

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, March 3, 1998, at 7:00 p.m.

Present:

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

Also Present:

Barbara Grattan,	Town Clerk
Robert Kozakiewicz, Esq.,	Town Attorney

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

MADELYN SENDLEWSKI:

"I'm also at this time going to invite Little Tristen Krajewski, carried by mom, Buffy, and husband, Brian. It's a family affair tonight. Bear with us. Why don't you come over to this side? I would like to invite grandmother, Joanne Krajewski, who is an employee of our Building Department to come down, (inaudible) Fran, to come down, she's also an employee of the Building Department, and we have great-grandmother, is going to come down, too, even though she didn't know it. Peter, I'm sorry. Come on, grandpa, and who's joining you? And Bill.

Ladies and gentlemen, thank you, Supervisor, for giving us the floor. We have a tendency at times when we come down here to read a proclamation or give an award to-- not that our Town Board and our Supervisor make us feel rushed, but we don't want to take a lot of your time. Everybody's here and they want to get their business over and they want to leave. But I think all of you will join with myself and the Labor/Management representative, which includes Diane Stuke, Eileen Roman, Barbara Grattan and myself, that are present-- we had a special day today, at Town Hall, we sponsored it, the Labor/Management Committee.

A particular party came to us and after reading about the

Powell brothers who died of cancer in Suffolk Life, they were connected with an organization known as A Mother's Kiss. A Mother's Kiss, we have the representative with us that led us through the Pledge of Allegiance, is going to be down here in a minute, but I will tell you that for that organization and what they do for children with cancer, we all dressed down today. And some of us were a little more creative than others-- as you can see-- and so we just had a read good time dressing down. You're comfortable; you have fund, but it's also for a very important cause.

I'm going to allow Bob Garafallow who is on the Board of Directors for A Mother's Kiss to come down and take the mike. He's going to briefly explain the organization and we are going to tell you what we did today and many of you were participants and helped us out. So, please join me in welcoming Bob Garafallow, please, from A Mother's Kiss."

Bob Garafallow: "I want to thank the people of Riverhead for having us out here tonight-- certainly the Board and the Officers to have us here and give us the opportunity to tell you what it is we do and more specifically why it is we're here tonight.

A Mother's Kiss-- and by the way, I was already to make some wisecrack remark about the lack of ties up here tonight, but I can recommend a pretty good shop in town to get one. What A Mother's Kiss is, is a not-for-profit organization that was established in 1994 for the purposes of helping children-- or more importantly, helping the families of children going through the cancer experience. We're here to support those families, not just emotionally, but also financially as best we can.

One such child is Tristen that's already been introduced to you tonight. The organization was formed in 1994 by a couple out of Lindenhurst, right here on Long Island, named Guy and Eileen Eger and like I said the purpose of the organization was not so much to fund research. There are plenty of dollars going into that right now. But having gone through the cancer experience themselves, and having lost their son, Kevin, at a very early age-- at the age of five-- the Egers felt that they couldn't allow this to happen to other families, that they had to get involved and help support families as much as possible.

I was brought on to the Board of Directors in December of 1995, after the death of my own son, Christopher due to a (inaudible) it was a brain tumor, and he died in November of '94 and I was brought on to the Board of Directors to help serve them as best I can. I enjoy speaking arrangements and I appreciate the opportunity to tell you about us.

Now, as far as how do we help. We help with emotional support. Every member of the Board of Directors of A Mother's Kiss has personally gone through the pain and the agony of having to deal with childhood cancer. We're not one of those organizations that is set up where anybody can join our Board because it serves their political purposes. We know what these folks are going through. We know what these families are going through. We know that even with insurance, there are costs involved with having to constantly having to go back and forth to a hospital. Eating away from home. Parking at the hospitals. All the telephone expenses; the TV expenses, and these guys can run the litany for you. They'll be able to tell you and we understand that. And that's what we're here for. We're here to help these people out.

We also help them by supporting them emotionally because knowing what they're going through, there are times where they have to turn to people like us just to have somebody to talk to that understands their problem. That's what we're here for.

Now, I've always had the opportunity to speak in front of crowds and invariably somebody will raise their hand and say, "Hey, Bob, can you give us some of the statistics? Can you tell us what childhood cancer is going through in this country? Where we are in research? How many new cases are diagnosed every year? And sadly how many are dying every year? I have those numbers. I can give them to you but I don't, and I won't. Because when I start talking about statistics, if I start telling you in the United States how many patients are diagnosed every year, how many children are dying because of cancer every year, it becomes numbers; it's not Tristen; it's not my son, Chris; it's not Kevin either, who is Guy and Eileen Eger's son. They become numbers, and I won't take these people and I won't turn them into numbers.

I can tell you in the United States; I can in New York; I can tell you on Long Island how many new cases there are. But for

tonight's meeting and tonight's purposes, I can tell you one statistic. And one statistic only. Right here in Riverhead, right in your backyard, right-- one of your neighbors, right in your lap, there's a child fighting the fight of his life. And his name is Tristen Krajewski and he's standing-- well, he's laying right over there. He needs your help. His family needs your help. The purpose that we're here tonight is to help the ball rolling on their fundraising efforts.

A Mother's Kiss has agreed to take any monies donated to us earmarked for Tristen Krajewski and send those monies right back to him so the family can use it to offset any expenses that they've incurred; to help them go further with his development. He's going to need a lot of help. That's what A Mother's Kiss is doing here tonight.

What I'd like to do is ask all the folks in this room and anybody who might be listening on TV, what will the people of Riverhead do for this family? How do the people of Riverhead and the surrounding towns take care of their own? Will they take care of their own? And, if so, how will you do it? Hopefully you all with think about that very hard tonight, tell your friends and your neighbors. I'll leave you with that question. How do you take care of your own?"

Madelyn Sendlewski: "If I may. We're just so thrilled that a lot of people-- a lot of you participated and I knew that the employees of the Town of Riverhead would not let us down. I just knew it. This is with a short term fund-raising effort, we only have just begun, and I want to present Bob with this envelope that contains in checks and cash \$1,355. And I'm going to call on Diane Stuke who is very talented at collecting your money, there's two cans right behind Bobby there. For those of you who might like to participate with a quarter, \$25 or \$2,500, she's going to start the can with Eileen going around the room. And if anybody wants to dig into their pockets and make a contribution that we'll leave with Bob this evening. I'm also going at this time to offer the mike to our representatives from the PBA, Jim? Where is he? There you are; I'm sorry."

Dixon Palmer: "Okay, I'm Dixon Palmer, President of Riverhead PBA. This is my Vice-President, Jim Whooten, and on behalf of all the members of the PBA we want to donate this check here for \$500 to

Tristen fund."

(unidentified): "Brian, I've known you since you were a little bigger than that, but not much. Much love to you. A lot of hope for you."

Brian Krajewski: "I just want to thank all of you, the employees of the town-- "

Madeline Sendlewski: "Does he need to say any more? No. You're welcome. I also at this time want to tell Joanne Krajewski that we're presenting Tristen-- we came up with some coin that was collected with his first piggy bank, so as he grows older, she can tell him all about it. And lastly, where's Bob Garafallow? Where did he go to? There you are. Bob, on behalf of the Town of Riverhead and the Labor/Management Committee, we would like to present this to A Mother's Kiss, this plaque, ladies and gentlemen, which reads: Presented to A Mother's Kiss for outstanding efforts in the battle for children with cancer. Presented by the Town of Riverhead, the Labor/Management Committee, March 3, 1998. And God bless you all. Really, you're a fantastic group and if you would just enjoy that on our behalf, we'd appreciate it. Good. Good."

Bob Garafallow: "I'd like to thank you all very much for coming on behalf of the Krajewskis and on behalf of A Mother's Kiss, we'd like to thank you all for the plaque and obviously the funds that we will be turning over to them. You folks will be receiving a check in a day or so. Thank you very much."

Madeline Sendlewski: "Thank you, Bob. Thank you, Mr. Supervisor."

Supervisor Villella: "I would like to thank the Labor/Management Committee, and Bob, thank you for the great job. Now we are going to go through the proclamations-- I guess I'm not going too far."

Mr.-- can your group please come up here? The athletic director of Riverhead High School. Bob-- "

Bob Reis: "I just wanted to introduce-- in Riverhead, we are the Blue Waves, you are all part of that, and a team that help make this award possible is to my right, Mark Baum (phonetic) the high

school principal, Bob Reis, the President of Blue Wave Booster Club, (inaudible) one of our cheerleading coaches; Ken Kennedy, who is instrumental-- he was our former director of Buildings and Grounds, Susan Reis, our Long Island champion as of Sunday, varsity head cheerleading coach and Andre Alexandro (phoneic) our soccer coach and our chief custodian at the high school. They all made this possible, this-- but I'll let Vinny, I'll give it back to him before I start singing."

Supervisor Villella: "I heard you were a good singer. I had to get that one in; a little joke, sorry.

WHEREAS, it is both fitting and proper that the Town of Riverhead honor those organizations for outstanding achievement; and

WHEREAS, the Riverhead High School Athletic Department has been selected by Athletic Management Magazine as a national winner in the category of interior facility; and

WHEREAS, this is the first time that Athletic Management Magazine has awarded national recognition to the same school more than one; and

WHEREAS, the Riverhead High School's weight room proposal, space use and cost efficiency, community, school and parent support make it second to none among Long Island high schools; and

WHEREAS, everyone involved should be proud to have accomplished something very positive within the Riverhead Central School District and making it a successful undertaking for the children of our community.

NOW, THEREFORE, I, VINCENT G. VILLELLA, Supervisor of the Town of Riverhead do hereby proclaim Wednesday, March 4, 1998, to be Riverhead High School Athletic Department Day.

Let's hear it for them."

(Unidentified) Thank you, Vinny. I wanted to thank everybody here tonight and, Vinny, we're very honored and flattered by the Riverhead Town Board as we feel we're the greatest ambassadors for Riverhead because we represent Riverhead in every school in Suffolk

County, Nassau County, in the state, and to my right, these coaches and people do that and I was also to add, over the last several years, they've won 17 scholar athlete team awards and approximately -- we haven't gotten the last count for the last season, but we have gotten 12 sportsmanship awards. So we're very proud of our student athletes.

To get briefly to athletics management, the reason we went ahead and tried to foster a room like this is we felt that one of the most important roles we could do as educators was to create an environment for success. And that's what this environment does in this wellness room. At this point, Bob, Reis wanted to say a couple of words, I believe, usually you do, Bob, usually he does."

Bob Reis: "Thank you. For those of you who haven't had a chance to visit the high school, I invite you to do so to see what this award represents. The weight room was an idea whose time had come. It was undersized and underequipped. Through Mr. Groth's (phonetic) efforts and many parents and many interested parties we solicited and were given on a gift basis from local rehab centers and hospitals much equipment-- I believe it totaled about \$55,000 worth, given to the school. We were able to sell bricks on the wall as a booster club where somebody would pay \$30 and have a brick with their saying, slogan, or their name on it to honor them forever and ever. And that's what it's about.

As I'm standing here I'm thinking the booster club is going to buy a brick or a couple-- we'll see-- and put Tristen Krajewski's name on it. It's going to be there forever. Anytime anybody looks up. I think that's appropriate. But we invite you over to the school and take a look at it."

Supervisor Villella: "Thank you very much, Bob. Well, this (inaudible) is going to stay up here, but I'm going to ask the rest of the cheerleaders, can you come in, please? And the parents of the cheerleaders; can they please come up here? Nancy, please come up. That's okay, you're part of this group. Come on. Then we'll ask Howie then. Well, we know you're part of this group. Here they come. They're coming. This is a special occasion. They're the Long Island champs. And we're all part of it.

WHEREAS, it is both fitting and proper that the Town of

Riverhead recognize the outstanding accomplishments of the community's youth; and

WHEREAS, Riverhead High School Varsity Cheerleaders posted a first place finish in the Nassau/Suffolk Counties Long Island Regional Cheerleading competition held in Hauppauge on Sunday, March 1, 1998; and

WHEREAS, this is just another example of the exceptional quality program, the high caliber coaches, and the extremely motivated students involved with out cheerleading; and

WHEREAS, the entire community wishes to extend to them our heartfelt congratulations on their first place finish.

NOW, THEREFORE, I, VINCENT G. VILLELLA, Supervisor of the Town of Riverhead do hereby proclaim Friday, March 6, 1998, to be No. 1 RHS Cheerleader's Day. Congratulations."

Susan Reis: "I want to thank everybody. I want to thank my girls because they did a wonderful job and I told you-- when I was here the last time, I had mentioned to you that we hope that we would make you proud and I know that we did and Vinny was there that day to see our girls become the Long Island champions. And I couldn't be any prouder and I know the family-- I want to thank all the families and our friends and all the support that we had from Bill, from helping us along with our program also; the Board members for letting us attend the nationals, which we did very well there also. You would have been very proud of them there, too. We represented Riverhead and we didn't come home with a trophy but we came home with a lot of pride for what we did. And they were excellent. And, now, Vinny, this is just a little gift for you to thank you for all your support and for the community and for helping us with our fundraising and-- I-- this-- when I hear this little baby with the situation that Buffy and her family have, you know, we ask for support, too, but know that our heart is also there, too, and we also pitch in and help our there and also our cheerleaders will do that to help them.

But, Vinny, thank you very much and thank our community and our friends. (inaudible) very proud of that and I don't know what else to say but thank you all again for your support and we're not done by any means, we'll be back. Thank you."

Supervisor Villella: "Thank you very much, Susan, and girls. I remember two years ago because my daughter, Amy, was involved with this when they became first place Long Island champs, I know Amy is going to want this picture so bad, so, my daughter will be getting this. But I just want to thank the whole group, the high school, Blue Waves Riverhead Town, this is what it's all about. We are altogether with the youth and I'm very proud and I want to thank you very much. Girls, you made me proud Sunday, you really did. Thank you very much. If we had room, you could do a cheer. How high to they do that? How high do they throw them up? No, it's got to be higher than that.

Also, Susan, I just remember something. Are you going for the Upstate Champs?"

Susan Reis: "Yes, we are."

Supervisor Villella: "When is that?"

Susan Reis: "March 28th."

Supervisor Villella: "March 28th. Syracuse?"

Susan Reis: "Yes."

Supervisor Villella: "We'll be with you. Okay. I've got to take off that day."

Susan Reis: "Thank you."

Supervisor Villella: "Rshad Robinson. Is he here?"

Councilman Cardinale: "I was asked by Vinny to present to Rshad and in view of the fact that he's at Marymount College in Washington-- to his dad, Everett, this proclamation-- Vinny and I attended a few weeks ago at the Hilton the NAACP Long Island meeting and Rshad was given a special tribute at that meeting, Long Island Live, and was given second billing only to the NAACP president; made a two minute speech which was responded to with a standing ovation and he made Vinny and I very proud and I'm sure if any of you were here, you would have all been very proud of Rshad and what he represents in regard to what the youth in this town can produce.

The proclamation reads:

WHEREAS, it is both fitting and proper that the Town of Riverhead honor those residents who have enriched the lives of people in our community; and

WHEREAS, Rshad Robinson has become an integral part of our schools and our community and our town; and

WHEREAS, Rshad Robinson has produced and hosted a television for community youth, led crusades for your people civil rights and was elected the first ever African-American class president at Marymount College; and

WHEREAS, Rshad has been a past winner of the following awards: the Riverhead First Baptist Church Dr. Martin Luther King, Jr. Award, the Postal Service Black History Award, the Eastern Suffolk NAACP Community Service Award; and

WHEREAS, Rshad Robinson was recently honored by the National Association for the Advancement of Colored People at a special tribute for his record of youth leadership.

NOW, THEREFORE, on behalf of VINCENT VILLELLA, Supervisor of the Town of Riverhead, I do hereby proclaim March 3, 1998, to be Rshad Robinson Day in the Town of Riverhead and ask that the residents of the town join me in recognizing his accomplishments.

Congratulations."

Councilman Lull: "I guess I have to next ask for the representatives of the American Cancer Society. We have a proclamation for the Daffodil Day. This proclamation is for a yearly project that is taken under by the American Cancer Society.

