about worrying about blocking or not blocking Swezey's entrance. And I think that there should be some consideration to that given. As it is, 57-- almost 5800 square feet of park is being lost to the project. I don't have a problem with that because I think the project is very, very important. However, I do believe that they should seriously consider changing the orientation of the back entrance to the parking field. I don't believe that any easement should be given over that park for no consideration. I mean, I understand they're building a big building, but that's still no consideration. If they wanted to have an art show or they wanted to do something in that park during Swezey's hours, it's always going to have to be cleared with them and with their entrance. And I think this is a really big consideration. An easement basically means that the full use of the park is taken out of the hands of the general public and I believe that that's wrong.

And, basically, as far as the rest of the project, I'm thrilled. It's directly across the street from the main door of my business so why wouldn't I be? But I really think that they should take into consideration this easement through the park they're taking. They're taking enough of the park and I don't believe we should lose any more green space. We're really short on green space as it is now and I believe that we should not lose any more green space. Thank you."

Supervisor Villella: "Thanks a lot, Pat. Shep."

Shep Sheinberg: "I'd like to call Jeff Clubb who is the chief financial officer of Swezey's."

Jeffrey Clubb: "I would like to thank the Town Board and the community for allowing us to come here today to ask for this consideration. This is a very important project. Swezey's as everybody knows, we've been members of the community now for over 25 years; we've been members of Suffolk County for over 100 years. And this is a very exciting time for us."

I'd like to give you a little background about what brought us to this point. As you know, with the development of Route 58 and Smithaven Mall and some of the other shopping areas, being a home grown department store, is difficult, is hard for us to compete. But we have a good relationship with our customers, a good relationship with the community. And we're very interested in maintaining that. We believe we could compete very well."

And when we were getting to a point in Riverhead where we needed to consolidate our buildings, we needed to consider expanding our operation so we can compete with Tanger and we can compete with some of the other retailers that are national in scope. One of our concerns was well we were here in downtown and now, what do we do? How do we approach it? There is opportunities that we had come up to us from Route 58 and also currently here on Main Street. We brought our problem to the Town. We said, look, we want to stay downtown. Is there any ideas that you have and fortunately for us and fortunately for the Town, the Town Board and the ZBA through Monique and some of the other Town staff, help us develop a plan that we believe can be economically feasible for us and at the same time help us develop a store in the downtown area that can be

competitive.

We currently attract about 400,000 shoppers or people to our store annually into the downtown area. This store will hopefully enable us to expand by about 20% from our current operations and, you know, when you usually think about well, why isn't there more development in downtown, a lot of it has to do with the difficulty of putting together something that's economically feasible. The costs of knocking down this group of buildings and redeveloping it is going to be well over four million dollars to us, which is a significant investment. I don't believe there are too many buildings selling for that amount of money on Main Street right now. We're not developers; that's not our trade. Our trade is we're a retail department store and to us this is a home in Riverhead. It's not an investment that we're making, looking for a rate of return because even though our hopes are that this will be worth a lot more money once we're done, our belief is that in actuality as a building it won't be worth a lot more money once we're done.

What it will be worth to us is that if it's a home that we can have in the downtown area, will enable us to be competitive and enable our customers to come into our store and shop our goods. This is benefit to us. We thank you for the opportunity in your efforts. We hope that this project does go forward. We are definitely concerned about developing Lombardi Park and maintaining the benefits that the community derives from it now. We don't have the solution yet. We are promising you that we will be working and that we are conscious that that is a problem to be dealt with. At the same time, we are concerned about our neighbors. We are open to any concerns anybody has and we once again thank you for this opportunity."

Supervisor VILLELLA: "Thank you, Jeff. Anyone else like to speak on this hearing? Steve?"

Steve Haizlip: "Steve Haizlip of Calverton. You know, in the south there's an old saying. Mr. Sheinberg and Swezey's, they may think less of me, the way they do, that's all right, too. Now, Pat-- I'm sorry Pat, Frankenbach, when she spoke, I'm listening to her. Now, John Lombardi was a fellow that came into this Town and he worked very hard; he worked in garbage, got all sweaty and really struggled to make his way. He made his way, he came into

the Town Board and he was really good to the people and he worked for them. I don't want to see John Lombardi's (inaudible) out-casted because that park it means something to the people that Lombardi served. So I would like for the establishment if they can possibly do it and work around it and establish another way into the store. I don't think the people that come and shop there care how they get in there, just as long as there's some way to get in there. They'll find it. It's like Bugsy Siegal (phonetic). You build it and they'll come. So that's my input."

Supervisor Villella: "Steve, thanks a lot. And I'm positive, I know the Swezey organization will be working very, very closely with the Lombardi family, because that is their park. Anyone else like to speak? Barry?"

Barry Barth: "My name is Barry Barth. I'm President of the Business Improvement District. And I'm also the last remaining building heading east, I guess. The Business Improvement District Board of Directors has not really voted formally, but we've certainly discussed this issue a number of times and it's the general consensus of the Board that this is a tremendous project. This is something that we've been dreaming about. This is the reason why the BID had participated and sent letters of support for the Urban Renewal Project in downtown Riverhead and Swezey's is a wonderful friend and a wonderful family to have in Riverhead. It clearly meets the parameters of the Urban Renewal Project and I would like to go on record that the BID does support the four or five articles that are necessary to put this in place.

My only regret is that Jack Lucinger (phonetic) is no longer with us. Because Jack was one of the founding members of the Merchants Association that we had started years ago and certainly was a good friend to all of us in Riverhead. He had a lot of issues that he fought hard for and one of them was the size of the parking spaces. Maybe this Town Board can address the issue in memory of Jack Lucinger, the size of the parking spaces, because each one of those spaces 12 years ago was worth \$100,000. And I'm sure that the Comptroller can tell you how much they're worth at the current rate.

As the neighbor, I know that I'll be inconvenienced; I know

that possibly sometimes my back door will not be available to my customers and a significant portion of my business comes in my back door.

I also want to apprise you of the fact that my telephone line runs directly behind and across and is stapled very securely to the side of the Fenimore Meyer (phonetic) department store. So, maybe before we rip it down we can relocate my phone lines. But I also want to be a good neighbor and my building and my bathrooms and my electric service, my phone service is open to you during the construction phase and I hope that the Town Board can expeditiously make this thing move forward and bring Swezey's to downtown Riverhead.

On the issue of Lombardi Park, maybe we should consider moving the park. I'm sure that, you know, given the fact that we need a certain size to make it work and Jim Lull has through his efforts with Townscape has scheduled a number of events and concerts there and sometimes it does overflow onto the macadam. So maybe re-locating it to another portion of our First Street parking area would be appropriate, but I for one would like to see the best utilization for their rear entrance because I know in my business, you know, a significant portion, most of my business comes in through the back door because we do have excellent parking provided for us by the Parking District in cooperation with the Town. So, this is a great partnership and I hope that you move forward very, very quickly. Thank you."

Supervisor Villella: "Thanks a lot, Barry. Anyone else like to speak on this? I declare the public hearing closed."

Public Hearing closed: 3:14 p.m.

Supervisor Villella: "We are going to have to-- what we're going to do is we are going to have to adjourn the public hearing and we are going to go into the resolution that Phil has here that he would like to do."

Councilman Cardinale: "I would like to take the initial resolution in the packet out of order since it's an honorary

resolution and I understand that Claudia and Jerry Lenox and Lori (phonetic) are here. Would you come forward, please.

This Resolution 509 is the first one in today's business adopts the naming of a road in the Town of Riverhead to Debbie Lane. This is a road that's currently under construction at the intersection of New York State Route 25 and Sound Avenue and North Country Road and it was at that location in 1990 that Debbie Lenox, sister of our Town employee Lori and the daughter of Claudia and Jerry met her death in an accident. Obviously we're hopeful that this road which bears her name in her memory will never see such an accident that causes such tragedy for another family. So I would move at this time that the Town Board adopt Resolution 509 naming that road in memory of Debbie, Debbie Lane."

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 adopted."

Supervisor Villella: "I will reopen the meeting-- the public hearing."

Public Hearing opened: 3:16 p.m.

Supervisor Villella: "Okay, the time has arrived, 3:16. Barbara, would you like to read it, please?"

Barbara Grattan: "I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall, Riverhead, New York, at 2:25 p.m. on June 16, 1998, to hear all interested persons who wish to be heard regarding the transfer by the Town to the Riverhead Community Development Agency of the parcel formerly known as the Suburban Furniture Store for subsequent transfer to Swezey-Riverhead Holding LLC, as a qualified and eligible sponsor under the Town of Riverhead East Main Street Urban Renewal Plan."

Supervisor Villella: "Frank?"

Frank Isler: "May it please the Board. This public hearing

is being convened in your capacity as the Town Board of the Town of Riverhead and it's the first of the legal pieces of public hearings you have to hold to move this project along. This particular public hearing is on the question of the Town Board transferring title to the Suburban-- what was the Suburban Furniture store. Mr. Sheinberg had described that transaction already and this is the public hearing where the public can be heard on the issue of the Town transferring that parcel to the Community Development Agency as part of its urban renewal plan."

Supervisor Villella: "Thanks a lot, Frank. Anyone like to speak on this public hearing? We declare the public hearing closed."

Public Hearing closed: 3:18 p.m.

Public Hearing opened: 3:18 p.m.

Supervisor Villella: "Let the record show that the time is 3:18. Barbara, would you like to read the reading, please?"

Barbara Grattan: "I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall, Riverhead, New York, at 2:30 p.m. on June 16, 1998, to hear all interested persons who wish to be heard regarding pursuant to Article 12 of the New York State Town Law, the Town Board of the Town of Riverhead in its capacity as the governing body of the Riverhead Parking Improvement District No. 1 to declare the premises described as not required for the purposes of the Riverhead Public Parking Improvement District No. 1 and authorize the sales thereof to Swezey-Riverhead Holding LLC pursuant to Town of Riverhead's East Main Street Urban Renewal Plan previously adopted October 19, 1993, and the petition of Swezey-Riverhead Holding LLC dated May 21, 1998, a file with this Board and which has been published simultaneously in the newspaper in a separate public notice for the sum of \$28,941.00."

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

Frank Isler: "Yes. In this public hearing you're acting as the governing body of parking-- Public Parking Improvement District NO. 1. The subject of this public hearing is to hear the public on the question of transferring-- of declaring 5788 square feet of the Parking District land as not necessary to the District as required under Town Law Article No. 12, and authorizing the sale of that parcel to either Swezey's Riverhead Holding or a designee as the (inaudible) evolves for the sum of \$28,941.00 and to hear the public on the question of the grant of an easement over the area that is marked on the survey in the front of the room and to require that the petitioner, Swezey's, at its own expense, prepare a site plan and redevelopment plan for the what has been referred to the park area in terms of relocating the gazebo, making improvements to the curbing and other related issues."

Supervisor Villella: "Thank you, Frank. Would anyone like to speak on this? Steve?"

Steve Haizlip: "Steve Haizlip of Calverton. Isn't this going right back to what we just talked about before that they want to pay 28 thousand something dollars-- I mean Swezey's wants to pay that money to take John Lombardi's Park away?"

Supervisor Villella: "The Parking District, yes. A piece of the park, yes."

Steve Haizlip: "A piece of it. It's like a postage stamp now so if you take a piece of it, what are you going to leave? A little sidewalk strip on there? I'm strictly opposed to taking anything away from John Lombardi's name and his dignity that he stood for in this town. But if they have to have it and the Town Board feels that they must go along in order to get development in the Town and jobs, then I guess it's up to you people."

Supervisor Villella: "Thank you, Steve. Anyone else like to speak on that? If not, I declare the public hearing closed."

Public Hearing closed: 3:21 p.m.

Public Hearing opened: 3:22 p.m.

Supervisor Villella: "Let the record show the time is 3:22. Barbara, would you like to read, please?"

Barbara Grattan: "I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall, Riverhead, New York, at 2:35 p.m. on June 16, 1998, to hear all interested persons who wish to be heard regarding the transfer by the Town to the Riverhead Community Development Agency of the parcel formerly known as the Rimland Store for subsequent transfer to Swezey-Riverhead Holding, LLC."

Supervisor Villella: "Thank you, Barbara. Frank?"

Frank Isler: "In this public hearing, you're acting as a Town Board again and you're going to be entertaining the public to be heard on the transfer by the Town to the Community Development Agency of what was called the Rimland-- the parcel (inaudible)."

Supervisor Villella: "Would anyone like to speak on this hearing? If not, we declare the public hearing closed."

Public Hearing closed: 3:23 p.m.

Public Hearing opened: 3:25 p.m.

Supervisor Villella: "Let the record show the time of 3:23 has arrived. Barbara, would you like to read it, please?"

Barbara Grattan: "I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall, Riverhead, New York, at 2:40 p.m. on June 16, 1998, to hear all interested persons who wish to be heard regarding the condemnation of property located at 14 East Main Street, Riverhead."

Supervisor Villella: "Thank you, Barbara. Frank?"

Frank Isler: "In this public hearing, the Town Board is acting as the governing body of the Community Development Agency

of the Town. This is a public hearing pursuant to to the eminent domain procedure (inaudible) 203 and it is to (inaudible) the public on the question of the public and the need for the acquisition of what has been referred to as the Beeper building which is the remaining piece of the Urban Renewal Project. For the record, in the front of the room is a public hearing outline which is available to the public which sets forth the purpose of the proposed acquisition, the proposed benefits, location of the property and the reputed owner. In addition there are copies of the actual proposed acquisition map available to the public in the front of the room should anyone be interested in examining them during the course of the public hearing or thereafter."

Supervisor Villella: "Thanks a lot, Frank. Anyone like to speak on this? I guess we declare the public hearing closed."

