

Minutes of a Town Board Meeting held by the Town Board of the Town of Riverhead, at Town Hall, Howell Avenue, Riverhead, New York, on Tuesday, May 5, 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
Adam Grossman, Esq.,	Town Attorney

Supervisor Villella called the meeting to order at 7:00 and the Pledge of Allegiance was recited, led by PO Wooten.

Supervisor Villella: "The meeting is now open. Jim, would you like to do the Pledge of Allegiance for us, please."

Thanks a lot. You might as well stay there because we're going to be doing the kids."

Councilman Lull: "This past Sunday was Duck Pond Day in the Hamlet of Wading River. A very triumphant parade and craft fair and so forth in celebration of the duck pond-- a celebration by the organization that puts this together. Representing the Duck Pond Committee-- the Duck Pond Day committee is Desiree Passantino and this year's duck pond parade was a tribute to the police officers who serve the Wading River area, Riverhead police and Suffolk County police. And as a result of that, the Riverhead PBA sponsored a poster contest for children and the person in charge of that poster contest is PO Jim Wooten. And I'm going to turn this over to Jim now so he can introduce to you the winners of the poster contest."

PO Wooten: "Thank you, Jim. Well, we more or less asked to take part in this contest that was put together by Desiree and Pat McQueeney (phonetic) who was on the committee. And what the children were asked to do in both the Riverhead Central School District and

the Wading River School District elementary level, was to make posters up of what a police officer means to me. We received about 100 posters as entries and we judged them. The four winner ones are on the front of the bulkhead here. I'd like to bring up the winners-- the Riverhead PBA gave out \$50 savings bonds to the winners of that. One thing about the posters is I found enlightening is that when the elementary level, it seems that a police officer is more than just a person that makes arrests, or gives out speeding tickets. There's a lot of caring; there's a lot of safety issues; the DARE program as educators. It really shows a police officer as a partnership with the community and with the neighborhood. Which is what policing of the '90's has come to be known as. So it seems to be working and growing and we're proud of it.

For the Riverhead Central School District, from the K-2 level, our winner is Jacqueline Zilnicki. Why don't you come up. And on the third grade through fifth grade level from the Riverhead Central School District is Dana Montedalino, who is also Little Miss Long Island. Am I right? You won that contest a couple of weeks ago. From the Wading River Elementary School, K-2 is Jessica Burke. And also from Wading River Elementary, for the third through fifth grade, Shawn Murphy.

Councilman Lull: "One of the things that I found very interesting is that with all the kids who were along the parade group, when the DARE car went by dragging the boat behind it, they were cheering and they were hollering. It wasn't necessarily the same DARE officer that they had had before, but they were just cheering the idea of the officer who had come into their classroom and worked so well with them. And we're very proud of the police department and the job that they have done.

Desiree has the awards to give to them and then after that, I think I'd like to have the parents come up and let everybody take one group picture that way. Okay?"

Desiree Passintino: "I'd like to congratulate you on behalf of Duck Pond Day. We have a great little town in Wading River and we're very proud of our town and on behalf of the police and Wading River Duck Pond Day, I'd like to give you, and you, and you, and you all of these certificates."

Supervisor Vilella: "With the parents-- want to take more

pictures? Can we have the parents come up? The proud parents. Stand behind your child."

Councilman Cardinale: "Who's coming up to help me out? Kerri, would you come up, please? The Labor/Management Committee, is it here-- our representatives here? Just you. Well, you take it-- Barbara's here? Okay. Great. I'm told that you're supposed to say a few words before I read this proclamation."

Kerri Zitek: "Officer Gleason, if you could come up, please? The Labor/Management Committee has awarded Officer Gleason Employee of the Quarter. Officer Gleason has been a member of the police department for 10 years-- 11 years, excuse me. And I've had the honor of working with him on Squad 1 for the past few years, and he's a wonderful officer. He's very professional and greets each day with a smile. He makes all of us very happy to work with him and I think the community as a whole is very lucky to have an officer such as he who pays attention to every little detail. And that's pretty much it. Congratulations."

Councilman Cardinale: "Officer Gleason, it's a pleasure to honor you in view of your performance-- your 10 years of service to the town and on behalf of Vinny, the Supervisor, I'd like to read this proclamation.

WHEREAS, it is both fitting and proper that the Town of Riverhead recognize the outstanding service of its employees;

WHEREAS, in order to provide a mechanism to recognize these employees and at the recommendation of the Labor/Management Committee, the Employee of the Quarter program has been established; and

WHEREAS, Police Officer Brian Gleason has dedicated himself to the service of our town applying his well rounded knowledge of all aspects of police work in a dependable and courteous manner; and

WHEREAS, his positive attitude and professionalism has made him a role model for younger officers and have earned him superior ratings from the department exemplifying the highest ideals in the expression of public duty.

NOW, THEREFORE, on behalf of Vincent G. Villella, the Supervisor of the Town of Riverhead, I do hereby proclaim May 5, 1998, to be Brian Gleason Day in the Town of Riverhead and ask that the residents in the Town join in the celebration.

Is Brian's wife here? Can she come up? Congratulations."

PO Brian Gleason: "I just want to say thank you very much. It's very nice and I thank everybody in Labor/Management, Mr. Villella, Chief Grattan, and the Board for giving me this honor. Thank you."

Councilman Cardinale: "Okay, Barbara is telling me all the good practical things-- this award comes not only with a lovely frame and proclamation signed by Vinny, but with a day off and \$100 savings bond, which we'll make sure you get."

Supervisor Villella: "WHEREAS, the Riverhead Town Board recognizes the contributions being made by many senior citizens in our Town and the great resources the community draws from older members of our society; and

WHEREAS, since 1963, the senior citizen experience has been celebrated throughout the nation during the month of May and has been traditionally known as Older Americans Month; and

WHEREAS, we call upon their wisdom, experience and skills as a guide to building the future of our Town; and

WHEREAS, our seniors enrich our daily lives with counsel and leadership.

NOW, THEREFORE, I, VINCENT G. VILLELLA, Supervisor of the Town of Riverhead, with great respect and high regard, do hereby proclaim the month of May, 1998 to be Older Americans Month."

Henry Pfeiffer: "Who can quarrel with those assessments? Isn't it an indication tremendous perception on the part of our Supervisor? Right? And I have to say this. The measure of a society is the manner in which it treats its members, especially the most vulnerable, the infirm, the very young, the very old. Now why does this concern me? Because I'm old. I'm very old. I'm a member of that particular

group that every one of you is striving all your life to become a part of-- the aged. See. And if you haven't made it yet, don't get excited or upset about it. It takes time. It takes time. One of the things that we are interested in is the respect that has been accorded us not only by the Supervisor but which indicates the general consensus of opinion of the older Americans living in this particular town. We appreciate it; we're very happy that you consider us an integral, intrinsic, inseparable part of the community and we know you love us and it's so great to hear you say so."