WHEREAS, the American Cancer Society is celebrating its 15th annual Daffodil Day Festival for March 25th through March 27th in an effort to raise awareness as well as the necessary funds to research a cure for cancer; and

WHEREAS, the town recognizes the cancer crisis that is affecting each and every resident on Long Island as this disease strikes

people in every level of society; and

WHEREAS, the Town of Riverhead strongly supports the efforts of the dedicated members of the American Cancer Society to improve the community's awareness of the serious impact that this disease has on members of the Long Island community; and

WHEREAS, the American Cancer Society has continued to assist the research for a cure through many programs offered to the public offering support services for cancer patients and their families, counseling through the cancer information hotline, support groups for newly diagnosed sufferers as well as assisting Long Islanders in their efforts to quit smoking.

NOW, THEREFORE, the Supervisor, Vincent G. Villella of the Town of Riverhead, does proclaim Thursday, March 5, 1998, to be American Cancer Society Daffodil Days festival."

Supervisor Villella: "Who's going to approve the minutes?"

Councilman Lull: "So moved."

Councilman Kwasna: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Supervisor Villella: "Barbara, could you please read Reports?"

REPORTS:

Receiver of Taxes Total collections to date:
\$30,306,614.46

Total utility collections for
February, 1998 - \$178,326.17

Town Clerk Monthly report for February,
total collected - \$9,882.58

Recreation Dept.	Monthly report for January, 1998 for programs and services rendered. Total collected - \$7,094.30
Juvenile Aid Bureau	Monthly report for January, 1998 and annual report for 1997
Police Department	Monthly report for January, 1998 and annual report for 1997
Jamesport Fire Dept.	Annual report of the Fire District Treasurer
Sewer Department	Discharge monitoring report for January of 1998
Building Department	Monthly report for February, 1998 - total collected - \$64,116.75
Open Bid Reports	Traffic signs and related items opened on 2/17/98 at 11:00, 3 bids were received
	Diesel fuel opened on 2/20 at 11:00, 3 bids were received
	Heating & Air conditioning system replacement accounting office opened on 2/25/98 at 11:00, 2 bids were received
	(All of these may be viewed in the Town Clerk's Office)

APPLICATIONS:

Shows and Exhibition Permit	Richard Pierce & John McCready walk through a haunted house: commencing 10/10/98 to 10/31/98 from 12 noon to 12 midnight
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Site Plan

Phil's Restaurant & Sports Bar
in Wading River, deck addition

CORRESPONDENCE:

Charles Gruner

Writes regarding the widening
of Route 58 and opposes River-
head Center

Marjorie Douwes

Thanking the Town Clerk's Office
for their kind assistance
recently extended to her

Petition

764 signatures to deny Cable-
vision rate increase

Atlantis Seaquarium
Poll

16 yes votes

Chief Robert Pharaoh
Montaukett Indian
nation

Writes letter to the Town Board
Board regarding the establish-
ment of a good rapport with all
the neighboring towns

Suffolk County Dept.
of Planning

Regarding amendment to Section
108-60 of the Town Code;
Handicap. It is considered to
be a matter for local
determination

State Department
of Transportation

Regarding Town's resubmission
of Tanger Factory I495 and
offered comments

Supervisor Vilella: "Thank you, Barbara. We are going to
have to adjourn this meeting."

Recess

Town Board Meeting reconvened: 7:45 p.m.

Supervisor Vilella: "The time is 7:45. We have to re-open the Town Board meeting, 7:45."

Public Hearing opened: 7:45 p.m.

Supervisor Vilella: "Let the record show 7:46, the time has arrived. Barbara, would you please read the public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall, Riverhead, New York at 7:05 p.m. on March 3, 1998, to hear all interested persons who wish to be heard regarding the consideration of an amendment to Chapter 48 entitled, "Beaches and Recreation Centers."

Robert Kozakiewicz: "The proposed hearing tonight is to take Chapter 48 which is entitled Beaches and Recreation Centers and change that particular chapter entirely-- well, not entirely, but to a great deal. The first major change would be to include a definition of recreation center. Although Chapter 48 has traditionally referred to recreation center in a number of places, it's never been defined. So now there's a full definition including what a recreation center would be for purposes of Chapter 48.

The second change-- "

Councilman Lull: "Can we have the back doors closed, please?"

Robert Kozakiewicz: "All right. I don't know how much of what I stated was heard so let me start over. The first public hearing tonight deals with Chapter 48. A number of amendments are being made to Chapter 48, the first of which is to include a definition for recreation center. Currently the code has a number of places where recreation center is referred to. I talked about now there is no definition for recreation center.

The second change would be to make the permits that are issued for a beach buggy use and for beach use-- beach parking where an individual wants to park at the beach and use the bathing beaches consistent. Currently they're not but under the revision both of those permits would run from July 1 through June 30 annually.

The other change involves a change to Section 48-13 by deleting reference thereto to a parking area at Wading River Community Park. This is Bayberry Park. The reference would permit only those with resident parking permits to use that facility. The thought from the recreation group is that as in the case of the Stotsky Park facility we do not limit parking to town residents and often times as a matter of fact it's other than town residents who are using the facility sporting events and whatnot so that was the change.

The last change involved a change to parking after 10:00 p.m. at night and that would be so that individuals currently holding fishing permits, resident fishing permits, would be allowed with that annual parking permit to keep their vehicle at a parking area after 10:00 p.m., designed to help fishermen stay there at night, whether they're surf casting, bottom fishing, whatever, so that they could make use of the facilities and not be subject to the 10:00 p.m. restriction.

Those familiar with the Reeves Park location know that traditionally there's an upper parking lot or maybe not everyone knows there is no parking lot that's located near Long View Drive. Under the prior revision, (inaudible) we designated that as a beach -- I mean a boat trailer or a facility for vehicles hooked up to boat trailers to park. It's not well suited for that and we had deleted that.

Looking at some of the notes from the Recreation Committee in that same Section, 48-14.2, we also deleted therefrom the wholesale prohibition which prohibits the parking of trailers at the lower parking area. Looking at this with the Recreation Department individuals and looking at their notes, this might have been too far of a striking out of that provision and we have to consider the beach goes traditionally with the beach-going season being from May 15th through September 15th and prohibit parking of trailers at that time. But as I said the change is eliminating those parking areas."

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

Bob Granger: "Good evening. My name is Bob Granger. I'm a resident of Riverhead, I live in Reeves park and I had spoke to

Vinny on Thursday regarding (inaudible) vehicle restrictions in the beach area. Just to keep a brief synopsis of what has transpired here, for 50, 60 years there has been very peaceful co-existence of bathers and boaters on Reeves Beach and when the town decided to improve the parking, the facilities, put in a vehicle access ramp (inaudible) to Reeves Park to the beach for boaters and bathers, originally the ramp went straight down, bathers went to the left, boaters went to the right, and they launched their boats, there was peaceful co-existence for 50, 60 years with no laws, no regulations, but everybody knew and everybody was happy. Everybody had access to the beach for bathing and boating.

When the town decided to put in this \$400,000 improvement, there was a meeting and everybody was happy with it except they were told that the ramp was going the wrong way; the ramp was going to the west instead of going to the east. And this would create problems. And the town went ahead and put the ramp to the west. An identical mirror image would have been the same slope entirely and everybody would have been happy. A number of us complained about this because then the town realized that they had a dangerous situation; the vehicles had to go down, go through the bathers in order to get over to the right, to the east, to launch their boats.

So the town's solution to the problem was to limit access to the boaters to before 9:00 a.m. or after 6:00 p.m. But this still did not completely alleviate the problem and we came to many Town Board meetings, Jim Stark told us outright that the DEC made the town put the ramp to the west. Bob Pancheck (phonetic) who is here tonight, an engineer, and I, then went to the DEC. We spoke to the project manager who signed off on the plan. Through the Freedom of Information Act we had the complete file. There was nothing at all said about the ramp going to the east and the project manager said that it didn't make any difference which way the ramp went.

So at the next Board meeting we confronted Jim Stark and in essence called him a liar in public. He lied to us in many ways. We at that time then tried to get an additional ramp going from part way down to the east so boaters could launch and we could have the same accessibility to bathers and boaters and everybody would be happy and we had several different plans. Bob Pancheck drew up a plan which would have cost less than \$80,000. Jim Stark said after three Board members voted to go ahead and approve this, Jim Stark

got Young & Young to draw up a plan-- rather than how to do it, their plan came back why it couldn't be done. And he said the slope would be too great going to the east than going to the west. The slope is exactly the same. You can go from 65 feet 100 feet to the left to 8 feet; it's exactly the same as 65 feet to 8 feet 100 feet to the right. So we got-- and we were told by several of the other Board members off the record that as long as Jim Stark was Supervisor, he would not see a ramp there for boating. Because we annoyed him. We called him a liar, which he was.

So, now we come to the point that okay, we're going to sue the town? Well, that could take a lot longer to do, particularly if one party in the suit wants to delay it. So the easiest solution was to dump Stark. And I know there are several other people and several other groups that have done the same thing, we were instrumental in doing that. Stark at one time asked-- he would say, well, you're just a few people. He said get a petition for the next Board meeting. This was at a work session and in six days we had over 600 signatures. I don't know what happened to the petition, if it's still on file with the town or where he filed it. But at any rate without taking much more time, I spoke briefly to Vinny about this and on this particular section it is very, very possible at reasonable cost to correct the \$400,000 mistake by the town and give access to all the citizens of the town, not just a selected group, and to shut them off completely by this proposal.

At this moment, I'd like to thank the Board and set up a meeting in the next week or two where we can go over this whole thing and find a solution to it and I'd just like to turn it over to Bob Panчек the engineer who has worked with this and designed the alternate solution. Thank you."

Supervisor Villella: "Bob, we have to set up a meeting as soon as possible. Lynn-- we'll work on a schedule and as a matter of fact, I'd like to meet first and then maybe a work session. Also, Ken Testa the Town Engineer will have to be at this meeting."

Bob Granger: "All right."

Supervisor Villella: "We'll work it out though, Bob."

Bob Granger: "Thank you. We'll be in touch."

Supervisor Villella: "I didn't know anything about the \$400,000 mistake. So if it can be corrected, we'll correct it. Okay, thank you. Anyone else like to speak on this issue? No. Okay. The time is 7:58. I declare the public hearing closed."

Public Hearing closed: 7:58 p.m.

Public Hearing opened: 7:58 p.m.

Supervisor Villella: "Barbara, you can 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 7:10 p.m. on March 3, 1998, to hear all interested persons who wish to be heard regarding the consideration of an amendment to Section 108-60 of the Riverhead Zoning Ordinance to include regulations upon the provision of handicapped parking."

Supervisor Villella: "Would anyone like to speak on this?"

Councilman Kwasna: "I'll explain it first. This is the same public hearing we had last month on handicapped parking regulations. All we did is there are a couple of things that were stated incorrectly as far as percentages of spaces required for shopping centers. We changed those percentages. That's the only changes that have been made in this town code since the last public hearing. But we did have to call another meeting just to make people aware of that that there were a couple mistakes in it in the last code that was written and that's the only reason we have this second public hearing here tonight."

Supervisor Villella: "Would anyone like to speak on that? If not, thank you, Mark. It's-- the time is 8:00. We close that public hearing."

Public Hearing closed: 8:00 p.m.

Public Hearing opened: 8:00 p.m.

Supervisor Villella: "The time is 8:00. We close that public hearing. Would you like to open up the next one, Barbara?"

Barbara Grattan: "I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall, Riverhead, New York at 7:15 p.m. on March 3, 1998, to hear all interested persons who wish to be heard regarding the consideration of an amendment to Section 108 and the Zoning Use District Map regarding real property within the Industrial A and Industrial B Zoning Use District in the Calverton Hamlet.

I have two letters here which-- do you want me to do them-- which want me to read into the record. From Miller Environmental Group. Barbara Grattan, Town Clerk, Main Street, Riverhead, New York. Dated March 2, 1998. Dear Ms. Grattan: Miller Environmental Group, Inc. (MEG) would like to express its opinion on the amendment of Chapter 108 (Zoning) and the Zoning Use District Map with regard to real property within the Industrial A and Industrial B Zoning Use District in the Calverton Hamlet.

MEG's been in Calverton at 538 Edwards Avenue location since July, 1990 with a workforce a 60 highly trained and skilled personnel and a professional staff of approximately 20. MEG's sister company, NRC (National Response Corporation) who employs a staff of 60 professionals, has been in Calverton since its inception in 1991.

MEG is opposed to this attempt to rezone to Industrial C for the following reasons:

1. The proposed rezoning at Industrial C will make it impossible for MEG to expand its business base at its present location. Any future plans to buy adjacent and the adjoining properties for expansion under this present proposal would be rejected by the town.

2. The present major industrial land users on Edwards Avenue (ie Federal Express, NRC & MEG) employ skilled personnel who can provide decent middle income wages to support their families. The proposed zoning change to Industrial C promotes the growth of low income and minimum wage positions. MEG does not feel it is in the

town's best interest to condone industrial zoning changes that encourage minimum wage positions. This would promote degradation of the quality of life in which companies like MEG and the Town Board are trying to upgrade. Sincerely, James C. Miller, Miller Environmental Group.

And we have one more from Allen Smith to the Town Board regarding the Calverton change of zone to Industrial C, dated March 3rd. Gentlemen: Please be advised that I am company counsel to Splish Splash at Adventureland, Inc. My client owns two parcels of real party which are subject to rezoning subsequent to the above referenced hearing. My client has a number of concerns that need to be considered and addressed by the Town Board.

Splish Splash has and will continue to have a number of permits and approved site plans which are in various stages of completion. The parking area west of the park is approximately two-thirds complete. One-third is yet to be constructed. The ice skating facility and Bullwinkles are full approved but not yet under construction. It is therefore suggested that the Town Board adopted a traditional rule if these changes are enacted to allow Splish Splash to complete these projects under their existing permits.

Secondly, Splish Splash notes that the proposed zoning is not without controversy. The effect of enacting the change would be to remove the current industrial zoning. It is fairly probable that the change will be challenged in Court by others. The practical result will be that Splish Splash will be unable to further process permits in an orderly and certain manner (i.e., new rides and attractions) while the Courts take whatever time is required to decide these issues. This can take years.

A review of the record before the Town Board leading up to this hearing indicates that the focus of concern underlying the proposed change relates to properties west of Edwards Avenue. If the change of zone were applied west of Edwards Avenue the golf course expansion could be facilitated and the OMNI parcel concerns would be addressed. By limiting the change to those properties west of Edwards Avenue, the potential adverse effects of the change would be limited and not affect Splish Splash and the other properties east of Edwards Avenue.

Please include this correspondence in the record of this hearing. I thank you for your consideration of and attention to the matters raised herein. Very truly yours, Allen Smith."

Supervisor Villella: "Thank you, Barbara. Rick, would you like to talk on this?"

Richard Hanley: "Yes. Richard Hanley, Planning Director. Members of the Town Board, ladies and gentlemen. A number of years ago by resolution of the Town Board, the Calverton Hamlet Task Force was charged with the responsibility to make recommendations to the Town Board with respect to the future land use of the hamlet.

The Task Force began with the land use inventory of the real property existing within the hamlet with particular attention given to the industrially zoned land in the area. That inventory demonstrated of the 3,000 acres of industrially zoned land within the hamlet, only 2% were actually used for heavy industrial uses and that preponderance of land was either in agricultural use or vacant land.

It was concluded from this data that the existing land use pattern was the result of the successful agricultural industry within the hamlet and a history of rigorous regulation of traditional industry by the County of Suffolk to effect groundwater protection.

In a report issued to the Town Board, the Task Force recommended that the existing Industrial Zoning Use categories be modified to remove heavy industrial uses and to create a new Industrial use category designed to attract destination, recreational and commercial uses more in keeping with existing town and county land development.

The Task Force further recommended that the industrial area of Calverton function as a receiving area for the Pine Barrens credits as fashioned by the Central Suffolk Pine Barrens Lane Use Plan which the town has both endorsed and ratified. This report was referred to the Riverhead Planning Board and the recommendation formed the basis for tonight's hearing which is, in fact, a re-hearing of Zoning amendments originally heard on April 2nd of 1996.