Public Hearing closed: 3:25 p.m.

Supervisor Villella: "I thought-- is Mr. Waxman here? He was here earlier. I have to speak to-- he came into my office before."

Public Hearing opened: 3:25 p.m.

Supervisor Villella: "Let the-- the time has arrived, it's 3:25. Barbara, would you like to read the public hearing, please?"

Barbara Grattan: "I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall, Riverhead, New York, at 2:45 p.m. on June 16, 1998, to hear all interested persons who wish to be heard regarding the Local Law to amend Chapter 108 entitled Zoning of the Riverhead Town Code, Industrial A District (light industry), Section 108-45 Uses, Industrial B District (general industry), Section 108-45 Uses."

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

Adam Grossman: "Yes. This public hearing that we have scheduled for this afternoon is regarding an amendment to Industrial A and Industrial B Districts within the Town of Riverhead to prohibit sand mining as a either permitted or special permitted use

within the Town of Riverhead. The purpose of this public hearing is to get public comments on the Town Board of the Town of Riverhead taking this action which would in effect ban sand mining within the jurisdiction of the Town of Riverhead because there are no other zoning districts which permit either by special permit or by as a use as of right any sand mining within the jurisdictional limits of the Town of Riverhead. And I want to see what the public comments on (inaudible)."

Supervisor Villella: "Thank you, Adam. Anyone like to speak? Oh, of course, Pete. Get up here. Whenever we do something good, you have to be-- I don't know. I take that-- that wasn't nice. I'm sorry, Pete."

Peter Danowski: "That's prejudging this application before we heard from the public."

Supervisor Villella: "I know. It is. Sorry about that."

Peter Danowski: "But it does appear that this is a follow-up to a resolution you have on your agenda in the past which is the excavation permit statute amendment that you suggested passing and a follow-up to your Industrial C rezoning in Calverton which very specifically seems to be addressed to my client, TS Haulers and maybe it's specifically done with with that client in mind. Certainly I took a position early on with that client that he had a right to follow through on an application process that he did. You are aware of the Zoning Board of Appeals decision. We've had conversations over a period of time in that regard and at some point in time I was waiting for a special permit to issue. Rather than issue a special permit, the Board has saw fit to eliminate the use by first creating the Industrial C zone over my objection and then to now suggest eliminating sand mining completely anywhere in the Town.

Putting aside my client, Mr. Partridge and TS Haulers, Inc. for a moment, it just seems to me that we have an ever shrinking tax base in the Town; we have a need for industrial zoning in the Town and we have a need for commercial uses. Reasonable men can argue about where the location should be of that industrial zoning. When you place the Industrial C zoning in Calverton, you basically stretch the word industrial because I really think it's a recreational

zone. What you may have done is certainly increase the value of the Grumman property which you may own some day. But you've decreased the value of the properties owned by the landowners in Calverton. Now you've taken an extra step and decreased the value -- if this passes of those who own Industrial B area property and Industrial A area properties by taking a very valuable use out.

I'm suggesting that you call a time out and re-think the process and allow sand mining in whatever limited regions you want, under whatever conditions you want, and recognize it's a valuable resource and it should be located somewhere in the Town.

I also question how if at all you complied with the SEQRA statute with regard to this suggested elimination of a use throughout the Town of Riverhead. Certainly it has an economic impact on those who own land. So I, for one, representing those who own industrial zone property, Industrial A and B, would oppose this application.

There are sites throughout the Town, there's a site up next to the Northville tank that we've discussed. I have a client that owns property there. Certainly this use has added value to the property in discussions of what a property is worth. It affects many, many clients who have industrial plans, have submitted them in various stages to the Town and maybe never filed or completed those plans, because in the Calverton area as an example, the Town years ago was re-thinking residential industrial and called a time out on industrial zoned property. What do you do with those who are sand mining today legally, those who have DEC permits? I don't care if it's Riverhead Cement Block or Suffolk Precast. If you expand their operations at some point in time, I think they should have the benefit of continuing those operations. They pay taxes; they have a good use and it's valuable for the retailer.

So my overall theme here I do oppose on behalf of the clients who own industrial zoned property, those clients that I do represent, a ban on sand mining throughout the Town. I would also raise some questions about whether you need the detail that you have now suggesting the resolution regarding the excavation ordinance. You have an ordinance on the books today and I don't know that you need the amendments that you suggest. But I thank you for listening to me and not pre-judging this one."

Supervisor Villedella: "Pete, you're absolutely. Speak all you want and I appreciate that very much and Adam would like to speak on this."

Adam Grossman: "Yes. I just want to comment on your client, TS Haulers, and anybody else who, in fact, currently has a DEC permit within the Town of Riverhead. I know you obtained earlier this year a DEC permit. This action that presuming the Town Board decides to vote in favor of it to go ahead and make these changes to Industrial A and Industrial B, wouldn't change someone who has an existing (inaudible) rights of someone who has an existing DEC permit. They may have to still get Town approval to do what they're doing, however, it's not going to take away any DEC permit that has been issued to any property owner within the Town of Riverhead, but subsequent to this adoption what would happen is that if any one in the future attempted it for example in Industrial A or Industrial B, to apply for a DEC sand mining permit, the DEC is not going to approve a permit application when the zoning doesn't allow for it within the Town.

But it's not going to-- with your client, TS Haulers, it's not going to be negating their DEC permit as it stands even with this change to the zoning."

Peter Danowski: "Well, I thank you for that. And my comments still remain. You may on a case by case basis as you know under your current ordinance it was allowed to exist review a special permit application for some new applicant that comes before you and you can judge whether mining is good in that particular location. I think you have the right to consider that and you should not take away the value of that person's property by eliminating the use that you're now suggesting. Thank you."

Supervisor Villedella: "Thank you, Pete. Pete, also the idea of the Town, you know, adopting this is all the other Towns surrounding us are laughing at us because we're the only Town that's permitting sand mining and we don't want that anymore in this Town."

Peter Danowski: "Well, I tell you, I think that's not true. I think pre-existing mines that exist everywhere so they're recognized whether they were issued a permit subsequent to zoning is another question. I do think some of the other Towns recognize that they potentially face a dangerous lawsuit by eliminating a

particular use and my guess is and I've discussed this with at least one other Town, is that some of these Towns are talking about trying to put back in their ordinance in whatever limited fashion, limited area they want, this particular use."

Adam Grossman: "Yes, Pete, I just want to add one other-- regarding the legality of a municipality changing the zoning within its jurisdictional limits to eliminate a use such as sand mining, in fact, we have our outside our general counsel, Twomey, Latham, Shea & Kelley, do a memorandum on the legal issues associated with such an action on the part of a Town Board and, in fact, the Court of Appeals of the State of New York as recently as two years ago, in fact, affirmed the right of local jurisdictions to be able to do exactly what this Town Board is considering doing right now."

Peter Danowski: "It wouldn't be shocking to hear that reasonable attorneys differ on opinions. Thank you."

Supervisor Villella: "Thank you, Pete. Anyone else like to speak on it? Butch?"

Butch Langhorne: "Butch Langhorne, a resident of Calverton. I would just like to commend the Town Board on the decision to eliminate the sand mining. I happen to live not a mile away from TS Haulers. TS Haulers has been there for a while but I don't want to see anymore. I think it's-- if you look at the property up there, everytime I walk by this new industrial thing, it's land mining. I don't care what you call it. It's land mining. It's raping the earth. And I think if there was such concerns on the farmers part, I think they would be here today to talk about it because they have the same opportunity to discuss it. So thank you as a Town Board for the good decision that you're making."

Supervisor Villella: "Thanks a lot, Butch. Anyone else like to speak on this? Yes?"

John Franco: "My name is John Franco, a resident of Riverhead. I'd like to commend the Town Board for diligently going up against big business who is going to destroy our Town and to put a stop to them. Thank you very much."

Supervisor Villella: "Thank you, John. Steve, did you have

your hand up? Bill? Bill Roberts?"

Bill Roberts: "Bill Roberts, Baiting Hollow."

Supervisor Villella: "I think you turned it off, Bill."

Bill Roberts: "I live in Baiting Hollow, which is north-- actually the Town of Calverton Post Office, and I think all you know my feelings about sand mining. And Calverton has been designated by previous administrations as the industrial portion of the Town. There would never be a sand mine application request in Wading River, nor in Aquebogue, other parts of the Town, but Calverton, scrape off the land, scrape off the sand and lower the level of land in Calverton by 65 feet. Because when these sand miners get through, they go down practically to whatever is supporting-- before they hit water, okay. And I know that some of these are as low as 65 feet. And, of course, I'm exaggerating the situation but I think we'd like to look out and see level land rather than craters all over the Town-- all over the area of Calverton."

Supervisor Villella: "Thanks a lot. Steve?"

Steve Haizlip: "Steve Haizlip of Calverton. As my grandfather says, what is there, is there. Now, in the future we are going to be going out of here. And some of us will be upright when we leave and some of us will be horizontal when we leave but there are going to be continued building and futures. Now, how are we going to develop our community if you're going to have holes 65 feet and acres and acres wide. In case-- mentioned that the farmers would be here on the 51 acres. That farmer could care less now; he's got his two and a half million dollars and he's gone. So, he's got what he likes. Now, the fellow that bought the land, they want to go up there and make scars, big holes all over the place and then when they're through it's going to be (inaudible) and nobody else in the future will want to buy that land and develop it because of big holes all over the place. So how do they get it back level again? They don't. Now, somebody is talking about putting little seedlings down in the hole. Well, what are you going to wait 40 years for the trees to grow up in there? And then in the meantime, you are going to have an open hole and if any animals or people or these here when it snows, these people with their sleds, snow sleds,

they're all over. So I say if they're going to come in and when they leave-- TS Haulers leave that area, which they are going to finally run out of space there, then they are going to have to safety that place because somebody will be sued one way or the other. Whether it will be the Town or what. It's going to have to be safeguarded. And first thing that we should do is to make sure and monitor it that they don't leave a dangerous condition there. And if the 51 acre plot gets going like TS Haulers is doing, when they come out in the road, they leave stones all over that road, out on the shoulder, and I've got call to get the Highway to clear that shoulder. And I think they should be doing it themselves and not me having to call the Highway because the trucks bump in and out they do fall and then they're caught in the tires and they're left there and so forth.

So, you know, they say-- I heard Rick Hanley say one day that when Cape Cod, Martha's Vineyard was made by the Good Lord, he made Long Island the same way. But there's only one thing, they got the Kennedys up there and nobody goes in and intrudes and take all that sand. I wish we had them here."

Supervisor Villella: "Thanks, Steve. Adam, do you want to speak?"

Adam Grossman: "Steve, I just wanted to make a couple of comments regarding in your bringing up issues related to a couple of particular sites, including the TS Hauler site, including the Calverton industry site that gets a fair amount of publicity with the current litigation going on with Calverton Industries and the Town.

Outside of the changes to zoning, the Town of Riverhead-- I believe I can speak on behalf of the Board on this, is very concerned about what has happening at both those particular sites and we have litigation in connection with both proceedings. And I think part of the goal of the Town is to try to see what we can do to rectify the situation in both instances. However, there's a big difference between TS Haulers and Calverton Industries in that TS Haulers was granted a permit to sand mine by the DEC earlier this year as opposed to Calverton Industries which only has an application in to sand mine and they don't, in fact, have a permit in place.

My office is working with the Calverton Industries case and Twomey, Latham, Shea & Kelley as general counsel to the Town is now handling TS Haulers in terms of seeing what can be done to rectify the situation at both locations. Okay. So we're working on that. It's not just that we're trying to ban sand mining in the Town or that we're going in that direction. We're also concerned about existing sites that pose problems to people in the Town and pose problems from a legal standpoint to the Town Board as well."

Steve Haizlip: "Adam, I'm glad to brought that up because it reminded me of something. I talked to (inaudible) one day in Stony Brook about that site of TS Haulers. And I said there's going to be a public hearing in the Town of Riverhead about that site and I said when they were requesting a permit from your department, the DEC, to sand mine there or whatever you call it, take sand out of there, and she says the very words over the phone, I wish I had a tape recording of it, but I don't, and I think my (inaudible) is good enough, she says, there will not be no permit issued if the Town of Riverhead won't allow it. And she says there's going to be a public hearing. Well, the public hearing come and went so what happens? They turn around and they use the knife in our backs. They give them a DEC permit."

Adam Grossman: "Right, right. Well, the thing that I've discussed before at other previous Town Board meetings, Steve, is that the DEC has jurisdiction over what's called the New York State Environmental Conservation Law and there's a provision of the Environmental Conservation Law which controls the regulation of sand mining. So that, in fact, sand mining in any Town, let's say, is actually a partnership between the New York State DEC and whichever municipality where the site happens to be located. And unfortunately in the instance of TS Haulers, we had a DEC permit issued to TS Haulers back in February of this year and that is not (inaudible). So, I'm going to continue to work on both issues with the help of the Town Board."

Supervisor Villella: "Thank you, Adam. Pouring my water here. Anyone else like to speak on this? We're short on water, look at this. Bill, would you like to speak? Is this on sand mining?"

Bill Roberts: "Yes. Because the man making the presentation

said that there was a certain section of that parcel, we're talking development of it, and he specifically mentioned that the topsoil had been removed and also sand. So, therefore, (inaudible) could be greater than at another part (inaudible). It does lose its value. In this case, it may be more beneficial to the developer because he now can build houses on it but the Town does not want more houses and more expenses, children, schools and police and everything else like that."

Supervisor Villella: "Thanks, Bill. If no one else wants to speak, I declare the public hearing closed."

Public Hearing closed: 3:46 p.m.