Supervisor Villella: "Thank you very much. Henry is in charge of our seniors in the Town of Riverhead. He does a great job with it."

Henry Pfeiffer: "Oh, incidentally, I just came back from Albany. I was up there for three days. And the Governor issued a proclamation Older Americans Month for the state. The County Executive has done likewise. And we have it reported here in the Senior News so that the Town of Riverhead is right up to date and probably even a little bit ahead of the other echelons of government. Thank you."

Supervisor Villella: "Okay, let's get back to work. Okay, let's approve these minutes real quick here. Who's going to do the minutes."

Councilman Lull: "I will move to approve the minutes of the April 23rd meeting."

Councilman Kwasna: "I'll second it."

Supervisor Villella: "Moved and seconded." All in favor?"

The Vote (collective response): "Aye."

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

**REPORTS:**

Receiver of Taxes

Total collections to date:  
\$31,850,912.99

	Total utility report for April, '98 - \$147,380.17
Town Clerk	Monthly report for April, total collected - \$7,582.57
Building Department	Monthly report for March, total collected - \$32,195.50
Police Department	Monthly report for March
Riverhead Industrial Development Agency	Annual financial report for 1997
Sewer Department	Monthly report for March, 1998
Open Bid Reports	Furnishings and installation of water mains and appurtenances opened on 4/22/98 at 11:00, for Meadowcrest & Hidden Acres, 7 bids were received
Open Bid Reports	Acrylic latex white and yellow traffic paint, opened on 4/27/98 at 11:00, 6 bids were received

**CORRESPONDENCE:**

John R. McGarry, Jr.	Letter of resignation as a crossing guard
Kenneth Higgins, Katherine Rash, Steven and Louise Papayanis	Letter in opposition to construction of Riverhead Centre
NYS Dept. of Transportation	regarding March 5, 1998, re-submission of Tanger Factory Outlet

Supervisor Vilella: "Thank you, Barbara."

Barbara Grattan: "You're welcome."

Supervisor Villella: "I don't have any of the cards. Did anyone fill out any cards to speak on tonight? Oh, magic, magic. Okay. So we'll go into the public hearings first."

Public Hearing opened: 7:29 p.m.

Supervisor Villella: "Let the record show the time of 7:29 has arrived. Please read the public hearing, 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 7:10 p.m. on May 5, 1998, to hear all interested persons who wish to be heard regarding the consideration of an amendment to Chapter 108, Section 108-45B Restaurant, by special permit of the Town Board."

Adam Grossman: "Rick Hanley, the Planning Director for the Town of Riverhead is here to explain the reason that this public hearing is taking place this evening. It's an amendment to the zoning ordinance, Chapter 108 of the Town of Riverhead, Section 108-45B, Subsection 3, Restaurant, the change is by special permit of the Town Board. Rick?"

Rick Hanley: "Thank you, Adam. Rick Hanley, Planning Director. Late in 1997, the then sitting Town Board amended the Industrial A Zoning Use district to provide for restaurant as a special permit as opposed to a permitted use which it always had been. And in the drafting of that approval resolution, there was an error. We did not identify after the use and the comma, there was no clause that said by special permit of the Town Board which if you read the ordinance we could be confused that it would not be a special permit of the Town Board; it could be a special exception of the Zoning Board of Appeals. So essentially what this hearing tonight is just some housekeeping to clarify the language so we are all clear on how a restaurant is approved in the Industrial A District. Nothing more than that."

Adam Grossman: "Thank you, Rick."

Supervisor Villella: "Anyone like to speak on this? If not, I

declare the public hearing closed."

Public Hearing closed: 7:31 p.m.

---

Public Hearing opened: 7:31 p.m.

Supervisor Vilella: "Let the record show the time of 7:31 has arrived. Would you please read the public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall, Riverhead, New York, at 7:15 p.m. on May 5, 1998, to hear all interested persons who wish to be heard regarding a proposed Local Law to amend Chapter 101 of the Town Code, Vehicles and Traffic. Section 101-3 Stop and Yield Intersections; Railroad Crossings, Parking Fields. Intersection is Karlin Drive, stop sign on Jakes Lane, entrance from west."

Adam Grossman: "If the members of the audience can bear with me for a minute, I just want to read what was published in the newspaper regarding exactly the changes that are being proposed for this public hearing-- the public hearing this evening. This is Section 101-3, Stop and Yield Intersections, that is 101-3 of the Riverhead Town Code, railroad crossings, parking fields. A. Stop intersections. The following intersections are designated as stop intersections and stop signs shall be erected at such intersections as follows: Intersections, Karlin Drive; stop signs on Jakes Lane; entrance from west. And that is the proposed change that is the subject of this public hearing this evening."

Supervisor Vilella: "Thank you, Adam. Anyone like to speak on this? Steve?"

Steve Haizlip: "Steve Haizlip of Calverton. I just want to say that when I heard about this proposed change, I went over and made a survey of the street coming into Jakes Lane and it is very much needed because on the corner where the big house, where D. Casper (phonetic) lives, as you're coming out, you don't see up that street. So it's a good thing to put that sign there for protection so don't have (inaudible) collision."

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

Public Hearing closed: 7:33 p.m.

---

Public Hearing opened: 7:33 p.m.

Supervisor Villella: "Let the record show the time of 7:33 has arrived. 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 7:20 p.m. on May 5, 1998, to hear all interested persons who wish to be heard regarding an amendment to Chapter 62 of the Riverhead Town Code which would institute the collection of certain fees for the excavation of minerals on commercial and industrial sites."

Adam Grossman: "Okay, this is a rather long amendment so I'm not-- certainly not going to be reading the entire-- all the proposed changes into the record this evening for the sake of time. However, it's an amendment to Chapter 62, the collection of certain fees for the excavation of minerals on commercial and industrial sites. That's Chapter 62 of the Riverhead Town Code, Section 62-1 through 62-12 and it is intended to impose fees for certain removal and excavation of minerals on commercial and industrial, but not residential properties."

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

Charles Cuddy: "Good evening. My name is Charles Cuddy. I speak on behalf of several clients. I think it's wonderful that the municipality of the Town of Riverhead is trying to raise tax dollars but I don't think this is the right way to go about doing it. What's really being done here is that you're saying we want money to be charged when you remove dirt, although it doesn't say dirt, and what you're really doing, is you're not tying that into anything. You're simply saying, you take some dirt off the land, we're going to charge you money, and I think what you've really done is set you've

set up a tax. We haven't-- this isn't a fee, this is a tax and I don't think the Town is authorized to have that kind of tax. I could go into that more, but I just want to point that out. I think that's important.