The aerial photo at the front of the room depicts the area which is proposed to be change from either Industrial A or

Industrial B to the new Industrial C category and the handouts that were available at the front was the uses that are considered or proposed for the Industrial-- the land uses which are considered and proposed for Industrial C as well as the uses that exist within Industrial A and B.

This concludes my remarks and, of course, I'm available to answer any questions."

Supervisor Villella: "Thanks a lot, Rick. Who would like to speak on this first?"

Peter Danowski: "My name is Pete Danowski. I do represent several clients in the area affected. Many of the Board members know that I appeared at a work session rather recently and one of my comments concerned itself with the notice provisions here. I recognize the town may take a position that they're not required to notify the landowners of the proposed zoning change. However, when we represent any individual homeowners or landowners have to ask for a change of zone or special permit, we're required to notify adjacent owners.

Now, I would suggest that each of the landowners who are affected by this change of zone be sent a notice and that you continue this hearing open. I do understand that the county has responded to your notice and, in fact, has deemed your application incomplete. That in my mind is raising a challenge for landowners. Perhaps you'll have to keep the hearing open anyway. That was one of the remarks I made.

Also, while I have the opportunity to grab the town code off my desk and start looking at the differences in changes, the Board in the past has in amending the code done something I think is much more preferable in advertising the change and that is they would take the provisions as they now stand and draw a line through provisions such as uses that you are going to exclude, and put the changes in showing the existing ordinance and as it would be proposed eliminating the uses. Because when the average person picks up the document they see what you're proposing but they have no idea of what's now allowed. So they have to come down to the town, ask the town attorney, get a copy of the town code to look at.

So, again, it's difficult by looking at the advertisement if you are lucky enough to know it was on, to know what you are suggesting. It's easy enough to just count the numbers of uses of. When I looked at the code provisions in Industrial A, we had 20 uses that were permitted. Now as you're suggesting it, you're reducing them to eight permitted uses. So right away if you own a piece of land you know that 12 uses have been eliminated, that's got to affect the value of that property to someone who owns it.

Secondly, you list a great number of special permit uses, 11 in number. But that great number is a lot less than was allowed as it currently existed in Industrial A where you have 16 uses. It also seems to me that if you're going to look at those special permit uses as you propose, if there's something that's reasonable that you want to propose, why not make it a permitted use? Why go through and force the owner of land to go through the special permit process? Arguably there are uses that you could require by special permit but I don't think the ones you list here are anything outrageous, controversial, affect the environment. I think they should be permitted as a matter of right.

Anyone that owns land knows that if they go to market their property, they want to sell it, and someone wants to buy it, they want to know do I have a right to use the property. By making it subject to a special permit, you cannot say yes, you have a right to use it. That having been said, let me just call to everyone's attention a few other comments. There, as I understand it, is going to be a consultant hired by the town. Maybe that has taken place already-- that will do a study that may take a year or two years to consider a master plan for the town. It just seems to me to make good common sense that when you have this consultant hired, when public meetings are called, when public hearings are held, when you ask for input from every organization in the town and every taxpayer in the town, that when you collate all that information, at the end of that process is the time to consider sweeping zoning changes.

To do anything now, as you know, you're anticipating a master plan revision, I think is foolhardy. Now, I've been asked to come forward and I had a list-- I don't represent everybody in the town, there are other people, I'm sure, that have attorneys, don't know about this public hearing. I represent the interests of the D'Lea

family, they are in the sod farming business, one of their family members are here tonight. I represent the interests of the Tindel family (phonetic). They've been paying large tax dollars on industrial parcels in Calverton. I represent, as you know, TS Haulers, Inc. You know I've represented John Cammeron (phonetic) and East End in the past. You know-- and maybe you don't know-- I represent the Latham family. They have a lumberyard that was proposed in Calverton. It's gone through a permit process in the town. All right. They're good taxpayers, they're located existing in the town on Kroemer Avenue now, (inaudible) Lumber. You're eliminating lumberyards in this zone. All right. You have nothing in the ordinance talking about grandfathering application. You're talking about restrictions on sizes of lots. If your restriction is a two acre lot, what do you do with a one acre lot? Say there are no uses allowed?

It brings me back to the days a few years back, when we talked about Route 58 and we did a rezoning but no one bothered to look at the size of the lots and you created-- then, you, the Town, created a zone change that eliminated building envelope on almost every lot. So no one could build. We had to come back after the fact and say, look, did you take a look at the sizes of the lot and realize what you've done?

So my suggestion tonight is to take a look at something about the sizes of lots. You've got setback requirements, you've got all kinds of restrictions on how you can develop your parcel. You may not be able to develop it at all, even for the uses you propose.

Now, let me just draw a line through verbally what I've done to the ordinance and just announce what you're eliminating from the zoning code. And I understand that some of these may seem like strangers and I think it's-- historically said to me that how you got the zoning code is one day zoning happens in the town. And somebody decided something wasn't in industrial zone went down the road and they put all those uses that then existed on a site in that particular zone. And over the years you had some subtractions and some additions. But you're eliminating ones that have existed in the town. You're eliminating in Industrial A an assembly hall as a matter of right. You're saying it has to go through a special permit process to have an assembly hall. Bottling works, you're eliminating completely. Building trade shops-- and think about the

plumbers, the electricians, the people that have six or seven trucks -- certainly you in the building department over the years, and you, generally speaking, have said gee, here's a plumber. He's got three trucks in the yard. He's got his stock in his garage. You issue him violations. All right. Where does the building trade shop person go? What's so bad about having a building trade shop? You'll be eliminated. Cold storage plant. The last time I handled an application was for a-- the wine storage building on 105 that Dave Mudd (phonetic) had. What's wrong with having a cold storage plant? But you've eliminated it.

You struck the word farming out of the code but I recognize you've got the word agriculture there already. You struck out ice cream manufacture. I guess that's bad. You struck out marina. I guess that's bad, although I recognize in Calverton it might be hard to have a marina. You struck out motor vehicle mobile home trailer or boat sales. You struck out newspaper offices. Job printing establishments. You struck out-- I think of Mrs. Miloski back there, I know she doesn't want to have a processing plant, but poultry processing plant. You struck out repair shops for household and/or personal appliances. You struck out telephone exchange. You struck out trucking station. You struck out vegetable and fruit processing. You struck out vehicle repair. You made a vocational school a special permit process. That's in Industrial A.

Now, there were 16 as I mentioned special permit uses. You've struck out some of them. You struck out airport. You struck out motel, but you allow hotels. I'm not sure why. You struck out non-nuisance industry. You struck out camps of type 1, 3, 4, 5, and 6. You struck out outdoor theater, golf driving range, archery. You struck out body and fender repair shop. You struck out motor vehicle repair shop. That's in Industrial A.

Now let's go to Industrial B. You struck out in permitted uses automobile laundry-- I assume that means a car wash. You struck out building contractor storage and/or equipment yard. You struck out dry cleaning or laundry plant. You again struck out ice cream manufacture. You again struck out newspaper offices job printing establishment. You struck out printing and publishing plant. You struck out repair shops. You struck out storage yard. Again, on the special permit provisions, you struck out airport. You struck out quarrying, mining, loading hauling and/or processing

of sand, gravel, shale or topsoil. It brings to mind, a client of mine recently that I addressed the Board about, about just mixing sand and peat moss together serving golf course green (inaudible). You've eliminated all these uses for what reasons? My suggestion is that you need a tax base in the town. And you need these uses somewhere in the town. If you want to argue about where should the industrial uses be, argue about where but don't argue about eliminating uses in the town. We need uses. We've all talked about the shrinking tax base, land off the tax rolls, the homeowners are tired of paying extra taxes. Don't start nailing out all these industrial uses. Because if you look at what remains, you've made the land not developable. No one will build because no one has the uses they want to put on that property.

So I really do think you have to take a sincere look and I'm not focusing necessarily on the new members of this Board anymore than the old members because this hearing has been held once before. I would like to see you take a little more time in considering what you're doing and if you have a focus on an individual, focus on the individual. Treat them fairly; give them due process and let them be heard. But for all my clients, I stand up here and object to this change of zone application. Thank you."

Supervisor Vilella: "Pete, thanks a lot. That was very thorough. Yes, Rick, don't leave out the ice cream, I love ice cream."

Richard Hanley: "Try not to. I'll just try to address a couple things that Peter mentioned. With regard to the special permit process, I think Peter would have to admit that presently the Industrial A district provides for several special permits (inaudible) too much of an argument with those special permits at this time. However, I think it's important for the Board to understand that the special permit process in the town does have some value and it has real value relative to SEQRA procedures with regard to the decision on the use. Clearly if we take the time to require that a use withstand the rigors of a special permit process, I believe that it helps with regard to establishing a record under SEQRA such that we have taken a hard look and we have a reasonable elaboration of why we're approving the project without EIS which is a real cost to the developer, so I think that special permit procedures in terms of the criteria that are presently in the ordinance, in fact, help

process these applications while the development (inaudible).

With regard to the master plan effort the town is undertaking embarking upon (inaudible) and this Board knows we have gotten to the point where we have interviewed a number of consultants and we'll be making a decision shortly on a consultant. We expect that this process will probably take somewhere in the order of 18 months to two years. However, I think it's also important to note that this is a re-hearing of a consideration that the original sitting Town Board had held two years ago and nothing has changed in terms of the land use dynamics in the area or any of the uses that are proposed here today. So this is nothing new under the sun; it's been thought about for quite some time.

With regard to his comment relative to the two acre lot requirement, yes, we have done a frequency analysis of the size or areas of the lots within the area-- within the proposed zoning area. The median size of a lot is somewhere in the order of 30 acres. If there are one or two one acre lots in the entire vicinity, it's a lot. So we feel comfortable that we are not creating a minimum lot size that will affect problems in terms of real property development.

Just for a clarification, the hearing tonight is not to eliminate all of these uses within the Industrial A Zoning Use District throughout the entire Town of Riverhead. It is only for the area that is shown fairly unclearly but if someone is more interested they can take a closer look. But this proposal is not to change Industrial A throughout the entire Town of Riverhead. It's just for the Calverton Hamlet itself. The uses that Peter read out will, in fact, exist within the Industrial A District in other parts of the community areas which we believe to be more appropriate for heavy industrial uses. The general vicinity of that area is around Kroemer Avenue and the expressway terminus.

With regard to the impacts on the Industrial B, I believe there's only one parcel within this area which is being considered for rezoning which presently lies within the Industrial B category and that is the Omni-- the (inaudible) property. Those are my comments. Thank you."

Supervisor Villella: "Thank you, Rick."

Councilman Cardinale: "Rick, could you-- Pete indicated that the county had deemed an application incomplete and questioned whether that would require the continuation of the public hearing. Could you tell me what he's talking about?"

Rick Hanley: "Yes. We have referred-- or the Town Clerk referred the public hearing notice to the Suffolk County Planning Commission of-- the charter requires that the Suffolk County Planning Commission actually make a recommendation on any changes of zone which occur within a municipality within a charter area which has property which is contiguous with other towns and/or large areas which obviously this is with county highways. The incompleteness had to do with just some diminimous perfunctory requirements that we have copies of recommendations from the local Planning Board that they can inspect. I don't see anything in that letter that is particularly troubling to this hearing and we have made a point or we have a habit of holding hearings prior to having the Suffolk County Planning Commission make a recommendation. So I don't see that as a fact that would effect your ability to actually act on this at this time."

Councilman Cardinale: "Thank you."

Supervisor Villella: "George? Not-- George Conklin. No, no, we don't-- "

Peter Danowski: "I don't want to suggest that SEQRA gets eliminated by having a permitted use. As you know, Rick knows, and everyone knows, is you have a use that's permitted, you've still got to go through a pretty detailed site plan process in the town which involves the Town Board considering SEQRA, the Planning Board in the future may be considering the site plan. So we're not suggesting avoid SEQRA, avoid an environmental review. What we're saying is give someone a right, a permitted use, not a special permit use."

Supervisor Villella: "Thanks, Pete. George?"

George Conklin: "George Conklin, representing Timber Park Civic Association. I hope the Board will take this opportunity this evening to put to rest something that's been going on in our area-- we actually live in this area, unlike some of the other people who have businesses or represented by lawyers, we live

there, within a mile or so of this particular property. And we have been plagued for the past eight or nine years by fears of waking up one morning and seeing a transfer station there or driving down Route 25 and having to avoid trucks that were doing sandmining. There have been several lawsuits instigated against the Omni property. Omni's permits expired and we thought well, Omni's gone away finally. And then we read in the paper two weeks later that someone else has purchased the property for 2.5 million dollars and they're going to do the same exact thing that Omni was going to do. That is build a garbage dump with no garbage. And we were wondering what's the reason for all of this going on?

And I'd like to state for all the members of our Civic Association in Timber Park that we welcome this zone change, we really endorse it, and God speak. Thank you."

Supervisor Villella: "Thanks, George. Yes, please."

Steven Losquadro: "Good evening. My name is Steven Losquadro. For the record, my offices are located at 398 Route 111 in Smithtown. My time in following this gentleman is good, I believe. I represent the new owners, Calverton Industries LLC, of the former Omni parcel. This is approximately 50 acres. I believe as this Board well knows, located on the east side of the Grumman-- former Grumman parcel, that would be on the south side of New York State Route 25 Middle Country Road, again, immediately adjacent to the Grumman property.

There has been a bit of misconception regarding what is going on with that parcel, what my clients' intentions are and I think the Board is aware of that to some degree because we did come before you, as you are well aware, at a work session to share some of our intentions and to let you know so that could be disseminated to the community to some degree what it is that is intended by Calverton Industries LLC and how this all relates to this proposed change of zoning.

It's pertinent to note that Mr. Danowski said that people here should not be singled out and that you acting as a governmental agency with all of your power must be very careful to not single out individuals who have pieces of property who can suffer greatly financially and otherwise because of your actions. And indeed in that regard this is the only piece of Industrial B property within

the Hamlet of Calverton. So for this parcel owned by my clients to be subject to the change of zone that is proposed by the town, of course, my client is singled out and would suffer greatly if this were to take place. And I think because of that, it's pertinent to discuss what some of the factors are before you make your decision.

It was suggested at a work session, at a particular work session when I was not present, that my client perhaps went into this venture, that is the purchase of land for millions of dollars, unaware of what his rights were. And I'm here to tell you, because the town is now aware that with respect to a rezoning of this property, Justice Berler of the Supreme Court, has said that that will not take place, notwithstanding this hearing, until such time as he has heard arguments regarding actions by the town. So that is something that I think should be disseminated here to the public. That there are grave concerns and grave questions that the Supreme Court has regarding what you're doing and how an individual's rights and property values are being affected by your actions."

(Unidentified): "How about the people who live-- "

Supervisor Villella: "Relax-- he has the floor."

Steven Losquadro: "That's okay. I understand everybody has a perspective and I appreciate being able to give mine."

With respect to the Industrial B parcel that my client owns, when he entered into that transaction, that parcel was zoned Industrial B and the rights that pertain to Industrial B parcels and the uses that one is able to pursue on an Industrial B parcel were available to him at the time that he purchased that property. And now you propose to take that away. And by doing that, you would greatly reduce the value of the parcel and literally wipe out an investment and wipe out people and families who have worked towards making an investment and that is something that you must consider. And I think along those lines it's pertinent to note here that when we did appear at the work session and when plans were given to you, this was not a proposed garbage dump and it was not a proposed 100 foot hole dug in the ground, and you will recall, and I'm sure you'll acknowledge, that the first nine acres of this 50 acre parcel are not in zone Industrial B. They're zoned Country Business. And, in fact, you saw as my client had represented to you and had represented

in prior discussions to the town attorney, that with respect to the nine acres, he was going to restore a farmhouse and, in fact, has already started in that endeavor. And he also would dedicate ball-fields and recreational activities to the Hamlet or to the town in order to beautify that area and provide something that would give back to the community.

And I think that's very important to take into account when we're talking about one particular parcel and one landowner who by himself is being singled out because to do that and to expose the town to the ramifications of taking away one person's land, in essence a taking as it's known, and taking his value, I think it might be important to reconsider and to say, well, here are the people who come in with a very measured plan, who wish to give back, who will beautify the area and restore a farmhouse and provide recreational activities."