Supervisor Villella: "We're going to go into the resolutions now. Would anyone else like to speak on the resolutions? Upcoming resolutions? No. Then we are going to do the resolutions."

Councilman Kent: "Do we want to call 466 off the table?"

Adam Grossman: "I just want to advise the Board members in terms of tabled resolutions, what I would suggest is that we-- a resolution that was tabled, Resolution 466, when we get to it, should be untabled and voted down. And Resolution 538 is the resolution-- ."

Councilman Kent: "So you want to call 466 when we do 538 at the same time? Okay."

Resolution #510

Councilman Kwasna: "I'll do Resolution 510 which is an authorization to publish and post bid for a 33 passenger bus. 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 #511

Councilman Lull: "Authorizes publication and posting for a bid for four wheel drive first responder unit for use by the Town of Riverhead. So moved."

Councilman Kent: "And seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #512

Councilman Kent: "This resolution authorizes us to-- authorizes the Town to publish and post a bid for a 1998 Chevrolet 3/4 ton 4-wheel drive heavy duty pickup for use by the Town of Riverhead Ambulance Corps. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

Councilman Kent: "For discussion, though, on this. Is this correct that we are putting out to bid the purchase of two vehicles for the ambulance corps? Because I thought we were doing the 4-wheel drive first responder so that they could go onto the beaches and other areas that needed a 4-wheel drive. What is the second pick up for? Is it just an alternative to the first one? Once we get bids we'll make a decision. Is that the reasoning?"

Supervisor Villella: "There's only supposed to be one right now."

Councilman Kent: "But I'm saying, is that there some rationale that we will go out to bid for both and then decide which one is more economically feasible? Jack?"

Supervisor Villella: "What happened to the Suburban?"

Councilman Lull: "The Suburban is in here but what's the 4-wheel drive pickup?"

Councilman Kent: "They both say ambulance corps."

Councilman Lull: "That's not the ambulance."

(Discussion was held among the Board members.)

Jack Hansen: "The one pickup truck that you're talking about is for the Bay Constable's truck."

Councilman Kent: "Okay. It says in the resolution for the ambulance corps so we'll amend the resolution to read-- "

(Discussion was held among the Board members.)

Councilman Kent: "I just wanted to clarify who was using this vehicle."

Supervisor Villella: "It was moved and seconded."

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

Resolution #513

Barbara Grattan: "Councilman Cardinale."

Councilman Cardinale: "I don't think you called my vot on that."

Barbara Grattan: "Yes, I did. I have yes on you."

Councilman Cardinale: "Oh, you do. I seconded it and then we discussed."

(The Vote (Cont'd): "Councilman Cardinale."

Councilman Cardinale: "I'm going to vote yes on this, however, I would like to point out that the Bay Constable's apparently having a bad streak here because two weeks ago we gave him two new

engines and now his car-- his vehicle is wrecked. I would suggest -- I think the Supervisor is looking into all those things."

Supervisor Villella: "Yes, I am."

Councilman Cardinale: "Thank you."

Resolution #513

Councilman Cardinale: "This resolution authorizes the sale of Town property at public auction. 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 #514

Councilman Kwasna: "514 is an authorization to publish and post public notice of property auction. So moved."

Councilman Lull: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #515

Councilman Lull: "Authorizes the Town Clerk to publish and post notice to consider a Local Law to amend Chapter 52 entitled Building Construction of the Riverhead Town Code. So moved."

Councilman Kent: "I'll second this resolution. This is to include the square footage on plans so that our assessors will be assisted in establishing the value of the property. And I'll second that."

Supervisor Vilella: "Moved and seconded."

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

Resolution #516

Councilman Kent: "This resolution authorizes the Town Clerk to publish and post public hearing notice to consider the demolition of buildings owned by Dorothy Beyel pursuant to Chapter 54 of the Code of the Town of Riverhead entitled Unsafe Buildings and Collapsed Structures, property located at 271 Hubbard Avenue. So moved."

Councilman Cardinale: "Seconded."

Supervisor Vilella: "Moved and seconded."

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

Resolution #517

Councilman Cardinale: "This resolution authorizes the Town Clerk to publish and post public notice to consider the demolition of buildings owned by Robert Brown pursuant to Chapter 54 of the Code of the Town of Riverhead entitled Unsafe Buildings and Collapsed Structures. Premises are located at 116 Mill Road, Riverhead. So moved."

Councilman Kwasna: "Second."

Supervisor Vilella: "Moved and seconded."

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

Resolution #518

Councilman Lull: "SEQR determination for special permit petition of Love'M Inc. 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 #519

Councilman Kent: "This resolution amends Resolution #54 of 1998 the application of Dressage at Sunny Acres. It's changing the date of the Dressage Horse Show from October 4th to September 20th, 1998. 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 #520

Councilman Cardinale: "This resolution approves the application of Doc's Tavern to have the 2nd annual Lobster Fest and Karaoke on August 14th, 7 to 11. 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 #521

Councilman Kwasna: "This approves the special permit of Jazzy Brown's to have live entertainment on the premises. So moved."

Councilman Lull: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #522

Councilman Lull: "Approves the application for a fireworks permit of the Jamesport Fire Department Association. 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 #523

Councilman Kent: "Approves the application of the Jamesport Fire Department Association for a carnival July 14 through the 19. So moved."

Councilman Cardinale: "And seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #524

Councilman Cardinale: "This resolution approves the application of the East End Arts Council for a concert and fireworks display to be held at the Peconic Riverfront on July 3rd between 7:30 and 9:30 p.m. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

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

Councilman Lull: "Just to say-- to clear up one thing about

Resolution #527

Councilman Kent: "Authorizes the publishing of notice to bidders for project Riverhead Water District Extension 53 for Route 25 transmission mains in Calverton. 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 #528

Councilman Cardinale: "This awards bid for facade improvements tp 121 and 127 East Main Street. 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 #529

Councilman Kwasna: "Awards bid for installation of water mains and appurtenances for Extension No. 48 which is West Main Street, Riverhead Water District. 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 #530

Councilman Lull: "Authorizes the Town Clerk to publish and post public notice to consider a Local Law to amend Chapter 108

itled Zoning of the Riverhead Town Code (wireless communica-
ns towers and antennas). So moved."

Councilman Kent: "I'll second. And a question on the
posal. Do we publish the (inaudible) all at the same time that
publish the notice?"

Adam Grossman: "No. I believe it's going to be available in
Clerk's Office as part of the public hearing. (inaudible)."

Councilman Kent: "Okay. Because I still want to discuss
s with you. So seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #531

Councilman Kent: "This accepts Nations Bank standby letter
credit of Tanger Properties."

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 #532

Councilman Cardinale: "This resolution accepts the letters
credit of Harvest Moon Associates, LLC. So moved."

Councilman Kwasna: "Seconded."

Supervisor Villella: "This is the one that has all the dirt
the road I was talking about. You've got to make sure that's
aned up; he has to clean that up. All right. Moved and
seconded."

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

Resolution #533

Councilman Kwasna: "This authorizes the release of performance
bond of Cherry Creek Golf. So moved."

Councilman Lull: "Seconded."

Supervisor Vilarella: "Moved and seconded."

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

Resolution #534

Councilman Lull: "Accepts the Suffolk County National Bank
letter of credit of Ashley Homes. So moved."

Councilman Kent: "Seconded."

Supervisor Vilarella: "Moved and seconded."

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

Supervisor Vilarella: "I would like to have Adam to speak on
this and what we did in this with Laura and Adam in the office,
calling in the Ashley. If you didn't find this, it would have
went through the cracks."

Adam Grossman: "We're trying to work in the Town Attorney's
Office with dealing with performance bonds and letters of credit,
really most performance bonds that are about to expire. So as part
of that change in policy, we were advised by I believe the
Accounting Department that in fact this particular-- this letter
of credit needed the attention of the Town Attorney's Office in
terms of arranging for an extension and that is what we have
proceeded to do."

Supervisor Vilarella: "So the new systems work."

Adam Grossman: "It's working but we have more to do because we still have to transfer-- "

Supervisor Vilella: "Good. All right, Barbara."

Resolution #535

Councilman Kent: "535 authorizes the settlement of a claim by Malcolm Pirnie. It's a \$78,000 settlement of a claim relating to work that was done for the Route 58 sewer extension. So moved."

Councilman Cardinale: "Seconded."

Supervisor Vilella: "Moved and seconded."

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

Resolution #536

Councilman Cardinale: "This resolution is an authorization to publish notice to bidders regarding groundwater monitoring well installation project at Baiting Hollow, Town of Riverhead. So moved."

Councilman Kwasna: "Second."

Supervisor Vilella: "Moved and seconded."

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

Councilman Kent: "I would like to explain this. This is the installation of a monitoring well on the east side of the landfill to test quality as part of our closure of the town landfill. So I vote yes."

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

Resolution #537

Councilman Kwasna: "Adopts an amendment to Chapter 48

entitled Beaches and Recreation Centers 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, yes; Villella, yes. The Resolution is adopted."

Councilman Kwasna: "I'm going to untable #466 which has to do with excavations of the Town Code. I'll make a motion to untable it."

Councilman Lull: "I'll second that."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The Resolution is brought off the table."

Councilman Kwasna: "All right. I move the motion, 466, which adopts Local Law amending Chapter 62. So moved."

Councilman Kent: "I'll second it."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, no; Kent, no; Kwasna, no; Lull, no; Villella, no."

Councilman Kwasna: "Perhaps it should be explained that we're voting one down because we have an amended version that we're going to vote on which is Resolution #538 which adopts Local Law to amend Chapter 62 entitled Excavations of the Riverhead Town Code. So moved."

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

Supervisor Villella: "Moved and second."

The Vote: "Cardinale."

Councilman Cardinale: "I'm going to vote yes. I think this legislation is clearly in the best interests of the Town."

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

Councilman Lull: "Originally I was against the first form of this amendment that was brought up. It had a two-tier fee schedule and I felt that was an inequity and even though the original form might have stood up against a Court challenge and I am sure we would have some, I do not think it's a good policy for us to have such inequality. What has happened over the course of the week is discussions and discussions between various members of the Board and counsel to change the fee schedule and that fee schedule is now one single tier fee schedule. It makes a lot more sense.

Secondly, I was against it because I felt that the money raised by the original fee schedule outweighed the amount of money that we were going to have to spend to enforce it and if that were the case, in fact, that's no longer a fee, that's a tax and we are forbidden to levy a tax of that type. But since the amended form has arisen-- Adam's reminding us here-- since this amended form has arisen, we no longer have that inequity. And so, therefore, that first objection is gone. And the newer system of charges will collect a smaller amount of money which will-- I have been assured by members of the Town Board and the counsels that will be about the equal amount of enforcement so, therefore, it does, in fact, it is, in fact, a fee.

But there's another new aspect of this--- there's another aspect of this amendment that I believe is more important-- along the reasons for my decision of how to vote at this point. Two years I've been discussing ways to try to get environmental monitoring on the scene-- at the site of building projects in this Town to protect our Town against various kinds of environmental disasters which have plagued some of the Towns further west on the Island. And I see this new code as a first step in this way. There will be a need because of the need-- because of this fee schedule-- because of the charges-- there will be a need for early site plan monitoring and that is something that we really need, and there will also be a need for on the site monitoring, environmental monitoring, to prevent unnecessary depleting of land. And since there will be, the fee schedule provides a sensible way

to provide that monitoring. And there will be other kinds of monitoring necessary if you will witness what happened at Maidstone. There will be need for other environmental monitoring other than just for fees-- just for excavations. But, in fact, this is a first step and I believe it's an important first step and since it is, I vote in favor."

Supervisor Villella: "Thank you, Jim. This has been my pet peeve since I took office and I feel very, very happy on this today. This is something that I wanted for quite a while and I want to thank the Town Board and Adam for getting this to where we are now and I definitely vote yes. This is a big plus for the Town of Riverhead for monitoring."

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

Resolution #539

Councilman Kent: "Yes. 539 authorizes the Supervisor to open a bank account entitled Mohring Enterprises Sun-Up Sub-division. So moved."

Councilman Cardinale: "Seconded."

Councilman Kent: "Let me explain this. This is a bank account that's going to be opened with the deposit of \$70,000 by Mohring Enterprises to ensure the completion of the roads at the Sun-Up Subdivision. So I move this Resolution."

Councilman Cardinale: "Are you in possession of the check?"

Adam Grossman: "I am in possession of the check, in fact-- it's an attorney check and in addition to the \$70,000 there are also deeds-- two deeds-- two different parcels of real property that are to be put into escrow in addition so that in case the improvements by Mr. Mohring are not completed within the four months that he is given pursuant to the stipulation of settlement, which has not been filed with the Court and is not going to be until this is resolved, we have both the monies going into the escrow account and the value of those two properties to use if need be to go in and have the work done."

Supervisor Villella: "Adam, the property is in Mesta Vista?"

Adam Grossman: "One of them is in Mesta Vista and one of them is not in Mesta Vista, it's not even in the Town of Riverhead, actually. It's the Town of Brookhaven. But that's what we were able to get to be able to ensure that the work gets done so that if Mr. Mohring failed to do-- if he fails to finally do the work that he was supposed to do a long time ago, we'll have a way of getting the work done without Town funds being utilized."

Supervisor Villella: "Okay. Let's have the vote."

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

Resolution #540

Councilman Cardinale: "This is an authorization to obtain services of a utility rate consultant. By way of explanation, this is a-- this doesn't cost the Town anything. Anything that is paid is paid out of savings obtained and it is common in the business world to do this so I would vote this motion."

Councilman Kwasna: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent."

Councilman Kent: "With Phil's explanation, I vote yes."

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

Resolution #541

Councilman Kwasna: "We tabling this tonight?"