I also would like to review with you and I think that you recognize that there's some clause in what's drafted, I'd like to go through a little bit of it to say to you there's a section called exceptions and it talks about reality subdivisions and then it talks about public facility in the subdivision. If only public facilities are taken out of it, you really are not talking about exempting residential subdivisions; you're talking about just certain parts of residential subdivisions. You're going to, in fact, add more money onto the costs of residential subdivisions. You may not intend that that happens but I think the wording indicates that it has to happen. I don't think unfortunately that you've left a choice to the developers of residential subdivisions. They are going to cost more. This town already taxes residential subdivisions \$2,000 for park and recreation fees; \$2,500 for water tap fees. Every lot in this town has additional-- "

Supervisor Vilella: "We'll take that into consideration."

Charles Cuddy: "I understand. But I think it-- "

Adam Grossman: "This is why we're having the public hearing tonight to find out-- "

Supervisor Vilella: "We just want some input on this. We're fine tuning it tonight, Charlie, so thanks."

Charles Cuddy: "I also think it's not clear that you may be exempting people who do mining although it's not set out that way, but it may unintentionally do that. If you except those people that mine under the DEC or the Environmental Conservation Law, ECL, you've really done something remarkable. Because the very guys who are taking out the sand and the dirt are not being taxed or charged fees."

Adam Grossman: "Charles, I'd like to also address this. We're looking into a lot of these concerns that people, legitimate concerns that people have. The one thing that the Town of Riverhead cannot do nor can any other town is regulate sand mining because that is

the exclusive jurisdiction of the DEC. So we couldn't include sand mining in particular in what is being drafted because if we did, we'd be violating state law."

Charles Cuddy: "Mr. Grossman, I would like to point out to you that conceptually, if you're in Pennsylvania and you scrape the top of the land and you took off coal, the town then would charge you a fee, a tax. If you went into the mines and took all the coal in the world out, you would not be taxed. There's something wrong with that concept. I would hope-- "

Supervisor Vilella: "There is. And the DEC is controlling that, but that is wrong."

Charles Cuddy: "Those are the people that you should be taxing or charging fees. Under the definition section, excavations. You talk about and I heard somebody in the back say minerals, how can you talk about minerals? I think you put the wrong term. I think you meant to use materials than minerals. You certainly aren't asking people to pay fees for minerals. Because you're taking sand, dirt and loam. Those are the things that are in there. And gravel. Okay. But minerals is the exclusive term that's used. Not sand, dirt or loam. So if you're excavating minerals, that's when this applies. I think that's just an error, but I want to point it out to you."

Supervisor Vilella: "We're going to take this all into consideration, Charles. Keep on going."

Charles Cuddy: "Okay."

Supervisor Vilella: "You're doing our homework."

Charles Cuddy: "I also-- I'd just like to say to you that what you're doing, is you're creating a standard fee-wise that says \$.25 is paid per cubic yard. If you're-- \$.25 or a dollar. The dollar is only when the standard is beyond what the town requires. It's going to be virtually impossible to administer the dollar figure unless you had somebody with an enormous amount of dirt or sand that doesn't have to be graded because the town is going to require that certain grading be done on every type of development whether it's commercial or whether it's residential. And for the most part, that

means that you are going to be down in the \$.25 category not in the dollar. I don't know if you want to change that, but I'm just pointing out to you that's-- I think would be a problem for the town.

I'd also point out to you there's no threshold for a guy who has a small piece of land who takes off maybe 1,000 yards, he pays right from the beginning. The threshold that you have by the way isn't in yards; it's in feet. It's 1,000 cubic feet which I guess translates to about 111 cubic yards, which is two truckloads. So anybody that takes more than two truckloads is going to be taxed and I think that's overbearing and I don't think you should-- "

Supervisor Villella: "Hold on a second. Rick, is that cubic yards or cubic feet?"

Charles Cuddy: "Could I point out how that happens?"

Adam Grossman: "Maybe if you could tell us exactly what section you are referring to?"

Charles Cuddy: "Okay. If you look in your section that has to do with the definitions-- "

Supervisor Villella: "Yards, right."

Charles Cuddy: "What I'm pointing out to you is that the exemption that you get is based on 1,000 cubic feet, not 1,000 cubic yards. That's 111 cubic yards, that's three truckloads. Virtually everybody does that. I think your threshold is too low. I think you should also consider grandfathering some people in because people have already started-- "

Supervisor Villella: "Charlie, isn't it true though that those people that truck out that whatever it is, sand or dirt, they're making six, ten dollars a cubic yard on it? We're only asking a dollar on it, that's all. They're still making their profit."

Charles Cuddy: "Well, I don't know that they make that much, but I will-- "

Supervisor Villella: "Well, that's what's going on."

Charles Cuddy: "Two things that I will-- that people that do this, that is the commercial people that you're after-- "

Supervisor Villella: "The big developers we're after. That's right. So they're the ones that are taking the soil off the-- "

Charles Cuddy: "They are-- no-- that's not the deals they make. What they do is they have somebody take it off their property. They don't pay them money to do it. The people take it off because it's valuable to do, but the developer himself isn't making money from doing this. Virtually no developer makes money from having sand taken off the property. Somebody does. It's the fellow who takes the trucks, I understand that. But what I'm saying to you is you haven't grandfathered anybody; you haven't given a threshold for anybody that's going to take more than three truckloads off. I think that's overbearing. I suggest to the town there's another way that you can do this. If there is certain dirt and I think you are going to have to take a look at various vistas and various ways of deciding what is an important area and not going to despoil. If you despoil an important area, I think you can do it through the mitigation process under SEQRA. To do it this way is taking every area in the town, saying to somebody who has an acre lot that if you take off more than three truckloads, we're going to tax you. I think that's an overbearing thing to do and I think that's a tax and I think it's wrong to do and I think under SEQRA you can do it through the mitigation process and you would be much better off doing it that way."

Supervisor Villella: "We're not forming a tax though, Charlie, even though it looks like a tax to you."

Charles Cuddy: "I understand but I just wanted to point that out. Thank you."

Councilman Lull: "Charles, I know you are working from notes tonight, but if you would formalize that and get it to us as part of the hearing record."

Supervisor Villella: "Thanks, Charlie. Rick?"

Rick Hanley: "Just for the record. Mr. Cuddy's comment about cubic yards versus cubic feet, the fee section deals with volumes

of materials or minerals as a function of cubic yards. There is an existing definition of a pit excavation in Section 62 presently which defines a pit excavation by number of cubic feet. So that's the problem that we have to work on."