Supervisor Villella: "All right-- cut it out. Let's cut it out up there. Go ahead."

Steven Losquadro: "Again, I appreciate your controlling the crowd."

With respect to all of these uses that you've eliminated, to take away this use from my client and to single him out above all else works a great hardship financially and with respect to all of the things that have been offered and the compromise that's been suggested, well perhaps that has not been disseminated and well perhaps people here who are offering remarks have not had the opportunity to know of those things, I think you should take them into account. I think you out of fairness should consider them, invite public discussion on them, share with your constituents what it is that was proposed and I think by doing that you will see that this is ill advised. And if there are going to be certain changes made, those changes should be made with perhaps respect to other uses but not taking the (inaudible) and ill advised and quite frankly I submit the legal step of singling out one person and one parcel and taking their use and devastating them. Thank you very much."

Supervisor Villella: "Bob, would you like to speak?"

Robert Kozakiewicz: "Just so that the record reflects-- Robert Kozakiewicz, Town Attorney. I as the advocate for the town, I can say a few things in response thereto what Mr. Losquadro has put forth for his client. He speaks as an advocate; he speaks about taking as if these things are gospel. They haven't been decided by the court. They will be decided by the court and if we have done everything in a correct and proper manner, as I think we have, we'll prevail in that court action. I don't want to comment on the court action and I think it's unfair for Mr. Losquadro to have stood up today and commented on it.

He points out that he's being picked on; his client is being picked on; his client is being singled out. The hearing here involves over 1,000 acres-- 2,000 acres of property that is zoned throughout the Calverton Hamlet. His client's property consists of 51 acres within the Calverton Hamlet. So it's hard to see how his client is being singled out.

With respect to the court proceeding, Mr. Losquadro would have this group believe that the court was of the mindset to throw everything out and simply force the town back into its corner and to back up. That's not the case. Mr. Losquadro, I believe, knows that's not the case. There was a return date; if my recollection serves me right it was the 24th day of February and as a result of discussions had with the court, Judge Berler, it was decided that with respect to this particular proceeding brought by Calverton Industries LLC, and rather than see a proliferation of further lawsuits, that it would be better for purposes of judicial economy and to get a final resolution on the issue of whether the special permit is still valid on this particular property, whether a site plan is still valid on this particular property, whether a building permit was properly declared null and void, that we wait for the court to decide those questions. And the parties agreed to stipulate amongst themselves. And for Mr. Losquadro to throw that back in my face as counsel for the Town of Riverhead, I'm offended quite frankly."

Councilman Cardinale: "Bob, I have a question which is not-- which as everyone knows, I've only been around for a couple of months and I do find it intriguing as I look at this rezoning map that what I understand to be happening here, is that the Planning Department is effectively-- Industrial C is kind of misnamed. It really should be called Industrial A-light because what we're trying

to do is lighten the Industrial Use and then there would be an A and then there would be a B in other parts of town but the point of the question is this: We have this big area that is being affected but there's only one parce, namely this parcel, that has a B zoning which I understand is the most favored zoning in the town in the sense of use. How did that happen? How did we have one parcel in the middle of 1,000 acres that wound up being B to being with?"

Robert Kozakiewicz: "I cannot answer that question. I was not here. I've been here since '94 and the history of the zoning and the Calverton Hamlet is something that I don't know."

Councilman Cardinale: "Rick, can you shed some light on it? Because what he is now-- I'd like to point out to Mr. Losquadro, he is unique and he is uniquely favored and I'm wondering how that happened in the first place. It seems to be rather odd."

Richard Hanley: "I guess I was still in college in 1973 when this was being considered, however, I could give you some speculative thoughts about it."

Councilman Cardinale: "You're saying to me that this particular 50 acres has been Industrial B since 1973?"

Richard Hanley: "That's probably a result of the 1973 Master Plan, correct."

Councilman Cardinale: "Okay. It wasn't changed subsequently was really the gist of my question."

Richard Hanley: "Not to my knowledge. I'd imagine that it may have to do with the study that was done on the naval weapons testing facility. There was an (inaudible) zone created which is Air Installation Compatible Use Zone, essentially federal zoning, and it's quite possible that there may have been either a sound or a crash footprint which extended beyond the fence line at the Calverton site and the (inaudible) since it was private property as opposed to acquiring it and making it part of the federal government property, that it just be zoned as a heavy industrial property such that there would not be any danger from sound or crash. That's my only thought on the matter."

Councilman Cardinale: "Thank you."

Richard Hanley: "If I could just add one more thing to the record if Bob is done. Along with the court proceedings that exist on this particular piece of ground, the Board is aware and should be aware that my department is entertaining a petition for a special permit for a mining and processing use on the premises-- on this particular property as well. We are presently in a discussion with the DEC on lead agency so we have not taken any action as of yet in this regard in terms of processing."

When the Calverton Hamlet Task Force was meeting, there was an inventory of land use as I mentioned in my introductory remarks and clearly within the Hamlet there are a number of parcels that are already used, they're pre-existing non-conforming uses as both sand mines and processing and the thought was that there was just not a need at that time for additional real property to be mined and reclaimed. So that's the history of the analysis that went into the reasons why processing and mining was not made a use for the Industrial C district."

Councilman Lull: "Rick, I need to have a little bit more history because it has to do with something else that the last speaker said. He's tying together the fact that his client bought this property and now finds that there is a move afoot as he sees it to rezone this property. When did the proposal to rezone the property first-- when was it first presented to the town in a public hearing?"

Richard Hanley: "The Town Board first held a hearing on this proposal on April 2, 1996."

Councilman Lull: "And when was it proposed by the Hamlet Study of the Hamlet of Calverton to have this change?"

Richard Hanley: "I would probably have to say that there were documents created probably six to eight months prior to that since it was also referred to the Riverhead Planning Board for their consideration-- there was an appearance made by the Hamlet Study at the Planning Board and their recommendations was then transmitted to this board by resolution. So I would say, Jim, to answer your question, that we are probably talking in the order of something

like 36 months that this idea has been public."

Councilman Lull: "And has been public in the records of the Planning Board and the records of the Town Board for that length of time and was publicly available to somebody who is in consideration of purchasing the property?"

Richard Hanley: "Yes, sir."

Supervisor Vilella: "Rick, I just want to ask you one more question. I know Pete touched on-- I met with the Farm Bureau in my office this past week and they were afraid of this two acre zoning-- that was being upzoned to two acres. But you clarified it by saying it's only a few parcels?"

Richard Hanley: "Well, we did a frequency analysis of the size of the existing lots that exist within this area and as I mentioned they're-- some are in the order of a median of 25 and 30 acres. The attitude of the Task Force as well as the Riverhead Planning Board is that industrial lots-- really the area of the lot is not as critical or important as the real property that's necessary to support Health Department rules and just a layout of a reasonable subdivision for industrial A. The Planning Board would much rather see industrial subdivisions since this is industrial land, and if we are dividing land some of these 30 acre properties into smaller lots, the Planning Board, quite frankly, thinks that we should just be creating blocks and let them-- developers come in with site plans and then we can look at the area that's really necessary to support a building, the parking and Health Department permit requirements. So I don't know if I've answered your question, but we feel comfortable that the minimum lot size for an industrial use is 80,000 square feet. The existing Industrial A provides 40,000 square feet which really is a diminimous lot size for an industrial use-- "

Supervisor Vilella: "You couldn't use it anyway, okay."

Richard Hanley: "All of the uses that we proposed here."

Supervisor Vilella: "Okay. I just wanted to make that clear so when I meet with Joe and the group, clarify that with them. They were concerned about this."

Richard Hanley: "As far as non-conforming lots, the Board might find if you inspect the lots in the area that there may be two or three or four one acre parcels that were created which would become non-conforming and there are ways to deal with that through the Zoning Board of Appeals, but I can tell you professionally that this is not creating a problem where you will have continual revolving door for the Zoning Board of Appeals."

Supervisor VILLELLA: "Okay. That's what I wanted to make clear. Thanks a lot, Rick, appreciate it. Who else would like to speak on this? I didn't know Joe was here."

Joe Gergela: "For the record, my name is Joe Gergela. I'm the Executive Director of Long Island Farm Bureau. Pete Danowski made my job easy. He basically must have been reading my comments. I don't know if this Board has had time to go look at the public record from the last time that this was presented for public hearing. We had commented at that time on a number of the issues that Pete raised."

First of all with the town moving forward with the Master Plan update, we, too, are concerned about taking action on zoning code amendments until we've had time to do the Master Plan update. When the town was going through Hamlet studies we expressed concern at the start of that process that that was piecemeal planning and did not make sense to us that really we need to have a comprehensive plan for the town of Riverhead.

Now, with what's going on with Calverton inside the fence, we don't know what that means yet and what's going to happen there. And what are the ramifications of the actions that are going to happen inside the fence to the outside of the fence. Are landowners who have paid taxes for generations and carried the land, going to be subject to different zoning and different things that you're going to allow inside the fence? We want the town to make sure that that is addressed in fairness.

Pete mentions about all the uses of what should be permitted as of right. We stated at the public record last time that for landowners who carry the land, who borrow against the land that is their equity to capitalize whatever they do, whether it's a farm or a business, they need to know assurance of what the value of their

property is. But we commented to the town at that time about the notion of the special permit process. We-- Pete is reiterating our comments to you.

I urge you to look at the old records from that hearing. This is basically resurrecting the same thing. I do understand the situation between the Omni property owner and the people who live in Calverton. They spent a lot of time on their Hamlet study; they have concerns and that I do not want to get in between of. That's not the reason that I am here. I'm here because we have a lot of our people who are members of the Farm Bureau that are taxpayers in this town and own a great deal of that land that we're talking about.

Just a few comments. Okay. This has got to do with inside the fence and outside the fence. We recognize first that there is problems with Health Department requirements. We've been, you know, educated about that. We've met with Rick and the Planning Board a number of times about that. We understand that whatever happens here, it's not going to be easy.

The zoning code amendments are predicated upon the fact that there is no sewage treatment for the industrial zone properties to utilize. It is our understanding that the plant located within Grumman's property is going to be refurbished for the redevelopment of the Grumman site. We recommend that the industrial zoning code be tabled until we have that finalized.

We believe it would be premature to act on this without knowing that the sewage treatment plant is going to be available for privately owned lands outside the fence. If sewage treatment was available, then there are uses that may be more desirable on those properties. The zoning amendments proposed are limiting potential uses of those lands. And, again, Pete's comments, we want more uses, not less.

The Farm Bureau recognizes that there are a number of those things that should be not special permits, they should be as of right and we met with Rick and we went through that list. They did add some, but many of the uses that you're trying to eliminate should be added back.

From a landowner perspective, it's extremely important to have

as much certainty as possible if and when people decide to sell their property to buyers. Developers will want to know what they can do with that land without encumbrances.

We have concerns about the two acre zoning. You can do whatever you want and color any way you want, it's two acre zoning. It doesn't take a rocket scientist to tell us that a minimum two acre lot is not anything else but a two acre lot. We believe that it's excessive and not necessary.

We object to the 25% landscape requirement. That's an expensive requirement that you're putting on. Another issue that we had mentioned and this has got to do with the Master Plan and with the future of this town as it goes with agriculture, we have supported transfer of development rights as a useful planning tool. To this point in time, Riverhead has not made a sincere effort to use that. Every time a commercial development is approved without TDR's being utilized, there are opportunities foregone. It's our understanding that TDR's are an integral part of this zoning process yet it's not clearly defined or explained how it's going to work. We know about the pine barrens thing; we know what the town had to do; we're still not satisfied that TDR could be made to be useable but we've not put any time to make it useable."

Supervisor Villella: "Joe, I don't want to interrupt you but you know darn well with the TDR's with the old Boards in the past and everything and the Board that's sitting up here is night and day."

Joe Gergela: "I understand."

Supervisor Villella: "So, I don't want to hear that you know we're in the process of doing TDR's right now. So, I appreciate what you're saying, but you could cut that part out. You know what we're doing, so don't-- go ahead."

Joe Gergela: "No, I don't mean-- I'm just saying-- okay, Vinny, understood."

Supervisor Villella: "Thank you."

Joe Gergela: "However, you guys are new so we feel that-- "

Supervisor Villella: "I understand, but-- sorry about that."

Joe Gergela: "Again, I'm not going to go on and on here because I think there's some other speakers, but please go back to the public record of the last time. You'll hear our opinions on this. We understand that you've got to balance it off but please at least take the time to look at it. Thanks."

Supervisor Villella: "No, thanks a lot, Joe. Appreciate it. You're welcome."

Richard Hanley: "Can I make some comments. First one being that there was no intention when we were looking at Calverton, Grumman, site to extend the appurtenances of the sewer plant that exists there outside the fence. That sewer district or that sewer plant presently has a (inaudible) which allows for 65,000 gallons per day of sanitary flow and it's our expectation that given the land use plans that we have for the Calverton site, that it will far exceed that with development within the fence line itself such that I do not see any potential really for extending those mains out onto private property outside the fence."

The second issue relative to TDR, the Town Board has approved a local law for agricultural preservation and in that local law there was a map which designated sending and receiving areas for development rights from agricultural land. There is an area within this Industrial C District which is proposed for this evening which is on the north side of Route 25, which is an exclusive receiving area for development rights from agricultural lands within the town of Riverhead. We have been sensitive to TDR with respect to providing for enough receiving areas and variation in terms of both residential, industrial and commercial uses for transfer of development rights. So, we've been careful with that."

Supervisor Villella: "Okay, thank you. So I think this Town Board is committed in working with the farmers on this project."

Richard Hanley: "Right."

Supervisor Villella: "With the TDR's."

Richard Hanley: "The two acre issue, this is-- "

Supervisor Villella: "Forget about that, don't even talk about that."

Richard Hanley: "All right. There's no residential development allowed in this district so we don't see that as a-- "

Supervisor Villella: "Thank you. I realize that. Anyone else like to speak? Yes, sir."

Bob Miller: "My name is Bob Miller. I live in Calverton; I have a business in Calverton. I think there's been a lot of good points made by everyone. Maybe Industrial C isn't exactly the right thing to do. Maybe Industrial A isn't either. I think those things can be overcome. But to cut it to the quick, I think there's an Industrial B in there, that's a problem. If you want to talk about co-existing use, and we're talking about mining and/or composting transfer station, I don't know how you can co-exist with that, with going forward. In other words, what can you put next to a composting plant or a transfer station that's going to be good for the town?"

To put up 2.5 million dollars and not know what's going on there, I think is a little bit overstated, too. And that I think is really the crux of what we're talking about. That, yes, someone could get hurt on that with a lot of money and I don't know if that can be overcome, but I also don't believe that they can co-exist with going forward with the kinds of things we have in Calverton today. Maybe there should be a vote; but maybe it should be a vote in Calverton to see what goes there. If that will be the way to do it, but, again, co-existing with those types of uses, I think is a tough deal."

Supervisor Villella: "I appreciate what you're saying, Bob, but the Hamlet Study-- the Calverton Hamlet Study, that's the reason-- our campaign, Riverhead Party, we listened to the people. The Hamlet Study does not want these uses in that area. George."

George Schmelzer: "They talk about two acre zoning. If every house in the United States had two acres, we'd have no land left now. So-- "

Councilman Kent: "These are industrial uses though, not residential. So don't mix it all into across the board two acre

zoning."

Supervisor Villella: "Don't change it-- "

George Schmelzer: "-- mixing stuff up. Joe said most of what I was going to say, so he said most of it. But I ask you one question, though. Does this proposed zoning extend into the 2,900 acres inside the fence?"

Councilman Kent: "No."

George Schmelzer: "Why not?"

Councilman Lull: "Because that has not been zoned yet."

George Schmelzer: "But should we have a level playing field? Why should this town have a special advantage over private owners in the future? How about it? The town want a special advantage so they can brag to the people, oh, look how we're selling development rights and putting factories and plants there and the private land-owners are paying taxes are screwed. All they have to do is pay taxes. Really. I mean it."

Supervisor Villella: "You have a point there, George."

George Schmelzer: "Yes."

Supervisor Villella: "Like I always say, you're very knowledgeable."

George Schmelzer: "Well, yeah, but I just-- I won't-- you've got the message, so I won't say anymore."