Councilman Kent: "Yes, let's table this, please."

Supervisor Villella: "We're going to table this. He doesn't want to be appointed Deputy Supervisor today. We'll wait to the

next meeting. I would like his family to be here for that. It's a special day."

Barbara Grattan: "Okay, Kwasna, who second the table?"

Councilman Lull: "I will."

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

Resolution #542

Councilman Lull: "Authorizes the Supervisor to execute contract addendums. So moved."

Councilman Kent: "Seconded."

Councilman Cardinale: "I have an amendment to propose here. At the end of the word compensation in the third paragraph, provided same-- I'd like to have the words, provided same are initialed by at least two councilmen in addition to the Supervisor's signature."

Supervisor Villella: "Moved and seconded. The vote."

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

Resolution #543

Councilman Kent: "This appoints Jack Wherry as part time housing inspector to help us with inspection of rental properties and enforcement of in compliance with our rental inspection law. I'll move this Resolution."

Councilman Cardinale: "I'd like to second this. Jack Wherry must be weary; it has taken a great long time for this appointment to occur but I would second the motion and I believe he is much needed and will do a good job."

Councilman Kent: "\$13.00 an hour though."

Supervisor Villella: "This is something we've been talking about we need-- for the rental law and also help out in other areas in Town. I know you are going to do a great job, Jack, so thank you. So moved and seconded."

The Vote: "Cardinale, yes; Kent."

Councilman Kent: "Because I think Jack will be a great asset to the Building Department, I vote yes."

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

Resolution #544

Councilman Cardinale: "This resolution appoints an assistant summer recreation program leader to the Riverhead Recreation Department, Nicole Montalbano. 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 #545

Councilman Kwasna: "Appoints Peter Pitsiokis, Esq. as special counsel. So moved."

Councilman Lull: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #546

Councilman Lull: "Amends Resolution 376 to the Riverhead Recreation Department. It's simply an adjustment in the salary."

It was a typographical error. 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 #547

Councilman Kent: "Yes. This ratifies appointment of Michael Digaudio as a scorekeeper for the Riverhead Recreation Department. They're much needed scorekeepers down at Stotzky Park. 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 #548

Councilman Cardinale: "This resolution appoints a summer recreator program leader to the Riverhead Rec Department, Troy Sidik. 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 #549

Councilman Kwasna: "Aurhotize the attendance of Chairman of the Board, Laverne Tennenberg, of the Assessors at certain meetings. So moved."

Councilman Lull: "Second."

Supervisor Vilella: "Moved and seconded."

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

Resolution #550

Councilman Lull: "Authorizes the attendance of one Assessor at a seminar for Assessors held at Cornell University in Ithaca, New York in July. So moved."

Councilman Kent: "Seconded."

Supervisor Vilella: "Moved and seconded."

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

Resolution #551

Councilman Kent: "This authorizes the attendance of a member of our police department at a FBI seminar in Hamilton Township, New Jersey, today. I hope they went. So moved."

Supervisor Vilella: "Did he go, Rick? Okay, beautiful."

Councilman Cardinale: "Seconded."

Supervisor Vilella: "Moved and seconded."

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

Resolution#552

Councilman Cardinale: "This resolution is a budget adjustment of \$1,400. So moved."

Councilman Kwasna: "Second."

Supervisor Vilella: "Moved and seconded."

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

Resolution #553

Councilman Kwasna: "It's a water extension #39 capital budget project budget adoption which is moving \$4,000 from developer fees to engineering expense. 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 #554

Councilman Lull: "It's a Police Athletic League budget adjustment. They're going to pay the umpires. 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 #555

Councilman Kent: "This is a capital project budget adjustment for the water district extension #48. 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 #556

Councilman Kwasna: "This calls a public hearing in reference to Omnipoint lease with the Town of Riverhead Water District for replacing of an antenna on Plant 8 water tower in Baiting Hollow. 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 #557

Councilman Kwasna: "557 authorize the Town Clerk to publish and post notice of public hearing in reference to zoning amendment Millbrook Gables. So moved."

Councilman Cardinale: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #558

Councilman Lull: "I'll move that."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

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

Supervisor Villella: "Okay, thank you. That ends the resolutions. Now we'll go into new business. Public comment. The first one, Steve. You're a busy man today."

Steve Haizlip: "Steve Haizlip of Calverton. On June the 10th when Henry was chairing the New York State Senior Citizens-- "

Supervisor Villella: "He actually looked good up here, too."

Steve Haizlip: "Now, traveling around town and going to different places, like McDonalds-- I hang out quite a bit-- "

Supervisor Villella: "Hanging out now."

Steve Haizlip: "Oh yes, you know, got to have my coffee and conversations with other seniors-- I got compliments that that was a real good thing here in the Town Hall and Henry did very good. And all the members (inaudible). But there was one gentleman that sat left of Henry. Do you mind if I turn and ask Henry his name?"

Supervisor Villella: "Sure."

Steve Haizlip: "What was his name, Henry? The gentleman who sat left of you-- Walter (inaudible). He mentioned about you people when you go into your doctor's office and labs and clinics and so forth, beware of fraud. Well, I want to bring up a case where a doctors' group come first of the year when you go for your checkup whether it be heart-- in my case, heart, and so forth-- and now all of a sudden you get a \$25 increase in the visit. Now, I don't know-- I guess you can't call that fraud but it far exceeds the rate of inflation right now. But I don't know if the doctors' groups and the hospital groups consider medical costs at any rate of inflation, just whatever they please. And if this goes into the Medicare and the Medicare don't seem to mind about paying the exhorbitant rate increases for doctors' visit. But now a doctor comes along and he says, well, my income is down by \$100,000-- I've got to get it somewhere, so he goes up the rates and we pay it so the fraud is still going on.

The only other thing that I would like to bring up is a point of information. Come Saturday, I will be married 50 years in this Town."

Supervisor Villella: "Hey, all right. All right."

Steve Haizlip: "No, no, no. That's quite all right."

Supervisor Villella: "You should bring your wife to a meeting."

Steve Haizlip: "Well, she was off into the strawberry field and she don't go for this too much. So I just took this on my own to do this, but (inaudible) of the fact that I try to do for the people in town and help them out with what I can and so I write to a local newspaper to try to get them to put it in, and they said we don't do that anymore. Everything today is money. So I said, well, the only other way to get the announcement across would be Town Hall and maybe one of these good reporters will pick it up and put it in the paper. That's all I have to say."

Supervisor Villella: "Thanks a lot. Sandra, Sandra Mott."

Supervisor Villella: "Why wouldn't they put that in the papers, Steve? They always put anniversaries in the paper. Make sure it's in."

Sandra Mott: "Good afternoon. My name is Sandra Mott. I've been here on a number of occasions previously regarding the animal shelter. I'm not here to be critical today, although there's room for that. But I am here quite frankly to thank all the individuals who came to the assistance of the cats that were taken in under the Town's auspices, were not treated as well as they should have been and were taken to Dr. Miller. So thanks to Vinny Villella's important intervention. I'm going to read to you a letter. I might go over my five minutes but I think under the circumstances I want to make sure that each person is appreciated in a formal on the record manner. I've given a copy to Mrs. Grattan as well as Tim Kelly who I hope will be able to publish this letter of thanks."

I ask that this open letter to the residents of the Town of Riverhead be included in your next edition pertaining to Mr. Tim Kelly as editor of the News-Review. Thank you all. This letter is to thank all of the individuals, groups and merchants who took the time to listen and to answer our request for shelter, food, litter, towels, newspapers and prayers for the innocent cats and kittens rescued from the Town's dog pound on-- the 4th of June, 1998.

Thanks to Supervisor Vinny Villella, who coordinated with Dr. Burton Miller, Veterinarian and owner of the Riverhead Animal Hospital on West Main Street, in Riverhead, the rescue of these cats. Twenty-one adult cats and 9 kittens, some additions have

been since, are alive and well and living temporarily at Dr. Miller's. They are in need of foster or adoptive families to secure their futures. Please call Beth Bricoli (phonetic) an RSVP volunteer at 821-6828 for viewing and details.

Specific thanks go to Supervisor Vinny Vilella who prevented their being destroyed. To Dr. Burton Miller, who opened his hospital without any charges for the medical evaluation and temporary housing. To Dr. Miller's-- to Dr. Burton Miller's staff who provide professional and loving treatment. To Kent Animal Shelter, (inaudible) specifically (inaudible) additional kennels when they were overcrowded and we thought they would have to be there another 10 days at the Shelter who donated cardboard carrying cases during their transfer from the Shelter to Dr. Miller's. Food (inaudible) were also provided. To (inaudible) shelter, Jillian (phonetic) who is the manager of that facility who lent additional kennels. To the Glenwood Village (inaudible) who donated food, towels, litter. To the Glenwood Village individual residents who donated food, towels, lines. To (inaudible) Sanitation who donated a trunk load of newspapers when they heard of the problem. To Agway, (inaudible) manager, to K-Mart, Riverhead, to Walbaums, Dennis, the manager. To BJ's, Dorothy, whose combined food donations totaled 117 pounds of hard cat food, 24 cans of soft in a two hour period. That's what I obtained in a two hour period by asking.

Individuals and animal rescue groups, to RSVP, the Executive Director, to Beth and Michael who assisted in the adoption process and vaccinations. To (inaudible) who, I believe, took in two. To ARF, Craig, who said he would get back to me but under the circumstances my phone was ringing off the hook for three days. To Suffolk County Prevention of Cruelty to Animals, Dolly, who provided advice, food, foster care and support. To the media, including Channel 55, Lori, who heard this story and-- in three hours she heard the story-- sent a report to cover the story and advise the public of the need to help. Channel 12, Scott, who gave coverage and follow up stories to advise the public. To the News-Review, Tim Kelly, editor and Phil Cardinale, Jr., writer who offered a broader view to their readers by following up their original story. To WRIV, Eleanor, her name and her staff who have offered advice in the listing of dogs available to the Shelter. I (inaudible); I need a formal listing of who was left at that facility.

Again, (inaudible) I never heard the word no, just the words, how can we help? To those that came up to me and said that I should continue to help them. I answer, I will. Support from inside Town Hall and on the streets of Riverhead is there. The owners of these innocent and beautiful animals have a bigger heart than a home. They, too, never said no and that's how they got into the situations they were in. The immediate need is to find good, safe, loving homes for all of these cats and kittens. Their future depends on all of us. The future goal is if the Town Board decides to continue having an animal shelter, all the dogs and cats and whatever living creatures needing rescue should be provided for. A new location with a new facility and a new philosophy must replace the current quote unquote town quote unquote control, quote unquote euthanize them philosophy. I could sleep more soundly if I knew that my pet or yours if lost would be provided with a safe haven until we were reunited. There is a sad note. The dog catcher lost two cats, a small gray striped male called Tigger who was on the front cover of the News-Review original article, and a large black and white male cat. I personally went up to the facility the morning after I was advised that they were lost, at 6:45 in the morning, to look for these animals. I don't know what took place (inaudible) the facility. Those who live in the vicinity of the shelter please look for them. If you find them, please call Beth at 821-6828 or even Vinny Vilella, I'm certain that someone would take the message at his office at 727-3200. Thank you all, most sincerely. Sandra Mott. Concerned resident of Riverhead. I'm not affiliated with any group or organization and I plan to keep it that way. I am much more effective as an individual and, quite frankly, we have major issues that are still unresolved. I've been here since your first meeting. You've listened to me fully. I think Vinny and Mr. Lull who I did not mention-- I apologize, Mr. Lull. I apologize fully for that. Who has worked for over two and a half years on this effort. I truly want us all to work together. People have different views, different directions, different axes to grind. That's not the point."

Supervisor Vilella: "The idea is to work together."

Sandra Mott: "Correct. And Vinny, I hope Kitty Kat is okay. How's he doing?"

Supervisor Villella: "Perfect."

Sandra Mott: "Okay."

Supervisor Villella: "My dog's chasing him around so he's all right."

Sandra Mott: "Okay. So we're back to normal then. I want you to know that I contacted Mr. Allen Smith who is the head of the Chamber of Commerce. I also contacted other individuals. Adoptions again are needed. Foster care is needed. The list needs to be put on WRIV. Their future is in jeopardy until they get a permanent home. Anyone who can offer any kind of food, litter, newspaper, towels, any kind of assistance. Prayers have been most helpful. And if anyone finds these two little cats, it would be gratefully appreciated. There is a work session I was advised by Vinny on 6/30/98 regarding the animal shelter at 10:00 a.m. Public awareness must be made to call attention to the need for change, including all animals. Perhaps the suggested use that I made previously with Dr. Miller and his facility and again I spoke with him when the ones were being reviewed by him individually. He has a great interest in providing you with what you could use immediately, a new facility at his facility. He is a trained veterinarian. He has professional staff. He has access, he has the ability to offer what we cannot provide now.

In addition to that, (inaudible) handle the donations as well as the-- are established in regard to the adoptions as well. You have resources out there. You have many people who want to help you."

Supervisor Villella: "Can I ask you what's the status of the cats? Have they been adopted?"

Sandra Mott: "Two I believe were with Save A Pet, one has been adopted. We need more adoptions."

Councilman Lull: "Sandra, in order to move forward with not adoption at this point. In order to move forward with fostering, we needed the approval of Mrs. Hodgkis (phonetic). They're her cats. I met with her at the Town Justice Court today, got her approval. Adam's going to be in contact with her attorney and get

her to sign that form so we can go ahead with fostering."