Supervisor Villella: "Thanks, Rick. Anyone else like to speak on this? Pete?"

Peter Danowski: "My name is Pete Danowski. I don't always agree with Charlie Cuddy and I don't always agree with all the lawyers. One thing he did so, however, I think is quite accurate. And that is at the beginning of his talk, (inaudible) a rather crucial issue here and that is whether you are allowed by law to do this type of legislation. And I clearly think not. And I think before the Board acts on this proposed legislation they should get an opinion from counsel as to why this is not a tax. And very specifically I think someone has to tell you what law in the State of New York enables you to do this. If you go one step back in the process you might take a look at Chapter 62 and ask yourself the very same question. Can you have an excavation ordinance when as you suggest the State has the jurisdiction regarding mining."

Adam Grossman: "Peter, I don't mean to interrupt you, but this is actually modeled after the current legislation in the Town of Brookhaven."

Peter Danowski: "That is not a (inaudible)."

Supervisor Villella: "They're trying to slow down development."

Peter Danowski: "Well, now, let me tell you something. To suggest that we should say it's okay because the Town of Brookhaven does it, is not a very good answer in my mind."

Adam Grossman: "And I'm not going to-- "

Peter Danowski: "And I know that towns from time to time especially when they need a quick model to throw out at a public hearing, may take a neighboring town or towns and throw something forward. I just say that as Mr. Cuddy mentioned, it's highly questionable in my mind whether you can exact the water hookup fees that you exact and whether you can apply the engineering review fees

that you do, when they're not directly related to the costs that the town incurs. And as with those other charges, many times clients will let it slide. That doesn't mean that you have the right to exact the legislation. So before you get into detail, before you get into grandfathering, before you get into definitions, cubic feet and cubic yards, let's solve the first question. What state-- New York law allows enables you to do this? That's it."

Councilman Cardinale: "Peter, I understand the question you're asking. I would ask you what law you would cite that prohibits us from doing this?"

Peter Danowski: "I think by law you're enabled and if you look at the cases and I know you have in representing clients in the past, that enabling legislation is just that. The state of New York allows you to adopt certain ordinances. You talk about sewer and water; you look at the Town Law, you look at the sections, and you will see you are enabled to do certain things with regard to sewer costs, sewer improvements and you can try to say well we will pass on that cost to the developer if they're reasonably related. And certainly if I had a building that had public sewer in it and wanted to put an expansion on the building and you want to tell me I'm going to pay an extra sewer hookup fee and I've already got a sewer hookup into that building, I would say to you, what's the cost to the town? I've already got a connection. All right. And those kind of discussions have to take place. With sewer and water you've got some very specific acts within New York State that enable you to do certain things. I think you may have done them-- they-- the town may have done them improperly in the past as to when you pass the legislation and the way you enacted it and the way you apply it to individuals.

However, there I at least can hear you say to me there is a town law-- a town law, the State of New York, that talks about things that relate to sewer expenses and water expenses. You show me what permits you to talk about this dumping."

Councilman Cardinale: "All right. The significance-- since obviously that's why you're here, significant financial interest involved here, we agree that we want an opinion of counsel and we want to be on strong, secure ground. On the other hand, we would invite any of your clients who would like to submit briefs as

friends of the town to let us see in black and white what they're saying. The opinion is one thing but the real question I have is I agree with you, we shouldn't be doing anything we're not permitted to do. I know that Brookhaven looked into this to some extent before they passed the legislation and-- but I agree with you. I would not rely on their legal department because we have a far finer one right here."

Peter Danowski: "And I think Charlie's other comments are quite accurate that you want to-- every person that's got a small parcel that's going to remove not a great deal of-- "

Councilman Cardinale: "What I want to do though is I want to remove the law from the policy here. If you are saying to us that legally we are prohibited from doing this, I'm listening and I want to see some law. On the other hand, if you're saying it's a bad policy, I'm still listening, but it's quite another-- a different matter of listening."

Peter Danowski: "That's why I say although I respect Charlie's comments, the latter part of his comments aren't as crucial as the first part."

Councilman Cardinale: "Yes."

Peter Danowski: "And (inaudible)."

Councilman Cardinale: "Thank you."

Supervisor Villella: "George."

George Schmelzer: "Speaking of sewers, we've got two sewers on the Town Board-- I mean lawyers, same thing, isn't it?"

Supervisor Villella: "They sue, yes."

George Schmelzer: "This-- you want to charge somebody for taking dirt off their land then likewise if a guy has a useless hole on his land, fills it in, you should pay him for filling it in. How about that? Same thing, isn't it? He's improving the land. You say he's making money taking-- selling material off, it costs money to put it on. You should pay him then for doing it. And what do

with sod farmers? Everytime a sod is harvested, it has three-eighths of an inch of topsoil gone forever. How about it? And the IRS recognizes depletion allowance on sod farming. They say after 16 crops the topsoil is gone. At three-eighths of an inch, 16 crops, that's six inches. Take six inches off of Long Island topsoil, isn't much left. That would take 32 years though. It takes about two years to raise a good root mass of sod to sell it. Sometimes it's not sold in second year; sometimes you have to wait until the third year. It depends on business. When it comes to cubic foot and cubic yards, don't forget. It takes 27 cubic feet to make a cubic yard. Not nine or 10. So that's quite a big difference. Am I making that noise? So I don't know-- I wish instead of making more laws, you'd try to trim these laws and make less. We're getting like Europe. Pretty soon you'll be telling us what color shoes to wear; what color paint on the house, and you might be telling the women how-- what color to dye their hair. We might not dare do that unless some (inaudible) worse. All right. Thank you."

Supervisor Villella: "We're going to pass a resolution that you could just wear green."

George Schmelzer: "A resolution or revolution? Well, from me-- "

Supervisor Villella: "We're going to give someone else a turn now."

George Schmelzer: "Irish green you mean or lime green?"

Supervisor Villella: "I like your greens. European green, I like that. Your partner, Steve, would like to talk. Yes, Steve? Anyone else would like to speak on this? Yes, Charles."

Charles Cetas: "My name is Charles Cetas. I'm Vice-President of the North Fork Environmental Council. I'm also a Riverhead resident and I'm not going to address any of the legal issues that were brought up by the lawyers that were speaking tonight, but I just would like to say that the North Fork Environmental Council supports the Town Board in its intent to-- the intention of controlling the material being taken off industrial sites and commercial sites. And we think it's something that is time for in Riverhead town and if you can get the legal questions cleared up

and get something like this in the Town Code, I think it would be appreciated."