Supervisor Villella: "Thank you, George."

George Schmelzer: "I could though, but."

Supervisor Villella: "Anyone else like to speak on this? Okay."

Chuck Bregerman: "I've done a lot of gigs in my time on the stage."

Supervisor Villella: "You've got to mention your name. You've got to look at us."

Chuck Bregerman: "Oh, this is the wrong-- all I wanted to say was I came very early-- I met you outside-- "

Barbara Grattan: "Can we have your name, please?"

Chuck Bregerman: "Chuck Bergerman from Thurms. And I have to go the bathroom so bad so I'm leaving. Before I go, stop laughing. Before I go, the only thing I can say-- I want to take a little vote about people from Thurms. Do we really want this (inaudible) plant in Calverton? I don't hear anybody. Okay."

Supervisor Villella: "Chuck, Chuck. This isn't the way we conduct it, but just, you have something to say, say it, please."

Chuck Bregerman: "No, I won't say anymore."

Supervisor Villella: "No, I mean, don't go to the crowd."

Chuck Bregerman: "Oh, okay, Vinny, I'm sorry. That's the whole show. We're not interested in a transfer plant. I mean these people who want to do this, you know, they can put it in their neighborhood, in their yard or the fellow with the TS Truck Haulers -- that's supposed to be closed down. I was out there one day watching trailer after trailer-- I went to this party, in fact, the guy with the coffee wagon went in there today. I didn't see anything else but him. I don't know if it's his hideout or what. But anyway, Vinny, if I don't leave soon I'll be in trouble. Good night."

Supervisor Villella: "Thank you. Ann."

Ann Miloski: "My name is Ann Miloski, I live in Calverton, directly across from all the land that you are ready to-- or trying to rezone. First of all, I would like to say that as far as (inaudible) Enterprises is concerned and as far as National (inaudible) I don't think anybody in the town of Riverhead would say anything against them. They're very fine neighbors; they take care of their place; it always looks nice. And I think if you put a grandfather clause in your amendments, that would help them very

much.

And the other thing I would like to say, as far as Calverton Industries is concerned, when they were buying the property they also should have checked on the contamination because the property does have contamination on it. So I just suggest that their lawyer check out that very carefully.

And this is what I would like to say to the Town Board. I was also on the Calverton Hamlet Study and the reason we wanted to rezone this property is so that we didn't have heavy development. We are not against development and some of the things that you have written here, that could be adjusted. But I'm writing this letter to inform you that we are in favor of the proposed amendment to adopt the Calverton Hamlet Study suggestion for rezoning the Industrial A and B property to Industrial C.

This is conducive with the tourist, recreation and commercial land use needed in the Calverton area. It will allow landowners and developers to do more with their property and still enhance the Calverton area and the town of Riverhead. And I also believe that it will also make the property more valuable and even if Calverton Industries pay two and a half million, they can do a lot with that property and make a lot of money.

We urge the Town Board to pass this long overdue resolution. Thank you."

Supervisor Vilella: "Thank you, Ann. Anyone else like to speak? Bill."

Bill Roberts: "Bill Roberts, Baiting Hollow. I speak for myself and also as a trustee of the Greater Calverton Civic Association. A lot of the things I was going to say have been said, but I just want to make a few points. Calverton residents have lived a long time with the Sword of Damocles hanging overhead. First it was the airport and it was decided airport would not be built. Then there came Omni and Omni dropped by the wayside. And then the Grumman race track. Most people didn't want that. Then East End Properties, and then TS Haulers and Mr. (inaudible), and now Calverton Industries. We're not violent people, but I think we've had enough.

Mr. (inaudible) purchased the property for two and a half million dollars, in other words, it's quite a bit more than what it's assessed for. All that I see that was done on the property is that big farmhouse. They raised the porch, the windows are still boarded up but they put an American flag there. Very patriotic of them."

Councilman Lull: "Bill, if I may interrupt for just a second because we talked about this week. They repaired that porch because the Town told them they had to repair that porch. There wasn't any choice about that."

Bill Roberts: "All right. But still all the windows are boarded up, so what's going to be in there? A spook house? I don't know. We don't need anymore (inaudible) landscapes. We don't want anymore holes in the ground. We have one across the street where TS Haulers are without any permit. This is not a strip mining area that will be restored after the (inaudible). What's dug up goes out and never comes back. We love the land where we live and we don't want to devastate it by carpetbaggers who will ruin it or whatever they want to do to ring out the fast buck. That two and a half million dollars will probably line their pockets with over 60 million dollars after they (inaudible).

We want the Calverton facility to be successful in attracting tourists. And I'm sure it will not attract too many people if we had a smelly dump that people would have to ride past in order to go through Riverhead to Southold where the air is fresher."

Supervisor Vilella: "Sandy?"

Sandy Sanchez: "Actually-- my name is Sandy Sanchez, Calverton. Actually, this is one of the most heavily populated areas in Calverton. I don't think many people realize it. But within say a four mile radius, you have over 1,000 people residing. I don't know how many people know about this. And if say this property where Omni property was developed the way it's supposed to be, you'd have so much traffic and maybe even noxious odors coming in, maybe ruin the quality of life around the Calverton area there. So you're hurting all these people in all these parks like Thurms and Ramblewood and other developments up here. So I hope that you go through (inaudible) and change the zoning here and we've got

petitions in just basically in Calverton I'd like to present to the Board."

Supervisor Villella: "Thank you, Sandy. Is there anything else you want to talk, Sandy, or are you passing? Okay. Lou."

Lou Passantino: "Lou Passantino, Wading River. I'd like to let everybody know that I personally come here in favor of this proposal. The reason I would say that is because it has to do with planning. We've been saying for many years that there has been lack of a plan, people have been putting in many hours at Hamlet meetings, coming to Town Board meetings, expressing their opinions and what they basically said is we definitely need a plan. This I think is definitely what this area is going to be. It's going to be around tourism. Anything that would detract from that I think should be stricken from being developed there. I think it's for the best of the whole town. If somebody has purchased a piece of property and it doesn't conform with what they actually want, well, they may have to turn that property over to somebody else for some -- I should say fair amount. If somebody bought something ill-conceived, that's unfortunate and I applaud the idea in basic principle and all these zoning changes that may have to happen, well, let's go on with them and let's get this place into what we want it to be. Thank you."

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

James Gesualdi: "Mr. Supervisor, Members of the Town Board. Jim Gesualdi, Cahn, Wishod & Lamb, 534 Broad Hollow Road, Melville, New York. I'm here representing D'Lalio Sod Farms which owns 120-- approximately 120 acres in the Industrial A zone area that would be subject to this rezoning. I'd like to at the outset thank the Town Clerk and the Town Attorney for their courtesy in the processing of my Freedom of Information Law request that although only filed on Thursday when we became involved with this, they did allow us access to Town records this afternoon."

I have basically two ways I can go tonight. One, and particularly after some of the subjects earlier tonight, I'd love to be home with my young babies, as much as I take my job seriously, is to raise a number of concerns and objections that the D'Lalio's have with regard to the proposed upzoning. Alternatively and the

way I prefer to start is just to ask two clarifying questions which may help me to defer the laundry list of concerns and objections. The first is the matter of the referral to the Suffolk County Planning Commission. I have been able to review the County Planning Commission's February 10th letter back to the town which requested all sorts of information, including an explanation and supporting information relating to the proposed rezoning. It is my opinion respectfully submitted to this Board that under General Municipal Law Section 239M, Suffolk County Administrative Code Section A14-14 and Section 272-A of the Town Law of this state, as well as quite a bit of case law that the timely referral to the County Planning Commission of a matter like this and the receipt back of the Planning Commission's comments is well settled to be part of the deliberative process. Because the County may come back and say there are things that they don't like or say that they don't like it at all and may also come back and say you're free to do as you wish.

Bearing that in mind, I think it would be imprudent if not illegal for the town to proceed to close the public hearing prior to receiving the County Planning Commission's comments and allowing everyone, whatever their perspective on this proposal may be, the opportunity to review that and comment upon that. So my first question is under those authorities I have provided, will there be further opportunity for us to reserve our rights and comments?"

Supervisor Villella: "We will keep it open for two weeks."

James Gesualdi: "What if the County Planning Commission's determination is not received in that time period? They have-- I believe they have 45 days under the County Administrative Code to render their decision and as of this afternoon they had not received the supplemental information required of the town."

Supervisor Villella: "Would there be any problem after two weeks on that? Bob's not here."

Councilman Cardinale: "I think we agree in principle that obviously the remarks should be in the record before we make a decision. We expect them within two weeks and if they don't, the County is probably not doing their job so we'll stay on top of them to do that. But I don't think you're going to have a problem."

Obviously we want the record to reflect their comments; we want to read them; we want you to read them, and we want the public to be aware of them. So I think you can safely assume that we will do that, in fact, Bob, you just walked in. And I was answering in your absence. The question has arisen that the request-- the papers were sent to the County, the application. The response was received. The supplement was sent back. What has been our process? Do we keep the hearing open until we receive that information from the County? Has there been a pattern?"

Robert Kozakiewicz: "In the past, I think Rick would confirm what I'm saying, that we have not waited for the public hearing or not waited for the County Planning Commission to hold a public hearing. However, before we take action and make the actual changes to the codification and amend our zoning map, we would wait until those comments back from the Planning Commission."

Councilman Cardinale: "That is consistent with what I just said before you walked in. I think the closer question is this. Do we keep the public hearing open until we receive that? Or do we generally close the public hearing at some point before we receive the-- "

Robert Kozakiewicz: "Generally we have not kept it open."

Councilman Cardinale: "All right. We've had a request that it be kept open which and a citing of several sections of law from Mr. Gesualdi that maybe he can give to you and you can check to see whether it would be advisable that we keep it open. We've indicated we intend to keep it open for at least two weeks in any event."

James Gesualdi: "I have no specific request for adjournment but just that it be kept open until the County Planning Commission's comments are received and then an additional public hearing where comments can be addressed to that to the extent it may shed more light on this."

Councilman Kent: "Can you give us those cites again of the-- "

James Gesualdi: "Sure. It's General Municipal Law Section 239-M, that's Suffolk County Administrative Code Section A14-14, and I believe it's Town Law Section 272-A and I believe, yes, it

would be-- I think it's subdivision 5."

Councilman Kent: "A-5?"

James Gesualdi: "Yes, A-5."

Councilman Cardinale: "Is it your position that as a matter of law the hearing has to be kept open, or are you just suggesting it as a matter of policy?"

James Gesualdi: "I would suggest that since it is a statutory condition precedent to the lawful action of this Board, the Board is upholding the highest standards of democracy, as I know you generally do, that it would be prudent for you to hold the public hearing open."

Councilman Cardinale: "So you're saying as a matter of policy we ought to do it but we don't have to as a matter of law?"

James Gesualdi: "I think as a matter of law you do and if you don't on the advice of counsel you do so at your peril."

Councilman Cardinale: "Okay. Thank you."

James Gesualdi: "But, that's-- I'm not-- I'm answering your question. I don't mean to be antagonistic."

Councilman Cardinale: "I understand what you're saying, but I was just curious if you were-- if you had a position and if the position is that when Bob checks the law, that as a matter of law we must keep the hearing open because it occurs to me that we must have done this wrong for the last 25 years if you're correct."

James Gesualdi: "My second question for the-- Town Attorney or the Town Planning Director relates to the State Environmental Quality Review Act. There has been some discussion of it tonight and I, frankly, do not know what the procedural posture of this action is under the State Environmental Quality Review Act tonight. I do note that the public hearing for today did not have any mention of the fact that the Board was considering any SEQRA determination. I don't know if that means one has already been enacted or if one is anticipated at this time."

Supervisor Villella: "Rick, would you like to answer that?"

Richard Hanley: "With regard to SEQRA, the Board has not determined either the level of action of this motion of the Board nor has it resolved that. Normally what's done with regard to motions of the Town Board under SEQRA is that the Planning Department completes for the Board a SEQRA report as well as completes an Environmental Assessment Form with the appropriate Part 2 filled out. When the Town Board is considering a resolution to adopt a zoning amendment, there is language within the resolution which identifies the determination of the SEQRA and makes the appropriate statements under SEQRA. So those have not been done and we expect that they will be done at such time as this Board decides to act on the zoning amendment.

I can tell the counsel that it's our recommendation that this Town Board given the level of work that's been done to date by the Task Force and the Planning Department, that and given the level of impacts that have been identified, it's our recommendation that we consider a action which does not require an environmental impact statement."

Supervisor Villella: "Thanks."

Richard Hanley: "That's not happened yet; that's forthcoming."

Supervisor Villella: "That's forthcoming. Okay. Thank you. Do you want to continue?"

James Gesualdi: "Bearing that in mind, I would further reserve our rights to comment on the Draft Environmental Assessment Form which I take it is in the process perhaps of being submitted to the Town Board. And it's only through the review and comment on that that we can (inaudible) the Town's discharge of its legal obligations and the requisite hard look it must take under the State Environmental Quality Review Act in enacting any proposed change of zone. Since it appears that there will be a continuation of some sort, unless I'm mistaken and you wish to clarify that, I would reserve the much lengthier procedural and substantive concerns that I have at this point for a later date."

Supervisor Villella: "We'll try and do it as fast as possible."

James Gesualdi: "Okay, thank you."

Supervisor Villella: "Anybody else like to speak?"

Councilman Lull: "You're not going to read that whole book, are you Charlie?"

Charles Cetas: "No. I'll try to be brief. My name is Charles Cetas, Vice-President of the North Fork Environmental Council. I'm also a Riverhead town resident. The North Fork Environmental Council's position on planning is well known and we endorse the town updating its Master Plan and in the process of updating that Master Plan, you should incorporate the recommendations of the Hamlet Study and I guess our position would be that if the Hamlet Study (inaudible) then the town can probably act on that. That being said, I think we support the town in its efforts to eliminate sand mines and transfer stations in Calverton Hamlet. So the people obviously don't want it. I think they've spoken loudly tonight and we would agree with them on that. Environmental atrocities shouldn't happen in the Calverton Hamlet.

There are a couple of comments I would like to make on the Industrial C District. There is one usage you have as a permitted use, golf clubs, golf courses. Now, I had the opportunity to read some of this book-- I don't say I've read all of it, but I've read a good part of it and it's called Golf Course Management and Construction Environmental Issues. I'm not going to detail everything it said, I've just, you know, gotten some quotes out of this book and this book basically is a review of the literature on golf course construction and management, turf management (inaudible). They identify a significant environmental affect of turf grass management of golf courses and I'll just briefly read them. Leaching and run-off losses of nutrients and pesticides from established turf grass sites, soil erosion and run-off losses of sediment and nutrients during construction; exposure of beneficial non-(inaudible) soil organisms, wildlife and aquatic systems through pesticides, development and resurgence of insects in disease populations resistant to current chemical management strategies, excessive use of water resources for irrigation during drought conditions, degradation of stream and lake quality resulting from sediment, chemical and thermal pollution, disturbance of loss of wetlands which is a serious public concern, disturbance and impacts

on wildlife and also include-- it's not that human beings are wild-life but there are impacts on human beings as well from pesticides and chemical pollution from golf courses.

So I'd just like to submit these comments and encourage you to possibly-- the town should require a copy of this book or one like it. It's written and edited by James (inaudible) and William J. Walker. It was also completely paid for by (inaudible). So, anyway, what I'm trying to say here is that there are definitely significant environmental impacts associated with golf clubs, golf course development and with the, you know, obvious plethora of golf course coming to Riverhead these days, we recommend that golf courses and golf clubs be a special permit use rather than a permitted use.

I note that in the Industrial A the current Industrial A District, that golf driving ranges were special permit uses so a golf driving range is not-- doesn't nearly take up as much as land and has as many impacts as golf courses. So, if golf driving ranges were special permit uses under Industrial A, I don't see why golf courses and golf clubs should not be special permit uses under Industrial C."

Supervisor Vilella: "Charles, the reason why we are changing is because we don't want to put a strain on the school district by having that area being built up as residential. We'd rather see a golf course than residential especially if it's IPM which is Integrated Pest Management. If it's done that way-- "

Charles Cetas: "Well, if you require it, I don't know-- does the town have regulations to require these things?"