Sandra Mott: "I would-- I'm very glad to hear that. As I said I believe the woman, quite frankly, had a bigger heart than a home. But I'll tell you, the (inaudible) in Riverhead is there and people want to help. I even talked to some ladies when I was in the rest room to maybe coordinate some gathering of food and litter and newspapers, anything, to help these darlings and I want to thank you, Vinny Vilella, for taking my phone call and Kitty Kat just came in at the right time. So it's a big help for us. Thank you so much."

Supervisor Vilella: "It seems like it's all falling into place. You're right."

Sandra Mott: "Yes. Things are falling into place and I truly appreciate everyone's help. Thank you so much."

Supervisor Vilella: "Thank you, Sandra. Leo Davis, Esq."

Leo Davis: "Thank you, Mr. Supervisor and members of the Town Board. My name is Leo Davis. I'm an attorney from East Motiches. I'm here today on behalf of (inaudible) Capital. This is with respect to your recent actions and what's going to happen with respect to the sale of the Grumman property. This is a tremendous opportunity for the Town of Riverhead. What I would like to you to understand is that the property as it is now is like a diamond in the rough. What it can be is a crown jewel. And if you understand that other communities pursue the opportunities that are coming to you, we are coming to you. You don't have to come to us. Don't sell yourselves short on this. I fear and I say this because I have a client involved, but also for the people of Riverhead Town that you represent, there's a congruence of interests here.

You don't have to move quickly. If you do move quickly, you run the risk of making a big mistake, hurting the people of Riverhead, affecting your (inaudible) in the future, and the future of Riverhead. There's no reason to. Whether it's our proposal or the proposal of the other people who are coming forward, take heed of why these people are coming forward. There's something going on here. In the case of my client, we want the opportunity to meet. We would like to be able to give you a proposal. These are people

who do this around the world. If they can have access to the property, you'll have a proposal within a few weeks. And it will be for a lot more money than what's being presently offered.

Not only the money, and that's important. It's important to you more than it is to us. You would get a better use of that facility if you entertained our proposal. With all due respect to industrial complexes, light industry, you can have that pretty much anywhere you want it. Look at what's going on on Long Island, if not in this country generally. Light industry is not the future. The east end is known for its tourism, the farming, the fishing, all these things that come together and a development like we are proposing offers to you, it's-- the future is not a light industrial complex.

We have to stress this to you because you have an opportunity now that is going to give you the chance to mold the financial and the commercial and the entire vision that the world, perhaps at least the eastern seaboard has of Riverhead Town. There's nothing to be gained by moving too quickly; there's much to be lost. All we are asking for is give us the opportunity-- not just us, give everybody a chance to have the opportunity to come in and meet with you.

The fact that they're coming out, as I said before, says to me and I hope it says to you that there's something here.

I would like to stress for my client, and I'll stop, we are an owner/operator. There's no risk of a flip here, if you're familiar with the term, get the land cheap and sell it to somebody else. The money is available. It's a planned development use, could be a tremendous opportunity for the Town of Riverhead and on behalf of my client, please, give us the chance to talk about it. We can't get you a formal proposal without having access to the site, the FBI approval, the other things that are going on over there. And, quite frankly, you are dealing with people who do this around the country. If we're not invited, we can only ask to be invited. We just can't come in and say here's our proposal."

Supervisor Villella: "We would love to invite you to meet in front of the RDC, you know, even for the rest of the property. I mean-- "

Leo Davis: "Well, there's a problem with the rest of the property. The value-- the infrastructure is on the 35 acres that's being contracted and what's really distressing is that what's happening is people are making statements in the newspaper, there's (inaudible) that people are making their point and that is not the way. I couldn't help but sitting here in the audience, watching the as you are required to under law, the procedures you have to follow to sell computer monitors at a public auction. There are provisions when you are a municipality disposing of property.

This is something that is very serious and it should not be addressed with a one liner, somebody defending their position because they feel they're being criticized or attacked. That's not what this is about. What this is about is somebody who's offered you 17 million dollars and my client is, will double that, that's-- "

Supervisor Vilella: "He'll double that for the 530 acres?"

Leo Davis: "Yes."

Supervisor Vilella: "Jack, come up here."

Councilman Lull: "First of all, you have to understand that you don't make the presentation to us. You make the presentation to Grubb & Ellis, that is the procedure that we have set up. And there is nothing, nothing hold you back from seeing the site. People are seeing the site every day. All you have to do is make an application to our Community Development Director. For the past four and a half years, she has been taking through the people at the site very week."

Leo Davis: "My client is here because we are having problems getting that done. We've had preliminary statements; we're not getting it done. We know that there's a contract that's been approved. We don't want you to sign it because this is not done. And it shouldn't be done and I read the newspapers, too. Somebody else is saying 50 million dollars. I don't know if there is a better offer than ours; I think it's real, but you can't do this with this happening, with these issues before us based on somebody should write a letter or somebody else said something in the newspaper. This is the future of Riverhead Town. It's right here, right now. It doesn't have to be this letter today and it would

a dreadful mistake if it were decided and concluded in the next week or two.

So, I implore you. I'll talk to anybody who will talk to me."

Supervisor Villella: "Jack, would you like to speak."

Councilman Kent: "Mr. Davis, Mr. Davis. Can I ask you a question over here?"

Leo Davis: "Yes."

Councilman Kent: "What are your proposed or (inaudible) proposed uses for this industrial court? Do you have any idea?"

Leo Davis: "Well, an entertainment and resort complex. They are-- you're all familiar with the fact that gambling is perhaps on the horizon being discussed-- they do gambling in other parts of the world but they also do resort hotels. They're talking about a conference center to bring in, well, businesses and other groups for that. Combining that with recreation opportunities, (inaudible), personally, as I told them, I'm surprised they didn't put a baseball stadium in there, but-- "

Councilman Kent: "Why would you need the industrial buildings to do that type of a complex?"

Leo Davis: "Well, the hotel is where it all starts. But-- "

Councilman Kent: "We have other areas-- "

Supervisor Villella: "For hotel convention centers."

Leo Davis: "But, they, this is why the people have to come in. I cannot address the specifics of this but what they tell me is you've got an existing infrastructure, we don't want to be building from scratch if there's an adaptable reuse opportunities and all they need is a couple weeks to get somebody in (inaudible) and it's on the table and if you like it, take it; if you don't like it, at least you'll know you're protecting yourself in making-- "

Supervisor Villella: "Well, okay, but first of all it goes before the RDC before it comes to us."

Leo Davis: "We will-- "

Supervisor Villella: "I want Jack to speak. Jack, will you please come up here? Tell him how the process."

Councilman Cardinale: "I'd like to make a point that I spoke with principals of this company yesterday. They indicated that they have had a letter in since March 20th and have not had a response. I suspect that may have something to do with the fact that the letter of intent that was signed at about that time precluded negotiation for the entire property during the period between March 20th and July 20th-- it precluded anyone considering the entire property, they would only be permitted to consider that which was not committed by the letter of intent. That was one of the major points I made last week. So, I support what you've just said-- or two weeks ago.

The fundamental fairness requires that there be a window of opportunity after July 20th for those people who have been precluded from making offers for the entire property during the period March 20th through July 20th, that they be permitted to do so. And I did get a call; he did complain as you're complaining here that they have not had that opportunity and I think I know why. I told your (inaudible) just what I said here today, that we were not permitted legally to accept offers on the entire parcel since March. And for that reason, I again, (inaudible) the Town Board not to sign until that window of opportunity after July 10th or 17th is permitted to those that are precluded from offering on the whole piece.

We have shown parts of the piece that are not in the First Industrial offer, but not the entire piece."

Jack O'Connor: "First of all, to respond to that. We have shown the First Industrial piece because we have had permission from First Industrial to show the piece."

Councilman Cardinale: "That is not what is in the letter of intent. The letter of intent precludes us from showing."

Jack O'Connor: "I understand that. By the way, my name is Jack O'Connor, Grubb and Ellis. I understand what's in the letter of intent, but we have had permission from First Industrial total cooperation to show their piece, which we have done, which has helped the Town out.

As far as a letter on March 17th is concerned, that letter was written to Andrea Lohneiss. Andrea, can you help me out a little (inaudible). That letter was not a formal offer. It did not have any specificity as well as the letter we received from the other day had no specific information. I'd like to ask Mr. Davis, who do you represent? Starwood (phonetic) or a broker by the name of (inaudible)."

Leo Davis: (inaudible)

Councilman Cardinale: "I would like to point out that the March letter that you just referred to, the March 20th letter sent to Andrea, says I would like to arrange a meeting with you in your office to go over their financial stability and their intent. If you concur, I would like to set up a meeting with the principals of the organizations and the town. Apparently that meeting never got set up."

Jack O'Connor: "We did have a meeting, I believe, on March 18th or 19th with Mr. DiPasquale (phonetic) and he did not bring in financial statements. He brought in copies of Fortune magazine which showed ITT Corporation and their net worth. And from that point in time, we had not heard from Mr. DiPasquale until last week. I spoke to Mr. DiPasquale on Friday and I said to him we're willing to show you the site. He said it's not necessary to see the site. He said all we want to do is come in and buy the site. I said do you have a financial offer? He says, no, I do not. And he got a little bit hostile with me and proceeded to hang up the phone, threatening to sue the Town if his deal wasn't accepted because he's put in a lot of money. He said he's put in \$50,000 into the marketing of this property.

In the two years that I have been marketing this property, I've never seen this man or heard from this man since March 17 until Friday. So I have no idea what this last minute hysteria is all about."

Supervisor Villella: "Because we're ready to sign the deal, that's-- "

Jack O'Connor: "Probably."

Supervisor Villella: "Anyone else-- I mean-- do you want to speak again, Mr. Davis?"

Leo Davis: "I know Mr. DiPasquale. I'm not representing him here and if there's a problem in communications, a mistake, let's solve it. Because this kind of deal, the importance this has to the Town, should not be decided on whether somebody who has unknown authority, to speak for somebody else says I don't have to come in. I've spoken to the principals who say we can't-- we can give you a letter of intent, we cannot make a proposal until we see the site. I think it's a reasonable-- nobody said people are supposed to make blind proposals. We're talking about a lot of money here and furthermore, what they want to do is work with the Town in terms of what the Town would like or not like, whether they'd be welcome or not. Please. Forget about Mr. DiPasquale. Forget about what happened in the past, and let's focus on however we got to this point in time. Let's not make any mistakes as we proceed out to this critical decision."

Supervisor Villella: "Thank you very much, Mr. Davis. Jack-- "

Jack O'Connor: "Yes. In conclusion to that, we had a copy of a letter from an individual at Starwoods whose name I don't have right now because I don't have the letter. I called the individual two, three times, I have had no response from him. The only response I've had is from Mr. DiPasquale and we've had this property on the market for two years, Mr. Supervisor, and we have never heard from these people until a couple weeks ago, or last week, and this last minute hysteria is beyond me. We've again-- I ask their representative, he claims he represents Starwood on Friday, would you like to see the site next week? He says, no, it's not necessary. We're ready to make an offer. I said, where is it? He said, I don't have it. Any further questions of me?"

Supervisor Villella: "Well, I would just like-- you could set up a meeting with him for the rest of the property."

Jack O'Connor: "Absolutely correct. Absolutel correct."

Supervisor Villella: "I would love to have-- hear what he has to say, it sounded good in the paper but I don't know what the project is. But for the rest of the property, you're welcome. Please get in touch with the RDC as soon as possible."

Councilman Cardinale: "If I understand you, Mr. Davis, did you indicate in your presentation that your group was prepared to pay double what we're receiving?"

Leo Davis: "We know that you have a 17 million dollar-- "

Supervisor Villella: "Do you know how much property that's for?"

Leo Davis: "How much property it's worth or for?"

Supervisor Villella: "No, no. For."

Leo Davis: "The entire parcel."

Supervisor Villella: "No."

Leo Davis: "No. The 17 million is for the core-- "

Supervisor Villella: "Right. Exactly. Okay."

Leo Davis: "And the price depends on negotiations. It depends on what the Town would like or not like, what the deal could be done. But they understand the situation you're in and they're in and they understand that the price should be doubled. And if they can do the deal with you, there will be. It's that simple."

Supervisor Villella: "Your project can use industrial zone property in your project?"

Leo Davis: "Yes. But it's not going to be an industrial-- I mean, we're talking mixed use. There might be some-- there's a need to not just be-- we'll start where you want us to start."

Supervisor Vilella: "Well, that's where it starts."

Leo Davis: "We'll want to know-- "

Supervisor Vilella: "They're professional people, the RDC. They're all professionals and that's where it has to start. I would advise, set up a meeting."

Leo Davis: "But you're the policy makers in the town and you're the ones that are going to have to be happy with the proposal and we know that and we want-- "

Supervisor Vilella: "There's over 2,000 extra acres and we would love to have your project if it's feasible for the Town of Riverhead. There's plenty of acres left over, believe me."

Leo Davis: "Well, the infrastructure that's there is critical. I don't know all the details of what they propose to do, but it was stressed to me the existing infrastructure is critical. If you cut that out, then the value evaporates."

Supervisor Vilella: "I appreciate your input. Thank you. Brendan Bates."

Brendan Bates: "Oh boy. We're getting the answers now. My name is Brendan Bates. And you'll have to excuse me from time to time because my eyes fail me. My brain does. I'm a retired CPA Accountant. I've worked for 50 years in financial matters and I've been retired out of that profession for 25. I've worked for some of the largest corporations in the country, Allied Chemical, General Food, and Grumman Aerospace."

I have reviewed the proposed Grumman sale of approximately 550 acres together with approximately one million square feet of enclosed industrial space, which was initially appraised at \$31,821,000. This has all been in the papers but I want to bring it up, by Grubb & Ellis, the real estate advisors to the Town of Riverhead. I note that this \$31,821,000 appraisal did not include the 10,000 foot runway. And if I'm wrong about that, let me hear about it. I note that this-- excuse me.