Supervisor Villella: "What spurred this on, Charles, was we had a lot of phone calls because there was one project in town that they took out over 500,000 cubic yards from one project and they sold it and they made a lot of money to put towards their project and they actually raped the land. So this is-- "

Charles Cetas: "On Northville Turnpike, that's the project you're referring to-- "

Supervisor Villella: "Well, I don't want to mention names or anything, but that's what happened in this town. A lot of people were calling up and I got ahold of other towns; I asked them what they would do in a situation like this, and that's where we came up with this resolution that we're doing, which isn't perfect but we have to work on it."

Charles Cetas: "Right."

Supervisor Villella: "But that's what we would like to do."

Charles Cetas: "And I don't know what the fees are. I had one comment in my ear, said you should double the fee."

Supervisor Villella: "No, no."

Charles Cetas: "But maybe the dollar amount would be a sufficient amount but I think some kind of control over how much material is being taken off or incentive for developers to maybe not take out as much."

Supervisor Villella: "True."

Charles Cetas: "-- normally do in their developments. Thank you."

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

William Kasperovich: "William Kasperovich from Wading River."

I'm very much relieved that the two able attorneys were here before me and brought up many of the points that I wanted to speak on. But being that they're attorneys I (inaudible) having more weight coming from them."

Supervisor Villella: "You carry just as much weight, Bill, don't knock yourself."

William Kasperovich: "Let me go back a little and say 20 years or say when the navy-- I'm talking about the western end of the township-- the navy came in and wanted to take their rights. Take their rights on both sides of the runways of the Grumman strip that exists. Fortunately the people got up in arms, really made their voice heard. I mean by the thousands."

Supervisor Villella: "I would, too."

William Kasperovich: "All right. Today we can look back and see how different our situation here in Riverhead would be had this been taken (inaudible). Had this been taken hold and these air rights taken by the navy, where Riverhead would be today. And I say although the excavation might be a far reaching type of concern, eventually it will affect us. This is not the first time in the last 30 years that I've followed this (inaudible), that this attempt has been made. The other attempts were withdrawn after a legal-- consideration of legal aspects."

Supervisor Villella: "We'll check into the legality of it, Bill, for you."

William Kasperovich: "The appearance of things this change of the amendment is-- appears to be premature and not in consideration of the whole picture of the township. Many as George pointed out a little while ago, topsoil is being taken out of the township and because everybody has accepted sod farming today, it-- little by little leaves the township. There are other industries that do the same thing. Every concrete truck that leaves the township takes away Riverhead sand and gravel. I shouldn't say everyone, but most of it."

Supervisor Villella: "That's different, Bill. This is for site plans that come before the Planning Board. They-- in their

site plan they have a stipulation of how many cubic yards of soil or sand or loam or whatever they're taking off the property."

William Kasperovich: "All right, but it don't address the definition of whether they (inaudible) in the township and change the topography to the better in a (inaudible)."

Supervisor Villella: "They can just ship the soil from one place to the other then. They don't have to take it off the property."

William Kasperovich: "Depending whether it's on the owner's own property or an adjacent or close by. And within this small township, it's-- everybody is close to each other today. And so we want to call an excavation to take where we have to make a hole for the (inaudible), take the soil down to a hole to fill in where somebody is very happy to get the hole filled in, we are going to charge them money?"

Supervisor Villella: "No. That's not what this is about."

William Kasperovich: "That might not be the intent, but that could be read into it."

Supervisor Villella: "Well, we'll make sure we will change that, Bill, so it's not in there like that."

William Kasperovich: "Well, I could readily appreciate wanting to get into some of the major diggings or shifting of the natural terrain but at the same time we are trying to impose a fee as a control."

Supervisor Villella: "Deterrent, not a control."

William Kasperovich: "And as one-- I can't mention his name-- a legal brain I respect-- he says, the reason Riverhead doesn't have any lawsuits to contest-- their code on excavation, is because very few lawyers want to sue Brookhaven, can't find a lawyer to sue Brookhaven and the cost for a minor excavation as compared to legal fees is (inaudible)."

Supervisor Villella: "No."

William Kasperovich: "Nobody fights."

Supervisor Villella: "Mining they could make quite a bit-- millions and millions of dollars."

William Kasperovich: "Mining is mining. Excavation can be defined from a little leveling of the ground to putting a basement-less house on or a hole in the ground to put the foundation of a house in and this would encourage the practice of-- "

Supervisor Villella: "Bill, you keep on talking about residential. It's not in this. We're not talking about residential at all, Bill."

William Kasperovich: "Well-- "

Supervisor Villella: "If you see it that way written like that, maybe we'll get together, maybe we can change it."

William Kasperovich: "When you take the initial paragraph in this section that's declaration of policy, you read or try to read what the intent of this chapter is. And it seems to cover everybody."

Supervisor Villella: "We'll take it out if that's the way it's written in that paragraph for you."

William Kasperovich: "But this business of to encourage environmentally sensitive real property development to the greatest extent practicable. A developer has the word cost in front of everything he does, not what is practicable, not what is sensitive. And as far as the definitions of the earth, we talk about commercial and industrial and yet we leave out clay. We leave out loam. We leave out rock. Over this side of Aquebogue, there was a clay pottery factory that people still alive can describe and tell you about. We have deposits of clay; we have deposits of rock."

Supervisor Villella: "Are you asking us to put that into the resolution?"

William Kasperovich: "No. I'm telling you that you think you're all inclusive, but you're not. And the wordage that's changed doesn't make it all inclusive. And the words that are included

well the lawyers (inaudible)."

Supervisor Vilella: "Bill, I have a solution. I think we'll set up a meeting. You can sit down with us and we'll go over this resolution with you, with the input of the people that spoke before and we'll address that problem. Does that sound good?"

William Kasperovich: "Well, it would sound better if we would learn from this example."

Supervisor Vilella: "Which example?"

William Kasperovich: "That before we come to a public hearing-- "

Supervisor Vilella: "That's what a public hearing is all about. We want input from the people."

William Kasperovich: "But that's because you should have run out of all input from the Town Board and your attorney. When you've run out of all aspects to concern, then you look to the public to see whether you missed one, or two, or three."

Supervisor Vilella: "True. But we-- "

William Kasperovich: "See, here, you missed a great deal and it seems that you've possibly missed square one as to whether this is legal and this should come before the public hearing."

Supervisor Vilella: "Well, that we did check into but we'll, you know, we'll take care of that problem though, Bill."

William Kasperovich: "Well, it's a big problem because every page I've got notes upon notes and notes-- some have confirmed, friends of mine, some (inaudible) at the beginning I was happy that the lawyers came in first, but you refer this Chapter and the changes to somebody on the outside and they say, no way."