Supervisor Vilella: "I think the one on Sound Avenue is and there might be another one forthcoming wants to do that also."

Councilman Kent: "It could be required as part of the site plan review."

Charles Cetas: "Well, I guess even with Integrated Pest Management, there still could be environmental issues that you have to address other than pesticides."

Supervisor Villella: "Anything can-- "

Charles Cetas: "So, anyway, we just feel that this is something that should be special permit. Also, just one other little point. Part of this Industrial C zone is also going to be within the Wild Scenic Recreational River corridor and I'm just saying just check maybe how these uses jive with what can be permitted under Wild Scenic Rivers."

Councilman Lull: "They still have to get the state permit."

Charles Cetas: "Right, I understand. I don't want-- you don't want to outlaw all uses that may, you know, uses-- what I'm saying, you should-- you have to have some uses that could still be permitted, I guess, under Wild Scenic Recreation Rivers, that's what I'm saying. So you need to check on that."

Supervisor Villella: "Thanks a lot, Charlie."

Charles Cetas: "Okay. Thank you."

Supervisor Villella: "Anyone else like to speak? Steve? We've got to-- we'll just take a few more because we have two more that we have to hit and then we can get into the resolutions. So, one more, excuse me."

Steve Haizlip: "Steve Haizlip of Calverton. This attorney that was up her, Mr. Losquadro, I believe his name is-- he mentioned about his client not being able to use his land and being denied the right. He spoke of the work session. I was sitting in the audience here of the work session. Now here's the way I summed this thing up. Now, the way I summed it up, his client (inaudible) because he didn't come into this town and check with planning, building and any other board that may have anything to do with this land. I think this here lady down there (inaudible) hung a hat on a DEC permit that Mr. Cameron (phonetic) had once obtained on his garbage transfer. So she wasn't aware as far as I'm concerned that no town permits existed anymore. They set a fine. And there was no longer-- what you call-- limitation, time use. Other words, you are allowed one year, two years before it expires. So, now, I say that I'm getting a little fed up with these here bomb craters all over the land-- Calverton landscape. This here-- this land, if

you are going to change it from A, B to C, it should be green and left for recreation, light industry, and not clutter up the road with a bunch of trucks and seagulls at this transfer station. There's nothing more worse than a bunch of seagulls flying around in a residential area. So that's what I've got to say about this project. I don't want them bomb craters up there."

Supervisor Villella: "Thanks, Steve. Okay, we'll take one more. Sandy. This will be the last one on this."

Sandy Mott: "Good evening. My name is Sandra Mott from Riverhead. I just want to read several paragraphs from the February 25th issue of Suffolk Life entitled "(inaudible) closes compost operation." And it's pertaining to comments made by Supervisor Felix Grucci of Brookhaven Town.

Quote. Grucci said fumes, odors, airborne emissions from the facility have been imposed a negative impact on the quality of life for citizens in East Moriches and the neighboring communities. (inaudible) by town board Trustees and community members representing various civic and school organizations, Grucci called the town's latest move a win-win situation for everyone involved. This is pertaining to the Long Island Compost Company in East Moriches.

Quote. For the Town of Brookhaven, this is a major victory; for the community this will mean the elimination of a business that had a negative impact on the quality of life and the owner of the business will retreat and continue with his operation elsewhere on Long Island, unquote, Grucci said.

Reached for comment after town officials made their announcement, Charles Vigliotti (phonetic) President and CEO of Long Island Compost said he does not see relocating his operation as a winning or losing situation. Quote. This is very important work that we do and we have no interest in staying in a community that doesn't welcome us. Unquote. Vigliotti said he is considering relocating his operation either on or off Long Island. Quote. We will avail our composting work and the environmental work we do and its important environmental impact we bring into a community who welcomes us. Vigliotti said.

Suffolk Life was told by its sources that Long Island Compost

was considering at least part of its operations to Calverton/
Riverhead township. However, Vigliotti denies that was in the
works.

So, obviously, you not only have one company, you have people
waiting in the wings. So, not only this one. So I just would like
to submit this to Ms. Grattan for her cooperation and to take it
into consideration, whatever you can do to preserve and upgrade
the circumstances. Well appreciate it."

Supervisor Villella: "Thank you, Sandy."

Petition submitted with 179 signatures on it opposing to the
construction of a transfer station and/or any open or enclosed
composting or sand mining on Route 25 in Calverton."

Supervisor Villella: "The time is 9:28 p.m. I declare the
public hearing closed."

Barbara, would you like to-- oh, that's right. Excuse me.
It is not closed. Sorry. You're right we are leaving it open."

Barbara Grattan: "For how long, Vinny?"

Supervisor Villella: "Until we hear-- "

Councilman Kent: "At least to two weeks."

Councilman Lull: "Right now, at the end of business day of
the 17th."

Supervisor Villella: "To the next meeting, the 17th."

Public Hearing adjourned: 9:28 p.m.

Public Hearing opened: 9:30 p.m.

Supervisor Villella: "Barbara, would you like to read the
last-- the time is 9:30."

Barbara Grattan: "I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall, Riverhead, New York, at 7:20 p.m. on March 3, 1998, to hear all interested persons who wish to be heard regarding the consideration of a proposed local law to amend Chapter 101 of the Town Code. Section 101-3 stop and yield intersections; railroad crossings, parking fields."

Supervisor Villella: "Can I have some quiet in here? If you want to talk, you go out in the hall please. Bob, would you like to handle that?"

Robert Kozakiewicz: "Hopefully, everyone can hear me. The last public hearing is one that's being done at the request of the residents and the (inaudible) at Baiting Hollow. We currently have stop signs placed at various locations along the road of Southfield Road. The residents there asked us to install additional signs on Pleasant-- with the intersection of Pleasant Court, Southfield, Northgate Circle with Southfield, and again, Northgate Circle with Southfield. It seems like those do not make sense; it may be a typographical error. However, if one looks at the map of Northgate they will notice that the road is essentially a circle. It comes around and intersects twice with Southfield Road and, therefore, we're putting a stop sign at both intersection points."

That's the sum and substance of this hearing and, hopefully, it will be a quick one."

Supervisor Villella: "Thank you, Bob. Anyone like to speak on this? If not, we declare this public hearing closed. 9:31."

Public Hearing closed: 9:31 p.m.

Supervisor Villella: "We're going to adjourn the meeting and come back in 10 minutes. We have to talk over something and we'll be right back in 10 minutes."

Recess

Meeting reconvened: 9:55 p.m.

Supervisor Villella: "What time is it now? 9:55. We are going to start with the public meeting, comment. Rolph, would you like to be first?"

Rolph Kestling: "Rolph Kestling, Wading River. This subject has been brought up to the previous Town Board once before by somebody else and I notice the present Town Board is going along on the same route again. Applications. I notice many times there are applications on the agenda for today and in the resolutions you're acting on it and you're approving it. Now, it doesn't give anybody a chance to see what it's all about. Now, I notice a lot of times well, on this one here, the haunted house. My God, he doesn't want it until another six months."

Councilman Kent: "That's going to be tabled tonight."

Rolph Kestling: "Oh, it's going to be tabled tonight. Okay. The next one, 164, I'm not for or against anything, but I found a lot of times when you have an application, we vote on it the same day, over the past nine years, well, these things are a done deal already. They're asking for an application on something and it's already been done and you're going ahead and voting (inaudible). Now, I'm not saying it has anything to do with these, but it has happened at other times and I know the guy has done the job months ago already and then you vote on it. So I would suggest applications, next meeting you vote on it. Thank you."

Supervisor Villella: "Rolph, no, go ahead, Bob."

Robert Kozakiewicz: "Brief comment. I know that with respect to-- this thing doesn't seem to be working here-- does this work? But with respect to the site plan which you refer to, our procedure has always been that until the very final site plan is submitted, it undergoes sort of an inhouse review and then at the very end, it's then distributed via the town clerk's office to the Town Board members, my office, the building department and others. And usually is voted on very rapidly."

I know that this Town Board has had some thoughts about revising the site plan procedure. It's been discussed with various organizations and groups and the idea is to make the site plan process one that's, in fact, made available to the public earlier.

So, your comments are well found. I just wanted to make that comment."

Rolph Kestling: "Okay."

Supervisor Villella: "Thank you, Rolph. I didn't want you to think you were the same. Joyce Litts. And today is your birthday. Happy Birthday, Joyce."

Joyce Litts: "Thank you very much. My name is Joyce Litts. I'm a resident of Riverhead and I'm also the President of the Mobile Homeowners Association of Eastern Suffolk. I'm bringing to the Board some additional petitions. In your correspondence you said you had to date received 764 petitions. I don't know if that was signatures or petitions. Tonight I have approximately another 500 for you. We still have petitions out at the Jewelry Clinic, the Maple Tree Deli, Pancake House, Automotive-- Riverhead Automotive and Warner Oil. We're going to end this campaign at our next board meeting here, January-- February-- no, March, even my birthday and I'm all-- March 17th. And that will be the end.

I'd like to turn these over to the Town Board now."

Barbara Grattan: "Joyce, that was 767 signatures."

Joyce Litts: "Okay. We have approximately another 500 here. And I understand Mr. Ed Siegman (phonetic) of TaxPac (phonetic) in Mattituck has gathered another 1,500 or so. My understanding is we've gathered now about 3,500 signatures against the increase for cablevision."

Supervisor Villella: "You're doing a great job, Joyce."

Joyce Litts: "Thank you very much. I'd like to give these to Barbara."

Supervisor Villella: "Jim Britenbach? Jim? Barry Barth."

Barry Barth: "My name is Barry Barth and I just would like to speak to the Town Board about the RFP for the use of the property for the aquarium. The Town Board showed a lot of wisdom when they purchased the property from Riverhead Building Supply and we moved

very rapidly through a lot of unfortunate events. But in the RFP process, there were two respondents and it's-- I don't think any of us want to see this issue decided through the media. There's been some advertisements by both organizations and there's been some misinformation disseminated out there. We've made-- the two organizations have made presentations to the Town Board at work sessions; they've made presentations at Town Board meetings, and it's my hope now that the Town Board would pass a resolution to begin to negotiate with that group that responded most favorably to the RFP in completeness of the application and in honesty and fairness to the request for proposal that was put forth.

I hope that you can begin the negotiation process. If you have to set a time limit, I think that both groups would agree to it and if you can't come to a resolve with one group, then certainly move onto another. But I think that enough time has passed. The bonds and interest rates are very favorable now and it would be a shame to wait too much longer and it is our hope that we would have the traffic generated that we all dreamed about for a number of years."

Supervisor Villella: "Thank you, Barry. I would like to see -- I would like, excuse the expression, put to bed by next Town Board meeting. It will be two weeks. We will make a decision. Yeah, but there was something with the RFP. I know in the RFP proposals like you've been saying, the original Town Board made that but we drifted off that because first of all the new Town Board came on and we really didn't know that much in January but we know a lot more now already. We're the ones that made it go off stride from the original RFP because I wasn't happy with both of those agreements back then in December. But both agreements now got better and we will make a decision in two weeks. We are going to make a decision probably soon, but we're going to have the resolution in two weeks."

Barry Barth: "To begin to negotiate with one of the groups."

Supervisor Villella: "Exactly."

Barry Barth: "I think that's fair. And, you know, it's a learning process. As you demanded more from the various groups, the offers got better. I think the town comes out a winner. We

just want to see this process expedited and we want to, you know, stem the tide of misinformation that's out there and rumors and we all know how that works and that's not in the best interests of our town. So, I appreciate that."

Supervisor Vilella: "Okay. Thank you, Barry. Dave. Yes."

Dave Mackney: "I'd like to ask if-- my name is Dave Mackney from Calverton. I'd like to speak on the Okeanos. I'd like to know, does anybody know-- well, Okeanos, whatever it is-- is Andrea Lohneiss on the ACA Board? Does anybody know if she is or she isn't? She is on the ACA Board. Originally, it wouldn't make any difference to me one way or the other if she was on the ACA Board because it would be good to have her on that ACA Board when we first started this situation. Right now, I think it's a conflict of interest when you have two different people vying for one contract and you have a town, a person that works for the town community development on one of the Boards of the ADA. I don't think that's right."

Supervisor Vilella: "I was just corrected on that, Dave."

Councilman Lull: "Just one second. Jack-- I have an answer. Officially as far as the Board is concerned what is your position with the ACA?"

Supervisor Vilella: "Jack and Andrea are both-- "

Councilman Lull: "As you know, Dave, when it was clear that there were some serious problems in the original group, we asked members within the town to oversee and they were Jack Hansen and Andrea. And my question right now, Jack, is in answer to his question. What is your position on the ACA? What is Andrea's position on the ACA?"

Jack Hansen: "Both Andrea and I are on the Board of the ACA. I am treasurer and Andrea is secretary."

Councilman Lull: "Okay."

Supervisor Vilella: "Thank you."

Dave Mackney: "What I did like to ask, did-- I don't want to ask Bob Kozakiewicz, but we do have attorneys on the Board here, is that-- put you on the spot, didn't I? But what is your feelings on that? Do you think that's a fair thing to have the head of the Community Development Association on one, when you have two-- I mean that, to me, is clear conflict of interest. I don't know about you; but it doesn't look good to me."

Councilman Kent: "Well, it's been disclosed to us and I in my own mind, I do not feel I'm giving that any weight whatsoever in my decision making process."

Supervisor Villella: "They have no vote either. Am I correct on that, Jack? You have no vote?"

Jack Hansen: "Both of us, both Andrea and I do not volunteer if you will to that Board. We are the representatives of this Town Board on that Board. We do have votes, but we didn't decide, our (inaudible) activities decide we are going to go on the ACA. We represent the Town Board there. That's why we're there."

Councilman Cardinale: "Dave, I think there is no question in my mind that there's a conflict of interest. There's no question they shouldn't be on the Board. There's also no question in my mind that Jimmy Bisset (phonetic) is probably not going to sue on that issue but it would be safer if they were not on that Board and I believe, in fact, that our own attorneys have advised us the same thing."

Dave Mackney: "Okay, thank you. Just a couple of-- I'm going to run through them quick. You have to bear with me because you know my position is I can't get here all the time and I'm probably way behind everybody else but I'll try and get through this quick with as little bloodshed as I can. Barry Barth said he was up here and I don't know the correct word-- Barry's here and I'm glad, he maybe can tell me-- that they didn't need to make money, something to that effect, you know. With this attitude, this was at one of the Board meetings when Jim was still here, you know, when I made one of the Board meetings. With this kind of attitude, people talk about well, they're going to get grants. I forget who said it in the paper that they're-- because they're-- yeah, they're going to get all these grants. I tell you, even with this attitude, you can

get all the grants in the world and you wouldn't keep this venture afloat. They've got to go in there with the idea that they're going to make money and if they're not going to make money, they're not going to expand this thing and the thing-- I don't know. And it seems to me like the ACA always wants to use other people's money, mitigation money, bond money. I wonder who pays the bond if they fail? Will they be personally responsible or will the taxpayer be responsible."

Supervisor Vilella: "The town has nothing to do with it, believe me, you know, that was my campaign. So, that's out."

Councilman Lull: "That's never been-- it's never been an issue."

Dave Mackney: "Okay. One quick thing. If you are going to give them a 600,000, we will also (inaudible), if he wants to do his or we only give one part of 600,000."

Councilman Lull: "The 600,000 you're talking about, Dave, is the 600,000 that was given as part of the impact money from the Tanger Outlet Center. The Tanger Outlet Center having an impact on downtown, it was decided that the one mitigating-- one way to mitigate that impact was that there would be a traffic generator downtown on this spot and that money was essentially given for use of developing a traffic generator on that spot. Okay. That was originally a million dollar donation. There is \$600,000 of that left. That \$600,000 can be used for this purpose if it is so determined in negotiations that are settled between the Town and the sponsor that we choose. So that money right now is money-- is impact money that was earmarked for that spot."

Originally it was supposed to be earmarked for an aquarium and under suggestion of counsel, it was agreed that no, we don't do that because then if something else is developed, then Mr. Tanger can say, give me your money back because it isn't for an aquarium. The idea is that that, however, was for development, that spot, as a traffic generator for downtown. That money, that \$600,000 is available. It can only be used for that purpose. It can't be used for any other purpose. It can only be used for a traffic generator downtown. If the town decides to include that as part of their negotiations to get a better deal from either one of the group,

that's a possibility since the money is not taxpayer money, it doesn't have an impact on the taxes."