Grubb and Ellis now recommends to the Town that it sell the

550 acres and the one million square foot of buildings on the industrial space and the 10,000 foot runway for a price of \$17,000,000. God almighty. Grubb and Ellis will receive a commission of approximately one million dollars so the Town of Riverhead ends up with 16 million.

I believe this proposed sale to be contrary to the interest of the Town. Who would not want to buy 550 acres and a land with one million square foot under roof and a well maintained runway for \$30,900 an acre? God, we'd all buy that, wouldn't we? Wouldn't we all buy an acre? Improve the land. It's not forest. Improve the land.

With the exception of Councilman Cardinale, who wisely voted no, the Town Board has authorized this sale. We, the people, the taxpayers, were not even asked for our input except at one hearing after most of the Town Board had apparently made up their mind. People are not involved here, we, the taxpaers?

It seems to me, that the people, the taxpayers, as a kind of Board of Directors, we are the Board of Directors, the public and the taxpayers, elected the Town Board as our municipal corporation officers. As municipal corporate officers, you must listen to the people who elected you.

I submit now a petition signed by hundreds of Town residents, 501, who object to this sale and I ask Supervisor and the rest of the Board members to reconsider this. And you have to reconsider it now on just what we've heard from Mr. Davis.

I wish to make two other points. First, should this sale or any other sale be completed, there should be some mechanism set up through which the people of the Town can submit recommendations as to what should properly be done with the money received.

Secondly, one thing that should certainly be done with such money is set aside 50 to 100 acres for a park including baseball fields, basketball courts, pools and a sports and so forth, for the children and the other citizens of the Town. Perhaps during summer, school buses that sit in the parking lot doing nothing could be used to transport the kids to this facility from the Town center. I believe we would see a marked drop in juvenile crime in

the Town.

Let's be an example for other towns by conducting our Town as well as a well run business. A well run business does not sell its assets for less than full market value.

And I have one or two other points I'd like to make and the lady had quite a time to talk about the pussy cat so I'd like to make this. I reviewed the assessments of this property from the Town of Riverhead assessment section. Well, it would surprise you that the property has been assessed at \$13,166,000. That represents 30% of its value. A hundred percent of its value is worth \$43,000,000 and here we are selling this core for \$17,000,000.

I just have a couple other points. I made little notes while I was sitting here. Eightypercent of the people that I approached to sign this petition that I have, selling this 550 acres for \$17,000,000, this is based on the following four out of five people that I quoted signed the petition. Eighty percent of the people are objecting to this sale going through. In addition, Northrup Grumman has expressed an interest in renting several of the hangars-- for one or two million dollars. Why are we giving it away because Grubb & Ellis says the buildings are worth nothing.

And my last point, my final request is that the Board and our Supervisor agree to accept five appointed people as advocates of the people having the same powers as the Board of Directors on all matters dealing with the sale and finances. Thank you."

Supervisor Villella: "Thank you, Mr. Bates. A lot of the things that you suggested in here are very good because we are putting away quite a few acres for the youth of this town. So, I-- "

Brandon Bates: "I didn't hear that and anybody telling me that they were selling all the acreage to somebody else to put golf courses in. That doesn't help-- "

Councilman Lull: "(inaudible) public hearings."

Supervisor Villella: "No. We-- that's been in there for quite a while, Mr. Bates. We have to take care of our youth in this town. And that's something that we've always talked about."

Brendan Bates: "(inaudible) a publication in the paper about anything like that?"

Councilman Kent: "There is a use plan that shows 105 acres dedicated for recreational use for the youth of our town."

Brendan Bates: "Where was it ever put out in any newspaper that that's-- "

Councilman Kwasna: "It's been in the papers for the past three years."

Councilman Kent: "It's been in several times."

Councilman Lull: "It certainly has been in the papers. We had three public hearings and the result of those three public hearings were all in the papers and those maps, they're the result of those public hearings. The pictures of the maps have been in the papers."

Brendan Bates: "How many acres do we have for sale? Two million nine?"

Supervisor Vilella: "No. Wait a minute. You've got to break it down."

Brendan Bates: "How many acres-- "

Supervisor Vilella: "Sir, Mr. Bates. Up here."

Councilman Lull: "You talk to us. This is a Board meeting."

Brendan Bates: "How many acres are for sale?"

Councilman Kent: "2,900 acres."

Supervisor Vilella: "Well, we don't even have that much for sale. We don't even have that much. We have 358 acres that the Navy is keeping because it's contaminated, which we don't want to take until it's cleaned up. We have a core of 450 acres-- pine barren core that we can't sell. So it narrows it down. And we have 105 dedicated-- whatever, 100, whatever it's going to be for

the soccer fields for the youth and everything in the town. Plus we have a museum, the Grumman Museum would like to have some property for the property there. We have buffer zones. There's a lot of things involved. But what you came up with some suggestions here are very, very good."

Councilman Cardinale: "Mr. Bates, I think we all agree that there should be a park there and I think that that will happen. However, I think the points that you've made, I obviously concur with and I think they are summed up with that a well run business does not sell its assets for less than full value. And the person before you, Leo Davis, said nothing is to be gained by moving too quickly. Much is to be lost. I share the sentiments of you and Mr. Davis. However, I believe that the Board has four to one authorized the Supervisor to sign this contract. I believe this contract will be signed unfortunately unless the grace of the Lord strikes at least two of the members of this Board. But I do appreciate your efforts and I do think that they reflect the community's concern about this contract."

Brandon Bates: "Even though the people don't want you to -- and I got 501 signatures. You've got to look."

Councilman Cardinale: "I certainly am going to look at them. I promise. You've got to talk to this fellow. He's the one that has authority from the other members of this Board to sign the contract and I believe he's going to do so unless there's a change in spirit."

Brandon Bates: "How about the idea of people getting involved with these petitions, not-- "

Councilman Lull: "These-- have been going on for four years. We have been holding public hearings on this for four years."

Brandon Bates: "But you already made a commitment to sign a contract."

Councilman Lull: "After four years of evaluation."

Brandon Bates: "No. Without the people having any input into it."

Councilman Lull: "We had a public hearing on that."

Councilman Cardinale: "I think the correct argument is if you went-- I was here, I promise you, at the public hearing, and I heard a litany of quotes slow down, don't move fast, don't do what we are about to do."

Supervisor Villella: "Who were they from?"

Councilman Cardinale: "The people who come to public hearings."

Supervisor Villella: "Yes. It was the people that wanted to put a proposal in front of us. It wasn't any of the town people even said that."

Brendan Bates: "Now, why are we rushing to sign a contract with First Industrial?"

Supervisor Villella: "Because we think-- the RDC first of all recommended it to us and they think it's the best deal and they're a bunch of professionals that we stand behind and the town people from all over town agree that we need high paying jobs in the industrial area so this was a good deal for us and what it is, we're dealing from strength now so other people can come in here and buy the rest of the property. And do something that's right for the Town of Riverhead."

Brendan Bates: "And you're telling me at this point in time that this gentleman here says he'll come in and give you double the money for the industrial-- "

Supervisor Villella: "He didn't even know how much acreage is out there. There's no proposal in front of us."

Brendan Bates: "Well, listen to him. You're not even-- you're telling me you are going to sign the contract."

Supervisor Villella: "We were going to sign it today to begin with."

Brandan Bates: "Are you still going to?"

Supervisor Vilella: "Yes."

Brandan Bates: "Well, God bless me. Why? Why? When a gentleman comes and wants to submit a bid for twice the amount."

Councilman Lull: "We have had tremendous numbers of bids that have been submitted. But they are proposals. Somebody coming up and saying what they're going to do is not a proposal."

Brendan Bates: "But give them a chance. Don't sign the contract-- "

Councilman Lull: "His first contact with this Town was in March and there have been plenty of chances for him. That corporation has been contacted by the Town and they have refused to come up with a project."

Brendan Bates: "Well, why do you suppose he came here to deliver-- to make the proposal if you will let him. But you're telling me you're not even going to let him. Why do we want to rush?"

Supervisor Vilella: "Jack, would you like to speak, please?"

Jack O'Connor: "I'd like to say a few-- "

Supervisor Vilella: "Excuse me, Mr. Bates. Jack would like to speak to answer some of the questions for you."

Jack O'Connor: "A couple weeks ago at one of the hearings a number was brought up on an appraisal of 31 million dollars. There is no appraisal for 31 million dollars. The appraisal is for 17 million and change. This particular parcel, the core area, is going to be subject to zoning. The Zoning-- Planning Board will have to decide what infrastructure if it's necessary, what improvements have to be made to the buildings to bring them up to code, to bring them up to New York State code, to bring them up to Town code. This infrastructure, these improvements, will probably cost an additional 12 to 13 million dollars. The investor after probably one to two years will have 30 million dollars into this project of his money. Again, I repeat, there has never been an appraisal done on this property for 31 million dollars. The entire

piece of property, more than 2,900 acres, is appraised at near 50 million dollars, including the core and the surrounding land. So I don't know where this number came up with, that number was thrown out two weeks ago, that number was incorrect."

Councilman Cardinale: "I know where it came up with. It came from a letter from your company which is I think in his hand. So you ought to take a look at it. Read it into the record perhaps."

Jack O'Connor: "Again, I do not want to get into a debate here."

Councilman Cardinale: "I did read that into the record."

Jack O'Connor: "But this is the bottom line."

Brendan Bates: "Let's say-- let's look-- 31 million dollars."

Supervisor Villella: "Mr. Bates. Mr. Bates, we do this in a -- just relax."

Jack O'Connor: "This is the final number, Mr. Bates. This is what the appraisal is. Okay. I don't want to get into a debate on this. I think this is totally inappropriate. If anybody is educated in real estate they know how to read an appraisal. I don't really feel like giving a lesson now."

Supervisor Villella: "Go through it step by step, if you would like, Jack. We'll let him know-- let everybody else know."

Brandan Bates: "-- read this appraisal."

Supervisor Villella: "Mr. Bates. We'll handle-- can you step back, Mr. Bates, please? Thank you. No, no. He has the floor right now."

Brendan Bates: "Well, I'm on the floor after he's finished. And I'll read the appraisal."

Supervisor Villella: "He's going to read it."

Brendan Bates: "No. He doesn't want to read it. He only

wants to read the back of it."

Jack O'Connor: "Because-- "

Supervisor Villella: "That's the final number."

Jack O'Connor: "-- is \$17,458,000. These are how-- I am not an appraiser. Our company does appraisals. They have specialists that do this. And this is the final number, \$17,458,000."

Councilman Cardinale: "But his point in mind is that you backed into that number from the initial number of 31.8, if you read the letter. You started at 31.8, you backed in astoundingly the very price that was offered. That is now-- "

Jack O'Connor: "Mr. Cardinale, I don't think you heard what I said before. Somebody is going to get this building and form and create the infrastructure that is necessary to bring this up to code, it will cost the investor 31 million dollars. They cannot occupy-- anybody-- somebody cannot go in and occupy these buildings right now. They do not conform to any code. You must build road systems; you must build the infrastructure."

Councilman Cardinale: "But what you initially appraised if you look at your letter is 31.8 and then you adjusted the appraisal on the basis of three years to sell and on the basis of obsolescence of-- "

Jack O'Connor: "That's the way appraisals are done."

Councilman Cardinale: "Not that appraisal."

Jack O'Connor: "They all come down to a netted amount out to a bottom line figure."

Councilman Cardinale: "I practice law in a real estate. I know how appraisals are done. That letter is insulting to the intelligence of the town. That letter is ridiculous and I would like-- "

Jack O'Connor: "I think that this thing is getting a little bit out of hand. Again, the appraised value is \$17,458,000 and

this is not an insult to the Town. I think some of the things that are being said here right now are an insult to me, the efforts we've put in for three years into this project, and I believe that the inference here to the 31 million dollar number is not a correct number. Again, all the things that have to be netted out to come up to a bottom line appraisal number is \$17,458,000. I can't say anymore than that."

Supervisor Villella: "That's fine, Jack."

Councilman Cardinale: "That letter was requested by me because I knew that the initial appraisal was higher than the price we are about to sell it for. And I ask-- when the public asks how come you're selling for 17 what was appraised higher, tell me what I'm supposed to say. That was the result. That result is not convincing to me and that's why I'm on this side of the-- "

Jack O'Connor: "Appraisals are done in two fashions. They're done on market approach and net income approach. A market approach appraisal with this particular property with the infrastructure up to speed, with the 12, 13 million dollars, would come out to 31 million dollars. Okay. If you are going to purchase 1,100,000 square feet of building area, which actually nets out to about 750,000 square feet of useable space, and rent it at a 350 net number today, which is an appraised value for rentals in this area, and maybe \$7.00 or \$8.00 a foot on the office building, this particular appraisal will come out at \$13,000,000. This investor is paying \$4,000,000 over what you would have-- what he would normally spend taking the risk of future build up of revenue."

Councilman Cardinale: "But that's not what the letter says. The letter says-- "

Jack O'Connor: "This letter is an abridged version of the original appraisal, sir."

Councilman Cardinale: "Yes. I understand. But the letter says that you are telling how you adjusted the 31.8 down to 17.4."

Jack O'Connor: "Unfortunately, I am not an appraiser, I don't have my appraisal department here today, I did not know we would need them today."

Councilman Cardinale: "But the letter indicates that you-- "

Jack O'Connor: "It does not. I don't think you heard a thing I just said. I said an appraisal is done on a market basis and on a net income approach basis."

Supervisor Villella: "Just relax, both of you."

Jack O'Connor: "On a net income approach basis, this property shows it's worth 13 million dollars."