Supervisor Vilella: "We're going to have-- a good suggestion just came up. We're going to speak to the Association of Towns, the lawyer up there in Albany, and we'll get the final answer for this."

William Kasperovich: "The thing that bugs me the most is

taking the earth out of the township at a price to somebody enjoying costs, profits, by taking the early out of the township. This to me shouldn't be-- now the fact that it happened in the past, the fact that somebody made a bundle, we should learn from this. But we can't change that; that's history. But to keep it from reoccurring. And I say whatever terrain we change within the township could be to the good and probably is but taking the earth out of the township shouldn't be and if we want to put a tax or a fee or whatever on such an action, I'm all for it. But the way this is written, I don't think it's going to come to much of anything."

Supervisor Villella: "Thank you for your input, Bill. Anyone else like to speak before I close this? Tom. Up here, Tom. State your name."

Tom Blaser: "My name is Tom Blaser. I live in Glenwood Village. I would like to say that I think that when people bring up an issue and the Board says we're going to rectify it, I don't think that we ought to have some sort of a procedure where we ought to be able to put closure on this instead of (inaudible) it to death where people get up and talk and talk about the same thing which is a lot of time, a lot of valuable time. So when the Supervisor says we're looking into it and we're going to rectify it, there should be some way of saying hey look, we're going to take care of it. Now that should take care of the objection and what I am proposing is that something should be said, possibly by the Supervisor, we're going to take care of it. Boom. Case closed. What else can you do? If you don't like that, come back to the next meeting. If it hasn't been rectified, then you can bitch."

Supervisor Villella: "We're going to keep this public hearing open for two weeks. We're going to be trying to get all the opinions and everything from counsel, the Association of Towns, and we'll research this a little bit better."

Tom Blaser: "No. What I'm saying, Vinny, is that in meetings like this, instead of wasting a lot of precious time-- "

Supervisor Villella: "Well, they have the right to speak at a public hearing."

Tom Blaser: "We all have the right. But I think after you

said you're we're going to rectify it we ought to be able to accept that."

Supervisor Villella: "You're right, Tom. I appreciate that very much and we will rectify it. Thank you."

Desiree Passantino: "Desiree Passantino, Wading River. I told myself I wouldn't get up and speak tonight. I didn't think I had an opinion but I would like to express my feelings not so much on the topic at hand right now, but in that we live in a democracy. And that means all the people are included and so if there is anybody who wanted to speak, it is the time to speak now, not after the fact. And I find it very refreshing that our town government let's us do that. And that's all I wanted to say was thank you."

Supervisor Villella: "Thank you. Anyone else like to speak? If not, I declare the public hearing closed. Oh no, not closed. We're keeping it open for two weeks, excuse me. May 19th at the Jamesport Community Center is our next meeting. We'll open it up again. We'll keep it open and we'll fine tune it and we'll take care of it. We'll close it that night, most likely."

---

Supervisor Villella: "Okay, comments. Steve, you're first."

Steve Haizlip: "Good."

Supervisor Villella: "Good. Listen to him. What, do you want to go home, watch the Nick game?"

Steve Haizlip: "For a change, I'm number one. Steve Haizlip of Calverton. I have in my observation of riding around in the town to do certain chores and do certain shopping, be observant, I find that the garbage people who the town pays good money to pick up the garbage and clean up the streets of the town, in two places it's not being done. Across from North Fork Plumbing on Route 25 there is (inaudible) of high mound of boxes. They have been laying there for a long, long time. I don't know what is deterring the garbage people from picking them up unless there's lots of them. I don't know. But they get paid to pick up the garbage whether that much or that much. All right."

The second place is on River Road in front of the Bide-A-Wee. That's the dog kennel I guess they call it. There is numerous and numerous of bags of leaves out there. Now most people have done their job of cleaning up the yard, raking up that grove-- it's a big grove there, you know. They clean it up and keep it looking nice. Now they put the leaves in the bag by the street side. Now, I don't know where that falls on the garbage carters to pick them up or does it fall on our town Highway Department to pick them up? But in any event, it's not being done. So I ask you to look into that."

Supervisor Villella: "Steve, before you leave tonight, get a hold of my executive assistant, Lynne, and give her the descriptions of the places that you are talking about. We'll take care of that."

Steve Haizlip: "All right. On-- I am very happy and I know George is, too, that Resolution 320 and 337 is in the resolution and it looks like we're getting nearer and nearer-- "

Supervisor Villella: "You're getting closer, Steve."

Steve Haizlip: "After six and a half years almost, we're getting closer and closer to being able to turn that-- and get that city water."

Supervisor Villella: "As a matter of fact, our committee, Bill, George, Steve and Bill, the four of them are here, and myself and Gary, we're going to be going on that little trip on a little island and see where they're going to put the well. We'll be looking at that site two weeks from now."

Councilman Lull: "Steve, maybe you guys ought to have baseball bats made with Extension 52."

Steve Haizlip: "We'll figure out something. Now, I want to ask you, Vinny-- "

Supervisor Villella: "Yes, Steve."

Steve Haizlip: "On resolution 341, I would like to get an explanation as to why the county enter an intermunicipal licensing agreement, real property tax service agency to this town? What are they doing us good? You know, we pay our taxes and they give us a

warrant for so much and we send it over there. So, why do we have to get into some kind of agreement on this?"

Supervisor Villedella: "Were you here for the work session we had with Mrs. LaValle?"

Steve Haizlip: "Yes. I did."

Supervisor Villedella: "You were here. What it-- "

Steve Haizlip: "I was here, but, you know, it's very quiet up there so-- noise-- and you just don't grasp all these fifty dollar words at times, you know."

Supervisor Villedella: "No, I don't give fifty dollar words. Mine are twenty dollars. Don't worry about it."

Steve Haizlip: "Well, anyway."

Supervisor Villedella: "No, but Steve, they supply us with all the maps and they piece them together. It's a lot of work. They are actually helping out the town with all this information that they're giving us. So that's the reason why we signed this. All towns do this."

Councilman Kwasna: "It's an exchange of information on taxes-- tax maps."

Supervisor Villedella: "There's no money involved."

Steve Haizlip: "Oh, now, you've made me very happy."

Supervisor Villedella: "Okay. Oh, you saw license there, you figured there was some money involved."

Steve Haizlip: "Yes, license."

Supervisor Villedella: "Okay, all right."

Steve Haizlip: "Okay, now the last thing. On April 29th, when we went up to Albany, Jim (inaudible) and I, we tried to do a very good job in representing the town of Riverhead."