Dave Mackney: "Oh. But what I'm saying is if we're going to give one part of the-- "

Councilman Lull: "We're negotiating with either one."

Dave Mackney: "-- 600,000, we should give \$300,000 to one and \$300,000 to the other."

Councilman Lull: "No, no, you are misunderstanding, Dave. That money is to be used for the development. Only one group will be chosen as a sponsor to develop it. At that point, then negotiations can begin. You can't negotiate until after you've selected a sponsor."

Councilman Cardinale: "I certainly don't want to disagree with Congressman-- Councilman Lull this late in the evening. But that is not my understanding at all. My understanding is that the \$600,000 if not used for the aquarium would be useable for other projects within the downtown area. Also, I think as I've said in the last meeting, it is an imprecise statement to say that we are selecting someone to negotiate with when we make our selection in two weeks or four weeks. When we make a selection, our attorneys will be very close to presenting a contract to those people. We have been negotiating with these two entities for the last two months. And we've been making a deal-- "

Supervisor Villella: "I haven't been negotiating-- "

Councilman Cardinale: "And we've been making the deal better; we've been going back and forth with correspondence, we've been asking them to clarify what they were willing to do. So, in fact, we have been talking to both groups in the last two months. I've seen correspondence, they've sweetened the deal to some extent in both instances. So I think two things my point is to. Number one, I believe that a traffic-- that the 600,000 if not used by the aquarium, could be used within the downtown area for other worthy causes. Number two, I believe that the negotiation has already begun in honesty and that the group that is selected, assuming that it is the ACA for example, they pass the bond, they're going to be

group that runs that aquarium. It's not going to be in negotiation with one group and then negotiation with another group. The one that's selected is going to be the one that is going to get this project. The only caveat is that the ACA group has a big condition and that condition is if they pass the bond, they'll go forward. Mr. Bisset does not have that condition."

Dave Mackney: "I'd just like to-- I have this thing here so I'd just like to run through it because I know everybody's tired and you know like to go home. All right. But I really question the commitment of the ACA to this project. They really haven't done a good job until today. They really haven't. They've taken money and, you know, slid around and we don't have anything for it. You know. What's to think they are going to be different now, you know. I don't see it. Jim Lull, you seem to think that it's okay for the ACA to change but you talked about in the newspaper-- I hope I've got this right. If I don't, jump on me. That you said that the piece across the river was-- there was no SEQRA on it or something like that. And they couldn't take that piece off. Now, what my idea of this whole thing was that we were going to exactly what everybody here said, that we were going to allow them to move around and do what they wanted as long as the town got the best deal. Now, you're telling me or the newspaper, if I read it right, that you don't want them to get off that piece across the way and it will be conditioned on that. Is that what I read right or not?"

Councilman Lull: "There is a legal requirement under SEQRA that if a project is presented and that project is presented in its entirety, then the project which is presented in the RFP is the project which must be dealt with. There is a different condition which must be dealt with if you decide to segment the property."

Dave Mackney: "Well, then the ACA can't make any changes and the whole program that you did is useless as far as I can see. You know. What we're trying to do here, the Town Board last time under Stark, he didn't want to do anything because he wanted to get the best deal for the town. God bless him. All right. First time I probably ever, you know, agreed with Jim the whole time he was here. But I did agree with him that we should give both a shot and the best one. Now you're saying to them, no, you can't cut this part off. You know. But-- "

Councilman Lull: "Whoa, whoa, I'm not saying this. It's state law, okay. I'm not saying this. There is no way that anybody else can change their RFP. When we put out an RFP, and they put in the proposals, that's the proposal. That's the way it stands; that's what the law says."

Dave Mackney: "Okay. Mr. Cardinale, you ask Bisset to step in if the ACA couldn't get bonding. Now, what don't we put the shoe on the other foot. All right. Let's say, why don't you give the Seaquarium the deal and if he fails, he'll lose his own money. All right. He's not going to lose any of our town money. All right. And the bond and all the rest. He's going to lose his own money. I don't think the guy is going to fail. But say if he does, he's losing his own money. Then at that point you could say to the ACA, okay, now go out and get a bond. Right. That's the way I figure and that way you would at least get the thing rolling. You know what I mean? And just a couple other things."

Councilman Cardinale: "Dave, while you're looking in your notes. I had asked Jim Bisset the question if the ACA were selected and they did not pass the bond within four months or so, would he be there to pick up the pieces? And Jim, being a businessman of who I respect said, Yeah, I'll be there but not with the same deal. So I want the town to know that if we do that, the deal that Bisset will offer us in four months will definitely not be the as sweet as the one he's offering now."

Supervisor Villella: "And also to throw a monkeywrench into it. There's already two other groups that approached me and would like to do something on that property. But we can't do anything with that."

Dave Mackney: "Okay. Now, in conclusion I would just like to say the Seaquarium is using its own money. He has adjacent property. This is the big thing, to enlarge the aquarium and he has the vision of Sea World. I think this guy understands what's happening; he wants to make a real generator not a little something here, there. I mean he's talking, you know, big time-- a million people a year. And if you guys want to move downtown, you want to move the area; you really want, you know, people coming in here, then you've got to-- you can't have this little, you know, people that don't think they have to make money and stuff like that. You

want this thing built; you want it built big; and you want it built now. Okay. 1999. Not 2000, 2002, 2003 when maybe we might get a bond."

Supervisor Villella: "Dave, we just said we're going to take care of it this week and have it on the next meeting-- "

Dave Mackney: "Okay. I'll just finish this. I get carried away. I can't help it."

Supervisor Villella: "Okay. Because we've got to-- we've got a few more."

Dave Mackney: "I don't think Bisset will let this venture fail and he's got his partner's money and his own money at stake. I think he'll make it work, you know. Don't make another mistake. Why don't you go with the man with the money in his hand? Thank you."

Supervisor Villella: "Thanks, Dave. Carol."

Carol Higgins: "Hi. How are you? I'm here tonight to talk-- Carol Higgins from South Jamesport and I'm here to talk about the rubble on the Lebanon property. I'll leave the big building alone for tonight. When are they going to clean the mess up?"

Councilman Cardinale: "You know, that's a very good question which I had observed myself before you mentioned it and had not bothered to ask Mr.-- Leroy Barnes what the story was on that as to removal."

Carol Higgins: "Not only is it fire rubble, people are now starting to dump things there. There are (inaudible) and picket fences and garbage and an entire cinderblock wall which wasn't in the fire because it's not scorched."

Councilman Cardinale: "Leroy is not here tonight, although I understood it to be our policy to have department heads here. Is he on vacation? Sharon is here. Sharon, can you tell me what the story is on that? What is the town's position on how long rubble can remain after a fire?"

Carol Higgins: "And can they enclose it because there are children playing all over that now."

Councilman Cardinale: "What is? Well, yeah, but the rubble from that fire I assume is a, well, it's certainly an aesthetic disaster but it's also a danger. How long can that remain?"

Sharon Kloss: "We have two issues here. There's rubble from the fire but there also appears to be additional dumping which is going on at the site. We received-- the building department received a notification that this was occurring two days ago. We dispatched an inspector to the site. The inspector ascertained that there was dumping going on. At that point, the issue was turned over to the town attorney's office for guidance with respect to how we contact the owners and we're waiting for direction at this point in time."

Councilman Cardinale: "Well, I assume people are dumping there because there's a lot of rubble to begin with and what's a little more, right? Is that what's happening?"

Robert Kozakiewicz: "Yes. With respect to the additional rubble or additional debris, I suppose that is what is occurring. I received notification of this earlier this week or late last week from the building department. I have not had a chance to discuss it with the owner. I know one of the things that was talked about was securing the property by a fence in order to prevent access by outside individuals. I'm not sure if that would answer the problems out there or create other problems. It seems that everytime we answer something we create another problem."

With respect to the rubble, I don't have a quick and fast answer for that. I think part of the problem has been that given all the red flags and issues raised with respect to so-called contamination or alleged contamination on site, it's caused any garbage to appear (inaudible) and it's become difficult to remove it. So I don't have any hard and fast answers today. I certainly will take it up with the owner and with Mr. Cardinale who has been involved a great deal with this particular file."

Councilman Cardinale: "Incidentally, is there, to your knowledge, a time period during which rubble from a fire must be

cleared out?"

Robert Kozakiewicz: "Under our codification there is nothing that addresses that."

Councilman Cardinale: "Really."

Robert Kozakiewicz: "I don't know if there is anything under the New York State Building Code."

Sharon Kloss: "Whenever you have a fire, the actual rubble of the fire or what's left of it, generally becomes an issue with respect to the property owner's insurance companies, etc. So what generally has to occur is those issues must be settled first before the debris can be removed."

Councilman Cardinale: "Yes. But is there a time limit? Because what's happened-- this is a generic problem. If you walk round town, ride around town, you see a lot of burned out places that are in no rush to-- for the rubble to be cleared up. Is there legislation that you are aware of? Because I am not, that addresses that?"

Robert Kozakiewicz: "Let me rephrase this because this is a little bit of a different scenario. In a general sense where the fire is such that there is still some structure remaining, we've packed it under the Chapter 64 provision. So we have, in fact, passed that Chapter to accomplish the goal of getting the property cleaned up."

With respect to this particular piece of property, it's a little bit of a different (inaudible) so it doesn't fit right into Chapter 64 proceedings. Reiterating what Sharon has mentioned, oftentimes when we have a fire such as the case here, and the property owner has insurance, there is often the practical problem that they have to deal with their insurance company and insurance companies are adamant that the site remain as is in order for them to determine the liability of the claim and to determine whether they are going to pay the claim. That was part of our problem that we had with respect to a structure in Aqueobuge where the owner had indicated a desire to demolish it and went through many months of litigation and take with the insurance company and ultimately the result

was that we were able to get that structure down and the property looks better."

Councilman Kent: "The deli you're talking about?"

Robert Kozakiewicz: "No, across the street."

Carol Higgins: "And (inaudible)."

Sharon Kloss: "The difference is, okay, as Bob was saying, the difference is what's left. If you have a building which is able to be secured, if there's sufficient material left to secure a building, then we can invoke the state code to make it secure. If there's not sufficient left to do that, then we have a different problem. And that's what we're dealing with on this site. There's not sufficient building left to secure a building; there's a pile of rubble."

Supervisor Villella: "What about the safety hazard? The piles and, you know."

Councilman Cardinale: "Yes, just to take it to its generic extreme and then I will promise you that I will discuss this further with Leroy and with Bob and Adam. If you take it to the generic extreme, which you just told us is that we have no time limit that that rubble could ever disappear unless the insurance company decides they're willing to pay for it. And with these guys, for all I know, they didn't have insurance. So we have to figure out if we don't have something on the books of the town to get something on the books that if a guy has a fire and he has a lot of rubble sitting there, that there is a specified time period which he and his insurance company or he alone ought to get this stuff out of here, or else we're going to do it and put it on his tax bill. But I understand the issue much better and I appreciate you're bringing it to our attention. I'll speak with-- and I'll get back to you within the week. It's not a very difficult issue. We either don't have-- need the legislation and will have it or here's state legislation we're not aware of. But I can't imagine that it just stays there forever."

Carol Higgins: "I can't imagine that we have to-- I mean, forget the other building. That's open in the back anyway. I

alled Sharon on that yesterday."

Councilman Cardinale: "We're talking about the rubble, not the building, right."

Carol Higgins: "We'll forget the building for tonight. It's danger and at least have the man put a fence around it."

Councilman Cardinale: "Thank you."

Carol Higgins: "Thank you."

Supervisor Villella: "Thanks, Carol. David Nelson."

Louis Passantino: "Dave Nelson had to leave since we had such long meeting tonight. Again, Lou Passantino, Wading River. The reason that Dave wanted to address an issue in Wading River and he wanted to get it on the record early this year so that-- I know that he's spoken about this at the Wading River Civic. We had some representation from the Town Board there, a few meetings ago, I'm talking about the Wading River Creek."

Supervisor Villella: "As of right now, Lou, we tried to settle with Lilco and Lilco denied the settlement so we are now suing Lilco."

Lou Passantino: "Okay. Because the question came up, they wanted to ask this of the Board, is there something that can be done this year to make sure that we can get boats through that creek? Because there is no other way to get your boat in the water unless you have a four wheel drive vehicle and-- "

Supervisor Villella: "Well, you still can't get it through here."

Lou Passantino: "Well, that's the thing. If we do have a ramp there, you can secure an opening that would be appreciated. I just want it to go on record at this time that the Civic is just questioning as to how we're doing with that case."

Supervisor Villella: "Okay."

Louis Passantino: "Now, could I say something? Okay."

Supervisor Villella: "Is this Lou or David?"

Louis Passantino: "This is Lou."

Supervisor Villella: "Okay."

Louis Passantino: "I wanted to note that one of the first resolutions I see here is the appointment of the new town attorney. I would like to congratulate you on that decision. I'd like to thank Bob for all the good work he's done for many years."

Supervisor Villella: "Bob's still going to be here."

Louis Passantino: "I know. But the way it works out is I wanted to let both know that I've always appreciated the work they've done. And-- or I should say the work he will be doing. And are there any other resolutions tonight that are not on paper that you are going to be voting on tonight that we could discuss?"

Councilman Lull: "No. As a matter of fact, we're taking two off the list."

Louis Passantino: "Okay. I just wanted to ask that question. Thank you."

Supervisor Villella: "Is Dean here?"

Louis Passantino: "He had to go home, too. But I'm not speaking."

Supervisor Villella: "Okay. That-- now we go to resolutions. Anyone else-- George."

George Schmelzer: "About the Riverhead Library. Also (inaudible) they had a vote to extend the library not in November but later on so they'd make sure to get it passed. Now the paper says, Suffolk Life, that they're proposing a room where they have coffee and vittles and snacks. If they do that, they are going to encourage people to hang on around there. Like when they had to lose the railroad station, too many hangers on. Now, if they hang

around in there just to get out of the cold, get out of the rain, get out of the heat, if they cut-- the heat's off, they'll still stay there. It won't be a library. And the people come there for library business will get disgusted and the whole thing will be shot. I think we should try to convince them not to open that eatery otherwise you will encourage people to come in there. It's a good place to go. Really. I'm just saying that because maybe people can influence the ones who run the Trustees of the library-- "

Supervisor Vilella: "We've got one right here. Maybe he'd like to add to that."

Councilman Cardinale: "I do know that the idea was obtained from some of our neighbors to the west who have successfully run coffee shops and have opened up a portion of the library for the very reason you don't want to open it up, George, as a living room for the community. And that's the-- that is I can tell you, the new wave-- that's the word, the new wave in libraries is that the library should be a living room for the community, at least in part. And so that there's going to be a room and it's going to overlook the lake and there's going to be a little coffee shop. We're not going to feed them too much because we don't want to be in competition with the other eateries in town, but it's not going to be very dramatic but I think it will be nice to be able to get a cup of coffee without having to go three blocks downtown."

George Schmelzer: "Well, you're in favor of it. If it doesn't work, they're going to put the (inaudible) on you then."

Councilman Cardinale: "Well, I guess so. But that's in my Library Board hat. You can't blame the Town Board for that. They didn't do it."

George Schmelzer: "No. I'm just trying to make publicity see that."

Councilman Cardinale: "Oh, thank you."

George Schmelzer: "That's all."

Supervisor Vilella: "Free publicity. That was good."

George Schmelzer: "Some might not like it, some will. Some in the library agree with me; I know, because I don't want to mention names, and some don't. So, this million bucks I hear about the railroad is spending on the railroad station, to me that's pretty pretty. Because it's someone else's money people say, oh, let them spend it, we don't care, it's not our money. The railroad station has been there since the turn of the century, maybe 1910, whatever, and I don't think nobody here remembers when it was put up. And that's good enough. If you want to open it up. Where's a million dollars going? If you want to have a million dollars spent, improve the service. That's what we need an improvement in service. So we have a train that stops at every station from Greenport to Onkonkoma."