Councilman Cardinale: "That's nowhere in that. So how are we supposed-- "

Jack O'Connor: "The entire appraisal specified that this is a summary."

Councilman Cardinale: "All right. If you look at the letter. You started at 31.8 and you adjusted almost \$8,000,000 because you say that this will not be sold for three years and you take it out at 10% as the lost interest on the-- the present value of a 31 million dollar parcel is according to you 23 million dollars because of the time value of money at 10%. So that appraisal went from 31 million to 23 million on that piece of paper because you have indicated that it isn't going to be sold for three years and we would-- the present value of a 31 million dollar sale in three years is 23 million. That presumes we're not going to sell it. We have people offering to buy it right now. Where is this three years from?"

Jack O'Connor: "We only have one serious buyer on the table. We've had him for six months. We have performed our due diligence for six months. We have gone through our interview process and he's in the process of doing his own due diligence right now. We have no other offers on the table."

Councilman Cardinale: "But, we-- you'll admit, will you not, that the appraisal on that piece of paper-- "

Jack O'Connor: "No. I will not admit it."

Councilman Cardinale: "-- goes from 31 to 23 on the basis of

the time of the three year delay in sale."

Jack O'Connor: "That is how appraisals are conducted."

Councilman Cardinale: "But I'm telling you you are not going to have a three year delay in sale and I'm willing to take that risk for a better price. I'm also telling you that we have a lease that is going to bring in enough money to maintain the property, therefore, Mr. Bates is making sense to me."

Brendan Bates: "May I have the floor for a minute?"

Jack O'Connor: "I'm not done yet. Again, I must go back to the net income approach for appraisal. This will come in at 13 million dollars."

Councilman Cardinale: "Great. But that's not what the letter presented to this town says. And how am I supposed to make a decision unless I have that in front of me?"

Jack O'Connor: "I don't know what else to say because anything I say is-- "

Supervisor Villella: "No, no. That's fine. Mr. Bates would like to speak, Jack."

Jack O'Connor: "Is that your letter?"

Supervisor Villella: "That's his."

Brendan Bates: "My additional point is that you couldn't build the airstrip for 17 million dollars or 20 million dollars today. And I guarantee that. I can get you (inaudible) on that runway that would cost more than 17 million dollars. And that (inaudible) it wasn't included in the sale. And we're giving it away for nothing. Are we not?"

Councilman Cardinale: "Can you address that? Is this appraisal inclusive of the runway or not? As I understand, that runway is not even included in any fashion in your appraisal."

Jack O'Connor: "It's included in the 550 acres."

Councilman Cardinale: "But not as an improvement. Just as part of the acreage. That seems bizarre."

Jack O'Connor: "The town does not want an airport here."

Councilman Cardinale: "Obviously they are going to use it."

Brendan Bates: "Appraise it."

Supervisor Villella: "Okay. Wait a minute. Mr. Bates and Mr.-- I'm going to have to stop this. You act like babies here. Let's go. Let's get to the point."

Brendan Bates: "Well, he butted in to me, he-- "

Supervisor Villella: "Just forget about the butting in. Let's do this in an orderly manner. Finish up and that will be it. Go ahead, Mr. Bates."

Brendan Bates: "I'll go back."

Supervisor Villella: "Don't go-- I'm just going to give you a couple minutes to finish up."

Brendan Bates: "Meow. But, anyway. The runway, nobody considered and it's worth at least 17 to 20 million dollars. The Navy puts in an airport and a strip that was going to last for (inaudible)."

Supervisor Villella: "Thank you very much, Mr. Bates. It's your-- Carol Franco. Carol, John, both. Yes, go ahead. I didn't know both of you-- I just saw it now."

John Franco: "Wow, all I have is a little compost (inaudible). Hi. My name is John Franco. I'd like to thank Mr. Villella, the Town Board, Mr. Grossman, and Mr. Barnes for their diligent efforts in attempting to get Long Island Compost to do the right thing and remove the offensive pile of rotting from our neighborhood. I'd also like to thank the many people working with them whom I have not met. I know that there are many people who are also working hard on it, especially those who must take calls from worried residents. So, our thanks to you for that."

I need to point out that in Vigliotti's (phonetic) read into the minutes at the last meeting, he stated that he was quote, sorry for negative impacts we may have caused at Horton Avenue, Baiting Hollow, New York, end quote. Notice that he did not apologize to the people of this town that smell this out of our homes. His carefully worded letter makes it clear to me that his only concern is to make compost. His only concern is the, quote, negative impact the on farm composting program. His motive is very clear. Make compost at anyone else's olfactory expense.

My motives are also clear. Live a peaceful, quiet life, here in Riverhead, and to bother no one. My peace has been interrupted and cannot be restored until I am quite certain that this may never happen again to either me or my neighbors. With this in mind, I believe you should pass legislation to amend Town Code as follows: and this is a rough draft.

Number one. All composting facilities with capacity greater than three cubic yards must maintain a minimum distance to the nearest residence of one-half mile. Three. 3.0. Okay. If any compost pile of any size goes (inaudible) and generates a complaint, the Town will check the pile. If it is (inaudible), the owner will have three days in which to remedy the process. If in three days the process is not remedied, the owner has three more days to remove the pile. If the pile remains after that, the owner will receive a \$100 cubic yard per day fine which a \$300 a day fine to a resident is enough to motivate and certainly a 3,000 cubic yard pile with a \$30,000 a day fine would be enough to motivate-- sorry. Anyway, to me this is great.

The Mom and Pop operation who compost in their own back yard. Anyone causing a nuisance with their compost will be fined according to the size of their offense. Let us face the facts. We must motivate people to do the right thing. \$300 a day is adequate to motivate the average homeowner and \$30,000 a day will certainly motivate the big, bad businessmen we may someday be forced to reckon with. Thank you for listening."

Supervisor Vilella: "Thanks a lot, John."

Councilman Kent: "Excuse me. Could you submit that statement to the Town Clerk so we can get a copy of your proposed amendment to the code? Thank you."

Supervisor Villella: "Thank you, John. Adam, you want to speak on this? Give him an update."

Adam Grossman: "Sure. I also want to make a few comments. Mr. Franco and I have been in touch with one another over the last week and a half since all this has moved forward in connection with the problems with Long Island Compost. Mr. Franco-- the information that Mr. Franco has presented to the Town Board is something I believe would be appropriate for a work session discussion with Board members in terms of tightening up the Riverhead Town Code in terms of how the Town of Riverhead deals with compost site. I don't think the Riverhead Town Code adequately addresses problems associated with compost sites and, therefore, it will be a good subject for discussion and consideration by this Board.

In addition, I would like to just inform people as a follow up to the last Town Board meeting where it was discussed-- actually I read a letter into the record of Mr. Vigliotti regarding the problems at this particular site in Baiting Hollow on Horton Avenue. That the town today, in fact, got an order to show cause signed by a judge and we're-- we have now-- the Town of Riverhead has now sued Mr. Vigliotti, Long Island Compost and the owners of the property where the problem is occurring, both due to the odors that are present at the site and possible health hazards associated with a composting pile that is just sitting there and in all likelihood is gathering rodents and other health hazards that propose a danger to the public potentially.

The Town of Riverhead is seeking to order that the pile be removed by Mr. Vigliotti and Long Island Compost. And additionally to permanently enjoin their entity and the owners of the property from composting at this particular location. So I just wanted to inform people of that that the order to show cause was signed today, is returnable June 29th, so have brought them to Court on this and we are going to see what can be done about having the pile removed and making sure that something like this doesn't happen again either to Mr. Franco or anyone else in the Town of Riverhead."

Supervisor Villella: "Thank you, Adam. Carol."

Carol Franco: "Hi. My name is Carol Franco. I live on Osborn Avenue. That was my concern was the health issue with these

piles. We had gotten some information from Mr. (inaudible) at the Cornell Cooperative Extension and it says here, I just wanted to read it that once an (inaudible) process develops there are certain compounds-- they include methane, organic acids, hydrogen sulfide and other substances. And it says here many of these compounds have strong odors and some present safety concerns. That's my concern as a resident there. Once that pile went (inaudible) what was I really subjected to. And are we going to issue a permit for him to keep composting in Riverhead? And-- "

Adam Grossman: "I don't mean to interrupt your trend of thought. But in terms of issuing a permit we were-- the Town of Riverhead wasn't even addressing the issue of them obtaining a permit for composting at the site until they cleaned up the mess. Okay. They failed to do that over the last two weeks, therefore, we've brought them to Court. So I would say at this point any possibility of them getting cooperation of the Town to do composting at that site, I don't want speak for the Board members, but I don't believe that it will help them to ignore-- I can speak for you? Okay. I think it doesn't exist. Any possibility of them getting any approval from this Board at this time.

And actually what we're seeking to do is to permanently enjoin them from (inaudible) compost in any time in the future at this location. In addition, I just want to add regarding the issue of how to deal with this kind of a problem. The one limitation the Town has and this is me speaking as Town Attorney on this, we can issue a stop work order for somebody to cease composting. However, the Town is not at this point able to order the removal per se so we have to go to Court in order to get that kind of injunctive relief."

Carol Franco: "Yes. I understand that."

Adam Grossman: "So, it's a good idea for us to tighten up the code to be able to better address these issues but some thing we're not going to be able to address in terms of the Town Board going around (inaudible) in certain instances."

Carol Franco: "Right. I understand that. But there are certain things that I think-- one thing my husband and I are trying to be foster parents. They are going to come to my house and they

are going to inspect my house and that smell is in there, it's on the outside. So-- "

Adam Grossman: "Well, what the Town had to do and the way in which I had to handle this was the Town had no choice but to give them an opportunity to be able to remedy the situation themselves."

Carol Franco: "Right."

Adam Grossman: "If we had initiated a legal proceeding prior to doing that, we would have been thrown out of Court. Okay. We had to give them an opportunity to remedy the problem. And if they fail to act, then we can go into Court and that's exactly what we've done. So in terms of the speed in which this being addressed, I initiated the proceeding by order to show cause because that was the quickest way to get us back into Court on this. Okay. So that it's going to be-- I know it's not as fast as you'd like, but June 29th was the date that the Judge gave. I didn't pick that. Okay. And so we have to work through the legal process in order-- and I wish we could move it quicker but I'm doing it as quickly as the legal system is allowing me to."

Carol Franco: "I understand that. It was important that you know that this is our personal lives. And I wanted to say thank you to all of you. You take our phone calls, you listen to us screaming and after we scream at you, you even call us back. I think that's-- "

Supervisor Villella: "That's the way it should be."

Carol Franco: "Thank you."

Supervisor Villella: "I like getting screamed at. Don't worry about it. And it's not screaming either. It's just a concerned citizen we've got to take care of. Sid Bail. Your Wading River group."

Sid Bail: "Sid Bail, President of Wading River Civic Association. I'm here to speak about dangerous road conditions in Wading River and I've prepared-- not I, our roadways committee, has prepared a packet of proposals which I'll give to the Town Board for you to later examine. And I've already sent this onto Charlie Bloss to get some input from him. The reason why I really feel

motivated and I had to feel motivated to sit here and change the format with the input, was something that happened on Saturday. I started to write a letter and for an educator, words sometimes fail me, and I wrote up a letter and I wasn't very satisfied with it and a resident was at the audience, Marion (inaudible) had written a letter also. She showed it to me and it was far better than mine. So if you would just bear with me.

Since 1946, I've resided at 1803 Wading River Manor Road, Wading River, which is at the intersection of Long Pond Road. Over a period of time, this area has witnessed a number of-- tremendous increase in vehicular traffic. In the earlier history, the only traffic on Long Pond Road was seasonal, limited to summer residents of Lake Panamoka and we were familiar with their vehicles. There were so few.

Today we liken it to Grand Central Station because there is a steady flow of traffic in either direction. More recently we re-named it Riverhead Raceway II.

The purpose of this letter is to support the endeavors of the Wading River Civic Association and our neighbors to bring before the Board the extremely hazardous situation caused by speeds in excess of the post 30 miles per hour and the lack of appropriate warning devices on the approach to the intersection of either road. Those signs that are in place may have been sufficient in years past, but they are not now and in view of such heavy traffic and road conditions, Long Pond Road has a road surface that becomes as slick as ice as soon as it is wet. There have been numerous near misses, fender-benders, and within the past several months, increasingly more serious collisions.

My family has become immune to the sounds of screeching brakes and thuds. Our chain link fence at the corner was damaged shortly after it was installed. On Saturday, last Saturday, June 13th, we heard yet again the sound of screeching tires on wet pavement on Long Pond and then the awful sound of metal on metal. From the past experiences, I immediately called Riverhead Police Headquarters. Meanwhile, my family went to assess the situation. My husband, a Wading River Fire Commissioner, a member of the Fire Police, responded with flares to direct traffic away from the scene. On learning how serious it appeared, I phoned Riverhead Police and

requested forthwith rescue. Within minutes Wading River Fire Department rescue units, Riverhead police units, State Park police and a New York State Trooper arrived. The scene was devastation. Mangled wreckage and very seriously injured victims.

Through the heroic efforts of the rescue team, the injured were extricated as quickly as possible and transported to the hospital. This was the worst collision in that-- as a result-- the life of a four year old child is presently hanging in the balance in the intensive care unit at Stony Brook and his mother has undergone hours of surgery and her condition is considered extremely critical. If she does survive, she will require a lengthy convalescence.

Maryann wrote this early this morning. We subsequently found out that the little boy didn't make it. Perhaps had there been warning devices in place, this terrible tragedy would not have happened. I respectfully request the Board to take into consideration the following corrective measures:

1. Enforce the 30 mile per hour with police presence on a random but regular basis, especially on Long Pond Road.
2. Erect a slippery when wet warning sign on the approach at the intersection both on Long Pond Road and on Wading River Manor Road in both directions.
3. Regrade the approach with an uneven surface to avoid the slick surface when wet.
4. And perhaps most importantly, the installation of an overhead blinker light at the intersection red on Long Pond Road, yellow north and south on Wading River Manor Road.