Supervisor Vilella: "You did. I heard all about it. You did represent the town of Riverhead."

Steve Haizlip: "For Peconic County. All right. That's it."

Supervisor Vilella: "Thank you, Steve. Appreciate it. Thanks for representing us, too. Oh, yes, did you see Mr. Silver?"

Steve Haizlip: "No."

Supervisor Vilella: "You didn't give him a hi-ho?"

Steve Haizlip: (inaudible)-- thing that I liked about Mr. Field was he said the watch that has the Peconic logo flag. He says I'm going to take a watch and I'm going to take it to Mr. Silver and tell him it's time for Peconic County."

Supervisor Vilella: "All right. Thank you, Steve. William."

William Roth: "Hi. My name is William Roth. I'm a town resident of Wading River. I (inaudible) address the flooding problems that we're having over in Wading River. You stated a couple months back that there was going to be more street drains put in. And the Supervisor of Highways said there was a couple in this budget. They marked the roads and dug up some stuff, but still nothing is being done over there."

Supervisor Vilella: "No. Because-- Jack, what bond are we waiting for, for the drainage? The drainage bond. The contract, right. We're going out for contract on all of these, there's a whole group of them. Thirty-two."

William Roth: "Yes, but-- I was also told that to temporary set this off, there was going to be a couple drains put in on both streets. Said they had in their budget."

Supervisor Vilella: "No. This is all one big bond that we're going to be doing."

William Roth: "I know about the bond. That has to do with the watershed area that's adjacent to my property but I'm talking about the street drains in the street themselves. I was told by Mr.

Ken Testa and the Superintendent, Charlie Bloss, that they did have a couple in their budget left and that they were going to try and put these in the streets which was never done."

Supervisor Villella: "Was it-- they marked it off and everything?"

William Roth: "Yes. They marked off the streets, they came down and measured and I have blue lines on the streets. They, I guess they were measuring for gas lines or water lines or whatever else you have down there."

Supervisor Villella: "Okay. Excuse me, Lynne, Charlie and Ken, could you update him on that-- there were two drains that they were going to put in. They said there was money left in their budget."

Councilman Kwasna: "Probably still in engineering."

William Roth: "And then my next question is that-- "

Supervisor Villella: "How was it lately at your place?"

William Roth: "Well, we haven't had any real heavy torrential rain and there's been no real problems."

Supervisor Villella: "Okay. That's good."

William Roth: "The Highway Department has been around and, you know, like I say. I can't knock it. They have been trying."

Supervisor Villella: "I know until we get there-- you're absolutely right. I know we're trying to help out as much as we can."

William Roth: "I know you guys are trying to do your best, but it's just time that's (inaudible)."

Supervisor Villella: "I don't blame you one bit."

William Roth: "And my next-- the watershed area is still only three-quarters fenced in and I know you guys are waiting for this bond-- I mean even if you put up your snow fence all the way around it, you know, like I said, 100 feet away there's a school bus stop

for kids. And there's still three feet of water even though it hasn't rained hard, it still has standing water. And it's not draining properly and, you know, kids will be kids. They will play. So, you know, maybe we can get this fenced off more. I mean not only can you walk through it from my property, but it's just a simple 50 foot walk."

Supervisor Villella: "Yes, we don't want any hazards like that, especially with kids around. After you're done speaking, I want you to just go over to Lynne and just go over a few of those things with her."

William Roth: "And thank you for your time."

Supervisor Villella: "And thank you. Just go see Lynne. I appreciate that."

William Roth: "Thank you."

Supervisor Villella: "Yes."

Councilman Kwasna: "And William, I also want you to feel that you don't have to wait four to five weeks to find out any answers to these questions. You don't have to wait for another town board meeting. Feel free any time to call any five members on the Board or our secretaries and with your questions so we can find these things out for you right away. With us being here at a meeting, we can't give you the answers-- "

William Roth: "Well, I called Ken. He was supposed to get back to me."

Councilman Kwasna: "Like I said, if there's any problems, get a hold of a board member."

Supervisor Villella: "Because he's so busy with a lot of other projects."

Councilman Kwasna: "He's not spending very much time in the building these days."

William Roth: "Another-- just another quick problem I'm having,

is remember you asked me to get proposals on raising the house and lifting the house and moving the house?"

Supervisor Villella: "Yes."

William Roth: "I had a couple people come over and then when they call the town they say that this was a buyer beware situation."

Supervisor Villella: "Well, it's in the CO, but-- "

William Roth: "It's not in the CO. I can go get you the file right now. I have a copy of the whole thing. It was never-- "

Supervisor Villella: "There's another piece of paper that came from the engineer stating the problem."

William Roth: "After I got the file."

Supervisor Villella: "No. We have it on record."

William Roth: "It's not in that file. I have a copy of every piece-- "

Supervisor Villella: "No it's not-- we'll show you that. We have it on record."

William Roth: "Well, then I'd like to get a copy of that because-- "

Supervisor Villella: "The owner of the property that-- the person that sold you the property did show that to you and he was supposed to."

William Roth: "Well, it's still not in that file."

Supervisor Villella: "Okay. Ken Testa has it. He showed it to us already. So, do you want to mark that down?"

William Roth: "When I spoke to Ken last, he said that was a proposal by him but it was never put into the file. He proposed that but it was never officially put in there."

Supervisor Villella: "Okay, fine. Thank you. George? Usually we have you for the end, but you're in the middle now, so. Tell everybody how many prizes you won last night."

George Schmelzer: "I won \$100."

Supervisor Villella: "Cash? IRS-- is the IRS-- okay."

George Schmelzer: "I'm not going to pay any taxes on it because it cost me \$40 to come to the dinner."

Supervisor Villella: "Right."

George Schmelzer: "And my dues are more than \$100 a year, so they should owe me money."

Supervisor Villella: "There you go."

George Schmelzer: "But they ain't going to get money back from me. This county split. I wish they would call it Sunrise County. The sun rises in eastern Suffolk before it does in any part of New York State. Sounds like a better name to me. So many Peconics around now it's almost overbearing with Peconics. Of course, Steve, he made a mistake and called it the Kent Animal Shelter, Bide-A-Wee. I hope he doesn't make a mistake and call a town board member Chris Bide-A-Wee. It's (inaudible). I don't think he will though."

Last year, I-- I think it was a year ago-- proposed to the former board that to even things out we could possibly get (inaudible) Board of Supervisors as a county Senate. One vote for each town. Not abolishing the legislature. We have both. Copy the federal system. And before the change of administration, the Supervisor told me he saw some interest in it. Have you seen any interest in it?"

Supervisor Villella: "You just mentioned it to me yesterday."