Supervisor Villella: "You're right, George. That will happen. It's not going to happen now because we have to have some generator or that to bring the people."

George Schmelzer: "Well, if you are going to start throwing that million dollars away for nothing."

Supervisor Villella: "Wouldn't it be nice if we have the new state courts there and then we have a hotel revitalization on Railroad Avenue and I think that would open up the railroad process."

George Schmelzer: "You don't need a railroad station that big. It's big enough the way it is."

Supervisor Villella: "We'll make you the conductor."

George Schmelzer: "Huh?"

Supervisor Villella: "You can sell coffee and doughnuts against the library group."

George Schmelzer: "The word conductor has ducks in it."

Supervisor Villella: "All right, George."

George Schmelzer: "Wait a minute."

Supervisor Villella: "Oh, another one. Okay. One more,

George."

George Schmelzer: "I read in the paper some group talking about working out the Greenbelt so people can look at the greenery when they go past in cars. Instead of looking at the car in front of you, you've got to look at the river so you smack the car in front of you. That's brains. And one thing they don't mention, how are they paying the people for the buildings and the land? If they don't think of that, I think they've got a Communist mentality. And I mean it. Whoever said that. And there's no thought or any word about who's going to pay for that. I read that law that the former Town Board asked them to do, which they had no public hearing to my knowledge, and the state is not responsible for financing it. The town is. So why not ask the state to rescind that damn law; get rid of that damn thing and get rid of that scenic river on the north side, let them have it on the south side. Then the people can have some incentive and ability to refurbish their buildings. Right now why should they do it? They ain't getting paid for it. Can't get a loan; can't do this; can't do that. That's crazy. And we could extend the sewer down to the dog hospital and also the public water if-- the town is so concerned about Main Street. Otherwise, if it's so important to have the people look at the river, why don't you make a park out of all the bay side of Peconic Bay Blvd. How would they like that? There's (inaudible), that's a little different. They wouldn't want that. That will shut them up fast. That's why the people (inaudible). That's all, you can take it from there."

Supervisor Villella: "Thank you, George."

George Schmelzer: "Okay, I'm going home, the hell with this."

Councilman Cardinale: "I wish we could leave now, too, but we have to stay."

George Schmelzer: "I don't want to listen to all these resolutions-- revolutions-- whatever you call it. So long."

Supervisor Villella: "Okay. Sandy. Thanks, George."

Sandra Mott: "Sandra Mott again. Riverhead. I just had a question regarding the aquarium. About 18 months ago, there was a

rogram, I believe it was on 27, regarding hurricane emergency preparedness and in that they did an overlay as to flooding that could take place in Riverhead and one of the overlays brought the water level up to the backdoor, the top level or the back door of the wezeys. I don't know if that would affect the aquarium and whether or not they would be insurable. But I think that consideration should be looked into since residents such as people living in Glenwood Village were going to be dropped because they live within one mile of the river for insurance coverage. And Mrs. Acampora's office had to make a very strong effort to get the people re-assured. So I think whoever is doing whatever project, some project is important, but I think they are going to be considered the insurability of that location because we see what happens on the west coast and whoever is looking into it, I think maybe that question should be brought up. It would be a terrible waste of money as well as loss of life of the animals.

My second concern is regarding Mr. (inaudible) letter. Again, I think it was from the same issue of Suffolk Life regarding the potential use of Calverton, former Grumman property, for a race track. I ironically reconnected with an old friend from high school through the Internet, and she is affiliated with Nascar. And I suggested to her, gee, when you're in Riverhead, when this event takes place, possibly it's an option for the town, that we get together on a regular basis. She said it's not likely. It's not likely because you do not have the infrastructure. You're bounded by George's one side of the scenic river which he keeps referring to so you obviously can't expand that rear exit. The main road in front of it, she told me for example in New Hampshire, they have to turn the road around, south on 95, when they're exiting-- and we're talking about 130-- 140,000 people, double what Mr. (inaudible) referred to in his statement in the message to the Town Board-- 10 to 140,000 people exiting at the same time. They have to turn one of the northern roads that are going along 195, the major highway in New England, to become a southern route. They have to use two southern routes I believe and one northern route turned into a southern route. You're talking double what he's saying in regard to the numbers of people. Again, we don't have the hotels, we don't have the restaurants and we don't have the sewage. In addition to that, the traffic congestion-- you would have to increase the cost of the police department.

You talked about an aquarium downtown. Who's going to move where, when? I mean everyone in town is going to have to stay home and the people who are coming to town unbeknownst to them are going to get locked into a traffic jam and no one is going to be going anywhere? The Master Plan is crucial. I support and you know I support you all in your thoughtfulness and your direction but when I (inaudible) as I said, I talked to this friend of mine. She said you just don't understand the numbers of people that come. They have to stay 50 miles in Dover, Delaware where there's another major race track-- 50 miles away for the team, the members of these race track teams. And we're not talking one or two people like we have here at Riverhead Racetrack. You know, attending to the needs of that car and the materials and tires and so on and so forth.

And ironically enough this weekend there was Days of Thunder with Tom Cruise on TV and Robert Duvall pertaining to the Daytona 500. Take a look at the height of those stands that have to accommodate the 130 or 140,000 people. If you're-- that little platform that they have at Splish Splash, it's sort of an eye catcher and have the American flag at Tanger, another eye catcher. You're going to have this huge stand up there. This is a seasonal industry that's going to be a detraction if brought to the point that Mr. (inaudible) and Mr. (inaudible) presume it's going to be. I really think those thoughts should be taken in hand.

And my other third comment, and I know everyone is tired, back to racetracks. I was wondering if anyone has investigated the starting hour and the fireworks status as to our racetrack. I brought that up two weeks ago."

Councilman Kwasna: "Well, we have-- I've been in contact with the town attorney. We did receive the schedule, the tentative schedule for the year which we believe the dates fall under the town codes of what they were stated the dates they were allowed to have. As far as hours pertaining to fireworks and anything else, they'd have to put in for permits through the Town Board as these events occur and they are governed by the hours that are set up in the racetrack code in the book, which is no race is allowed to begin after 11:00 p.m. at night on a Saturday night."

Sandy Mott: "Come on down to Glenwood in the summertime. Many

some and start. Has there been consideration as to moving up that hour of the starting time?"

Councilman Kwasna: "Not this time. The Board has not discussed it yet."

Sandra Mott: "No. Again, if that could be considered just moving it up three, four hours to bring it closer to the 10 or 11:00, I'm sure, you know, everyone's moved into the area knowingly, knowing that it's there. That's all my concern is, that it be brought to-- and that's what you said the published times. I get all of their literature and all of their advertising and (inaudible) and that would be their explanation. That if we do it soon enough, we'd be able to accommodate. That's all. Thanks."

Supervisor Villella: "Thank you. All right. The last one. Steve."

Steve Haizlip: "Steve Haizlip of Calverton. On the open hearing for the Calverton Industries, you said you are going to leave it open until the 17th of March. My question is, will any written comment be allowed to be addressed to the Town Clerk? I guess you address it to the Town Clerk."

Supervisor Villella: "Yes, that's correct."

Steve Haizlip: "And since I did speak on it that won't prohibit me from putting in written comment?"

Supervisor Villella: "No. Thank you, Steve. Now we can do resolutions. Resolutions, guys."

Resolution #145

Councilman Cardinale: "This resolution appoints town attorney, dam Grossman, who is here and has weathered the four hour meeting and who I would like to introduce to the crowd before the vote. dam, would you like to stand up, please. And he did not change his mind. He really is here and he really-- for some reason unknown to us, wants this job. The-- I'd like to consider also at the same time, 179 which is an appointment of Bob Kozakiewicz as a part time attorney for the town. And we're going at his request,

table 179 to work out some specifics but the bottom line of it is that I wanted to thank Bob and I know in the two months I have worked with him he has been straight up, genuine, well-informed, prompt to reply and very professional in his assistance to me and the new members of the Board. I think all of us could say the same thing and I know that he has two big fans in Mark and in Jim. So we want to thank you very much for the work and we look forward to your working with initially as a mentor with Adam and subsequently as a co-town attorney with him to help the town as you have done for the last four years. So I want to thank you very much and I want to introduce you to Adam and with that, no further adieu, I would move Resolution 145 and remind the public that we will revisit 179 in two weeks and will undoubtedly pass it and that Bob will be working alongside Adam. So with that being said, Resolution 145 is moved."

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

Supervisor Villella: "Moved and seconded."

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

Resolution #146

Councilman Kent: "This resolution awards the bid for heating and air conditioning system replacement in the accounting office. The bid is awarded to Carter-Melence at a total cost of \$41,531. 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 #147

Councilman Kwasna: "Authorizes the town clerk to publish and post notice to bidders for roof replacement in the George M. Young community center in Jamesport. 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 #148

Councilman Lull: "148 adopts an amendment to Chapter 52 entitled Building Construction" of the Riverhead Town Code. The hearing was held on the 7th day of-- 17th day of February and this is the resolution following. 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 #149

Councilman Kent: "Resolution #149 is to adopt a fee schedule for electrical inspections under Chapter 52. I'm going to move that we table that. After speaking with the building department, they requested an opportunity to provide us with an amended resolution that will be considered at our next meeting which will be-- provide more information for the Chapter amendment. So I move to table that resolution."

Councilman Kwasna: "I'll second that."

Supervisor Villella: "Moved and seconded."

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

Resolution #150

Councilman Kwasna: "150 awards bid on traffic signs and related items. 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 #151

Councilman Lull: "151 accepts the letter of credit of Schembri Enterprises, LLC for road and drainage improvements of Country Vue Estates. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #152

Councilman Cardinale: "This resolution approves the temporary sign permit application of Riverhead Centre, LLC. 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 #153

Councilman Kwasna: "Authorizes the attendance of Riverhead Town Volunteer Ambulance Corps member at a JEMS conference is up-state New York. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

Supervisor Villella: "Moved and seconded."

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

Councilman Kwasna: "I'm sorry, before you do that. I stated upstate New York. This is a JEMS conference in 1998 in Baltimore, Maryland, the sum not to exceed \$3,700. Sorry."

Supervisor Villella: "That's all they have left in their account."

Barbara Kent: "Councilman Kent."

Councilman Kent: "I'll second that."

Supervisor Villella: "Moved and seconded."

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

Resolution #154

Councilman Kent: "This authorizes the Town Clerk to file form TE9A with the New York State Department of Transportation. I'd like to amend this resolution just to read in the first WHEREAS that these are speed limit changes on roadways located in the Calverton area instead of throughout the town. I think there's two locations that they're considering speed limit changes in Calverton. So moved. With that amendment, I would move it."

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

Supervisor Villella: "Moved and seconded."

Councilman Kent: "Baiting Hollow, Calverton, you want to add? Baiting Hollow, Calverton, that's the amendment. I move to amend the resolution to read that way."

Councilman Lull: "Okay, yes, I second the amendment."

Supervisor Villella: "It was moved and seconded."

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

Resolution #155

Councilman Lull: "Accepts performance bond of AMB Equipment Leasing, Inc. for Sound Breeze, Sections 5 and 6. So moved."

Councilman Cardinale: "Seconded."

Supervisor Vilella: "Moved and seconded."

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

Resolution #156

Councilman Cardinale: "This 156 approves the special permit of Clarissa Roesler - Corwin House Bed & Breakfast. I think this is a correction you're telling me from a misspelling the last time."

Councilman Kent: "The last time it said Conklin."

Councilman Cardinale: "So moved."

Councilman Kwasna: "Seconded."

Supervisor Vilella: "Moved and seconded."

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

Supervisor Vilella: "And we're sorry about making the wrong name on that."

Resolution #157

Councilman Kwasna: "Authorize the Town Clerk to publish and post a help wanted ad for Public Safety Dispatcher in the Riverhead Police Department. 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 #158

Councilman Kent: "Authorizes the submission of a grant application for crime victim/witness assistance program. 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 #159

Councilman Lull: "159 approves the application of the Riverhead Chamber of Commerce to conduct an antique show on the Peconic River in the Peconic River parking lot on Mary 24, 1998, rain date following day. So moved."

Councilman Kwasna: "Seconded."

Supervisor Vilella: "Moved and seconded."

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

Resolution #160

Councilman Cardinale: "I believe Councilman Kent is-- "

Councilman Kent: "I just want to move to table this resolution pending information on a structural report from an engineer on the condition of the premises proposed for this walk through haunted house. There is some feeling that the structure may not be adequate to-- for this use. I move to table it."

Councilman Cardinale: "Second it."

Supervisor Villella: "Moved and seconded."

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

Resolution #161

Councilman Lull: "Authorizes publication of a display ad re the attendance at Suffolk County Police Academy. 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 #162

Councilman Kwasna: "Accepts letters of credit of 1994 Sound-view Golf, Inc. for Sound Breeze access road and road and drainage improvements of Section 4. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "I'm still reading, I'm sorry. I wasn't prepared for this one. Which one is this? Sound View Golf."

Councilman Kent: "This is the one on Sound and-- "

Supervisor Villella: "Is this the Great Rock one?"

Councilman Kent: "Yes."

Supervisor Villella: "Not the golf course, but the-- oh, okay. Moved and seconded."

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

Resolution #163

Councilman Kent: "This resolution adopts a local law to amend Chapter 101 entitled Vehicles and Traffic of the Riverhead Town Code. 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 #164

Councilman Cardinale: "This resolution approves the site plan of Phil's Restaurant and Sports Bar deck addition, which I have absolutely no interest. So moved. Because it's Phil's. I just want to make sure. Wrong Phil."

Councilman Lull: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #165

Councilman Lull: "No. 165 appoints a recreation aide, Maryetta Upshur Cooper to the Riverhead Recreation Department. 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 #166

Councilman Kwasna: "Appoint recreation aide to the Riverhead Recreation Department, John A. Letson. 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 #167

Councilman Kent: "This is from the Parking Meter Fund, it's a budget adjustment from an appropriated fund balance to a contractual expense, \$15,000. 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 #168

Councilman Cardinale: "This resolution is a Business Improvement District budget adjustment. 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 #169

Councilman Lull: "Is a general fund budget adjustment. 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 #170

Councilman Kent: "This is a budget adoption for the Youth Court Scholarship Fund. 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 #171

Councilman Kwasna: "171 is the Sound Avenue/Roanoke Avenue traffic signal capital budget adoption. 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 #172

Councilman Cardinale: "This 172, awards a bid for paint. 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 #173

Councilman Lull: "173 awards bid for chemicals. 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 #174

Councilman Kent: "This is capital project budget adjustment for Town Hall improvements regarding the roof-- from the roof to the HVAC improvements. \$15,800. 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 #175

Councilman Cardinale: "This resolution is a budget adoption for Country View Estates at Wading River, water extension Capital project. 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 #176

Councilman Lull: "This is also a budget adoption, water extension capital project for the Village at Wading River. So moved."

Councilman Kwasna: "Seconded."

Supervisor Vilella: "Moved and seconded."

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

Resolution #177

Councilman Kwansa: "Budget adjustment for the Community Development Agency. 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 #178

Councilman Kent: "This is a budget adjustment for the capital project Wendelken Water Ext. #50. 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 #180

Councilman Lull: "Resolution #180 appoints a member of the Riverhead Farmland Preservation Committee, that person being Maryann Wowak Heilbrunn. We welcome on our committee. 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 #181

Councilman Kwasna: "Resolution authorizing the issuance of \$52,000 in serial bonds to the Town of Riverhead, Suffolk County, New York to pay the cost of the purchase and installation of traffic signals at the intersection of Roanoke Avenue and Sound Avenue in and for this said town. So moved."

Councilman Kent: "Seconded. This is a result of a traffic study that we conducted on this intersection that told us that we needed to put up a traffic signal. So I will second this Resolution."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "I still have difficulty believing it's going to cost \$52,000. But I would note that this does indicate a maximum of \$52,000. So I'll watch it carefully, I promise. Yes."

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

Resolution #182

Councilman Kent: "I'll make a motion to pay bills."

Councilman Kwasna: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Supervisor Villella: "Would you like me to close this? The next Town Board meeting will be March 17th at 2:00 p.m. Remember that. 2:00 p.m."

Meeting adjourned: 11:01 p.m.

Barbara Gutton
Town Clerk