I understand that this last item was discussed recently and there is a lengthy procedure in order to secure such an installation. However, in view of the new fatal-- now we know fatal accident on June 13th and the almost certainty of repeated tragedy, I urge you to make every effort possible to seek the installation of a blinker as expeditiously as the law allows. This should be a priority. Thank you for your consideration. Thank you for writing a letter, Maryann.

It is a priority; I think the community and the Civic Association. And we realize something like a light is not something that you do overnight, but there are things described in this letter, proposals that here, I think, can be done relatively quickly. I hope I'm not being naive about this but it's a scary situation and it's just getting worse."

Supervisor Villella: "I really appreciate this, Sid. Do we have a letter-- you're going to give us one of those?"

Sid Bail: "Yes."

Supervisor Villella: "Is Lynn here? My executive assistant. Lynn, make this a priority right away, please. And thank you for writing that letter, too."

Councilman Cardinale: "And thank you, Sid, for coming up."

Councilman Lull: "Sid, thank you for the-- Civic Association for keeping an eye out and keeping us informed."

Supervisor Villella: "And keep in touch. We'll let you know what's going on and everything. We've got one more speaker. Richard (inaudible), Union Avenue. I guess we spoke-- they spoke on it earlier. It was on land preservation. I guess it was Peconic Trust that has already spoken. Anyone else like to speak before we close the meeting? Yes."

Nicholas DiPierro: "My name is Nicholas Di Pierro. I also live on Long Pond Road and I have recently written a letter also concerning the situation. I spoke to a lot of the neighbors on the Road and I have yet to give you this letter, Mr. Villella, but a lot of the neighbors are concerned about putting stop signs on each intersection. We're talking Barnes Road, we're talking Susan Drive and we're talking White Spruce. Three way stop signs. They may not stop the traffic, they will slow it down. I have a petition with 38 names on it. I have yet to submit that to you."

Supervisor Villella: "Didn't we do Susan Drive? Didn't we do a stop sign at Susan Drive?"

Nicholas DiPierro: "No. We're talking three way stops. I

called up the Town of Brookhaven about three weeks ago and they just got through with a comprehensive traffic study on the lake and they said they are going to re-address or put a four way stop sign at Pony Trail and (inaudible) and Long Pond. And I asked them what initiated that and they said they received a lot of calls from people around the lake. So they're doing a lot of work around that lake and one of the things that I requested was a stop sign at Long Pond and Pony and Stevens."

Supervisor Villella: "You have that written down? Okay. It's all together. Okay, good."

Nicholas DiPierro: "And they said they would put one up there within a month. That's the reason I came up because of one letter being read to you and I was concerned that mine was going to be overlooked. I would hope that all of the things that (inaudible) addressed and the letter that I have along with the petition. I don't think you have the petition yet. You'll get that tomorrow. Okay, thank you."

Supervisor Villella: "Thanks a lot for coming up. Anyone else like to speak?"

Judy Chigagios: "My name is Judy Chigagios. And this is from an article-- "

Adam Grossman: "Ma'am, I'm sorry. Can you spell your name out for the Town Clerk, please?"

Judy Chigagios: "Sure. C-H-A-I-G-A-S. Judy. Okay. This is an article in the paper and it says that-- going back to the Grumman thing, okay, and it says that the Town has come to terms with the First Industrial Reality Trust on a sale of the existing buildings and 10,000 foot runway but will not sign the contract until after the public has spoken. Okay."

Adam Grossman: "And that was the public hearing that took place about it was two to three weeks ago."

Judge Chaigas: "Okay. And then after that you went on to say all the terms have been agreed upon. We are very closely to finalizing a contract but if the public is completely opposed to it

that may change things. What I want to know is, when did that expire? You know, I mean, when was the deadline for that?"

Adam Grossman: "Okay."

Supervisor Villella: "We went to-- I'd like to speak a Calverton Civic Association meeting last night and they were very, very in favor of the situation with what we're doing."

Judy Chaigas: "Calverton Civic? I didn't know anything about that one."

Supervisor Villella: "The Greater Calverton Civic Association."

Judy Chaigas: "Well, okay. What I'm trying to say that since this article was put out, was there a deadline that we were supposed to meet with you to, you know, were we-- or are you just going to go sign it tonight and say well, the deadline was last week."

Adam Grossman: "Ma'am, if I could just go over exactly what the time-- "

Judy Chaigas: "Okay. I'm just trying to understand this article."

Adam Grossman: "And also when I was quoted in the newspaper and (inaudible), I can never speak on behalf of the Town Board and what the Town Board is going to decide to do. What I was saying and I think was the position of the Town at that time was, and I think that article came out over a month ago was that the Supervisor was not-- we were not going to be adopting a resolution of the Town for the Supervisor to sign the agreement with First Industrial until there was a public hearing. So what we did was we made the proposed contract available in the Town Clerk's Office and we held a public hearing here and actually it was televised and it was noticed. The next public hearing was going to be taking place quite sometime ago, I believe it was around a month ago-- May 27th. Thank you. Subsequent to that public hearing, we allowed written comments after the public hearing to be received by the Town up until I believe the day before or the day of the following Town Board meeting. At that Town Board meeting, which was on June 2nd, the Town Board, after having had a public hearing, after

having allowed a time period for written comments, voted on the resolution and the vote was four to one that the Supervisor was authorized to sign the contract with First Industrial. There were certain changes that were being discussed that were brought up at the public hearing and I think that were still being negotiated at the time, you know, prior to the Supervisor executing the contract because I think there were certain issues-- "

Supervisor Villella: "As a matter of fact, I've got to thank Phil Cardinale on that for helping us get the contract better."

Adam Grossman: "But we had a process that there will be public input but we had to have a time frame on that process but what I can-- is as of tonight, the Supervisor has not signed the contract with First Industrial so I think the Supervisor will be happy to listen to you know what anyone here has to say."

Judy Chaigas: "That's the point I was trying to get out. I didn't know whether we had a deadline we had to meet with you, because according to this there was no deadline."

Adam Grossman: "No. The resolution was to give the Supervisor authority to sign which he attained at the June 2nd Board meeting. But, in fact, the contract with First Industrial still has not been signed as of tonight."

Judy Chaigas: "But tonight it's going to be."

Adam Grossman: "I can't speak for Vinny. If Vinny says it's going to be tonight, then it's going to be tonight-- "

Judy Chaigas: "If Vinny says it's going to be tonight, that means that the public and some of the residents are still opposed to it-- "

Supervisor Villella: "The majority is in favor of it. So I have to listen to the majority."

Judy Chaigas: "But the majority-- "

Supervisor Villella: "We're doing this for the best of the-- the betterment of the Town of Riverhead right now."

Judy Chaigas: "Okay."

Supervisor Villella: "We're dealing from strength once we do this deal."

Judy Chaigas: "Can I ask you one thing that's been bothering me for a while? If it's for the benefit of the residents, we don't get many chances to be involved in meetings, especially since (inaudible) First Industrial thing, that just came about and you know all of a sudden it's there, the contract was there. You know, I mean like nobody came up to me and said well, gee, we have this, somebody offered us this much money, these people offered us this much money. You know. This one wants to buy the whole entire thing; oh, no, this guy just wants to buy the core. So what I'm trying to say is that it is hard for the residents to understand what was going on because we were never really part of it. We were never really part of it. We really never knew who was putting in proposals for what."

Councilman Kent: "Ma'am, I'm not trying to be disrespectful or anything, this is a representative form of government. I'm not trying to give a civic lesson here but we're elected to represent the people. If we took every issue that came before Town government and involved every person in town with the decision making process, I think the process would go on forever."

Judy Chaigas: "I understand. But what I'm trying to say-- "

Councilman Kent: "Let me finish, please. This process has been going on for a few years."

Judy Chaigas: "Yes."

Councilman Kent: "There is a group that was put together by the representatives who represent you to represent us, again, another branch of the representative form of government. We put these people in place to review proposals that came to the Town for the use of this property. In addition, there was a group hired to put together a land use plan. Now all of these, the land use plan, the Navy, our group, have all had public hearings where people have been invited to come down and speak and please make your presentations to them. I know the Navy has done it at least

two times. So as far as the public being involved, if you wanted to be involved, you had the opportunity to be involved."

Judy Chaigas: "On certain things."

Councilman Kent: "On certain things. The other involvement would be your right to go out and vote and elect representatives. And hope that we will make the right decisions. And I'm hoping that we have. That's all I can say. If you're unhappy, or if it proves that we made a mistake, I don't like the terminology that you said we've lost. I don't think we've lost anything. I think we've had an opportunity-- "

Judy Chaigas: "I think later on we might have realized-- "

Councilman Kent: "Lost. I don't understand what you mean lost. Lost what?"

Judy Chaigas: "Well, once-- "

Councilman Kent: "We-- is it that you mean we haven't taken full advantage of our opportunity? Is that the way you would-- "

Judy Chaigas: "I'm not sure that you have given us all the opportunities. That's what I'm trying to say. I'm just not sure that the taxpayers could have been benefited a little better."

Supervisor Villella: "Well, that's our goal, is to make it, yes, definitely."

Judy Chaigas: "Well, with the Industrial which we're speaking of now-- "

Councilman Kent: "This proposal has been in the Town's hands as far as I know because I first got involved with that proposal-- "

Judy Chaigas: "(inaudible) so the Industrial part is fine. Okay. Now, that's the core of the whole center (inaudible) we're talking about with the building. Now, let's say that Anheiser Busch comes in, wants to put in a Busch Gardens, let's just say, and they offer us good money. Okay. So we'll have a nice revenue coming in. We'll probably, you know, end up with a nice maybe two

amusements parks, maybe one indoor, and they're talking about one you know, year round, outdoor, and indoor. And then they're talking about a big Sheraton Hotel, that would be beautiful in Riverhead. We don't have anything like that. Somebody else is going to get it if we don't get it. And you're talking about our taxes. If we with all the revenue that could be coming in from-- I'm not saying casino yet-- I'm not saying yet, but I'm saying that if Casino does come up, and goes into Grummans, we will have to much revenue coming in, we wouldn't even be able to spend it all."

Councilman Kent: "Money is not everything."

Judy Chaigas: "I know. But taxes-- think of taxes. The Riverhead people-- "

Councilman Kent: "We're going to be receiving, okay, let me go back. First of all, in the industrial core, in the industrial core, I'm not really in favor of using our industrial space for a theme park."

Judy Chaigas: "I don't understand."

Councilman Kent: "I'm not looking for, hopefully, we will create some industrial jobs with the space. I think if we give a person who's looking for an industrial job and \$8.00 an hour job working at Bush Gardens-- "

Judy Chaigas: "That's not your, no, no, no. That's not your average wage industrial park. Most industrial parks, they don't make that kind of money."

Councilman Kent: "Make what kind of money?"

Judy Chaigas: "If they make \$5.50, that's good. If you go to the casino, go to Foxwoods casino, ask one of those girls with the little things on, they make \$200 a day. I mean you want money coming to Riverhead-- now they serve drinks-- Mr. Villella, you used to sell shoes, right? Yes, I bought some off of you. But, no really, it's on the up and up. Those little girls with the little skirts."

Councilman Kent: "I bet they report \$200 a day, too, as income."

Judy Chiagas: "Well, me and you won't know about that."

Supervisor Villella: "No, I really. Your concerns."

Councilman Kent: "Sounds wonderful. As a lifestyle."

Supervisor Villella: "Chris, that's okay."

Judy Chaigas: "No. You know what I really would like to see for the taxpayers of Riverhead? I think Riverhead is due. Riverhead is long overdue. Riverhead has-- it was just completely invisible. Nobody did anything to it. It was just going down the drain. It was just getting to be worse. Look at downtown, you've got empty stores. It's-- the whole-- you know-- you had a store there."

Supervisor Villella: "That's right."

Judy Chaigas: "Aren't you glad you got out?"

Councilman Kent: "He's still in."

Judy Chaigas: "But, really, the thing is that we need this boost in the arm. We need-- "

Supervisor Villella: "You're absolutely right. That's the reason why the RDC recommended this group to us because we believe the other groups are going to come behind, there's going to be a theme park there."

Judy Chaigas: "I know, I know. But if you think hard. Just do me one more favor."

Supervisor Villella: "I'll think."

Judy Chaigas: "Think real hard. No, don't close your eyes. Keep your eyes open. And keep your fingers uncrossed."

Supervisor Villella: "Just finish up because you're over the five minute time limit. I didn't want to cut you off because you are concerned."

Judy Chaigas: "Okay. Look at this really hard what you are doing. Once you put that industrial-- with a center in the core, we're going to lose a lot. We're going to lose a lot. We really will."

Supervisor Villedella: "What are we going to lose?"

Judy Chaigas: "It's going to take up-- we have too much-- there's too many other things that are planned."

Supervisor Villedella: "They can still go in there. There's 2,000 extra acres."

Judy Chaigas: "You've got all the buildings there. We need those buildings-- need to be there."

Councilman Kent: "Putting a casino in a hanger?"

Judy Chaigas: "They are. They are but they can be renovated, they can-- "

Councilman Lull: "If they're not, they have to be renovated you're talking about a heck of a lot less money."

Judy Chaigas: "Yeah, but I still say, you know, I just ask you to think about it and if there is anything else that I can-- "

Supervisor Villedella: "Okay, thank you very much."

Meeting closed: 5:45 p.m.

Barbara Gutton
Town Clerk