George Schmelzer: "Who did?"

Supervisor Villella: "You did."

George Schmelzer: "That's all? Nobody told you about it? I don't know if there's no interest or they're afraid to talk to you. I don't know which it is."

Supervisor Villella: "Well, it might be we don't know. If there's a Peconic County, you don't need it."

George Schmelzer: "Well, if you don't propose something else, they'll walk all over you. Got to give them an alternative. If it becomes economically impossible to unravel, which is possible, you've waited so long, maybe a county Senate with both the legislature and the senate to vote on something, we'll have half the power in that senate, five votes. That's what I mean. I think maybe you should-- "

Supervisor Villella: "We should send you up to Albany with Steve. Well, Steve did his job. We'll send you up to Albany, you start lobbying for us."

George Schmelzer: "I want to-- you want me to see Mario Pataki? That's what I call him now. He's getting a little bit like the other guy. And-- "

Supervisor Villella: "Okay, George."

George Schmelzer: "Wait a minute; I ain't done yet."

Supervisor Villella: "Oh, you've got-- your time is up. Oh, wait a minute, you've got papers coming. Okay. Let me see. Look at this. Hiding it close to his heart. Make it quick because you're going over the limit here."

George Schmelzer: "I don't understand some of this stuff for this enterprise zone business. Who-- which town board asked for that nonsense?"

Supervisor Villella: "Say that again. What?"

George Schmelzer: "Who-- which town board asked for that nonsense?"

Supervisor Villella: "Say that again. What?"

George Schmelzer: "This enterprise zone inside the fence here, 2,800 acres."

Supervisor Villella: "Economic Development Zone?"

George Schmelzer: "Yeah, whatever-- did this board ask for that or the former board?"

Supervisor Villella: "Both boards."

George Schmelzer: "One is as bad as the other."

Supervisor Villella: "Mutt and Jeff."

George Schmelzer: "(inaudible) that's what some people expected anyway. I don't understand some of this stuff about-- I can't read it."

Supervisor Villella: "Make it quick, George. We've got other people here. Come on."

George Schmelzer: "I'll come back after they get done if you want me to. You can make me last-- 'cause they used to make me last all the time."

Supervisor Villella: "Uh-oh. You've got-- uh-oh-- put those glasses on."

George Schmelzer: "What do you mean wage and tax credits. What does that mean?"

Supervisor Villella: "Excuse me?"

George Schmelzer: "Wage and tax credits. What is that?"

Supervisor Villella: "If there in this development zone, they get these special treatments-- the state is going to pick-- "

George Schmelzer: "What is meant by that?"

Supervisor Villella: "That state is going to pick up the axes. The town gives them a tax break-- "

George Schmelzer: "What tax?"

Supervisor Villella: "What taxes? For the property."

Councilman Kwasna: "George, George, on property taxes they get a break on any new buildings that they build on the property, not on existing buildings. On wage credits, the more people they hire, they get a cut-- they get a break on certain taxes that they have to pay the government. It's an incentive to hire more people. I don't have the figures in front of me."

George Schmelzer: "I thought we were going to have a level playing field. You promised that. Now you've got a special deal for the town? Why?"

Councilman Kwasna: "No. It's not-- it's not for the town."

Supervisor Villella: "It's for the people that-- "

George Schmelzer: "Well, it's town land. People own land on the outside, could be an industry or business they've got to wait for years until this damn thing gets built, if it ever? Somebody will come, get a special deal for 10 years, and walk off. Like these tax abatement benefits. I thought we were going to have a level playing field. This is not a level playing field. What's the matter?"

Supervisor Villella: "We just-- "

George Schmelzer: "Why should the town have a special deal over private land? Who the hell are the-- "

Supervisor Villella: "We're just trying to create good jobs to bring our economy back up."

George Schmelzer: "Now you can't even run a business like a private person, can you? You want special deals for yourself. Everybody else is suffering for it. That's a hell of a way, really. You ought to be ashamed of yourselves. You're as bad as the last board. You are both the same. Really. Why should the town get a special deal on their own land? Nobody else can get a special deal

like that"

Supervisor Villella: "That's right. There's-- "

George Schmelzer: "Level playing field and that's what we were promised."

Supervisor Villella: "George, your voice is really getting up there."

George Schmelzer: "I'm getting made about the damn thing. I wish (inaudible)-- "

Supervisor Villella: "You should go to the state."

George Schmelzer: "Maybe you should sell it to the Port Authority. They know what the hell to do with it. The town doesn't know what to do with it. They spent \$350,000 several years back with some advice what to do about it. When they were got all done, they knew less than when they got started. I think you must have read the report. Really."

Supervisor Villella: "That was a grant."

George Schmelzer: "Yeah, somebody paid for it. Where do you think that grant money comes from?"

Supervisor Villella: "You're absolutely right. From the state. State residents."

George Schmelzer: "From my taxes. How do you propose to zone that 2,800 acres? Special zoning, too, that nobody else can have? You don't know? What's going on here? It doesn't pay any land taxes."

Supervisor Villella: "What doesn't pay any land taxes?"

George Schmelzer: "The land's going to pay land taxes?"

Supervisor Villella: "George, come on. Yes, we are. We're selling it. We're going to be getting land taxes from that use."

George Schmelzer: "Not-- the town doesn't own it. Why don't you sell the whole thing to the Port of New York Authority, for one big lump sum or tell the navy to keep it. I wish the navy would keep it in mothballs. It would be more common sense it would, really."

Supervisor Vilella: "George, we need to bring some industry into this town. We lost it all. I don't need any more of these retail developments. I need industry jobs."

George Schmelzer: "What industry-- what do you propose?"

Supervisor Vilella: "It has nothing to do with us. It's the people that buy the property. They will get the people to come in, high paying jobs."

George Schmelzer: "What kind?"

Supervisor Vilella: "We might even be able to find you a job here."

George Schmelzer: "You think so?"

Supervisor Vilella: "Your wife says that you're not giving her enough money last night."

George Schmelzer: "I haven't given her any money."

Supervisor Vilella: "That's what she said. Okay, George. I'm sorry. We've got to go on. William Kasperovich."

George Schmelzer: "All right. Okay. Thank you, Jim."

Supervisor Vilella: "Oh, no, you were over five minutes. Come on."

William Kasperovich: "Resolution 326 is to designate a small interconnecting road that has recently-- very recently been constructed to be called Debbie Lane. In the resolution we read that his name is in honor of Debbie Lenox-Hulsmann who lost her life at that intersection. This is a very polite way of doing it but people who live here should know she was killed there. She was waiting to turn, get off the 25A, this guy killed her coming in the

opposite direction. So it's just plain Debbie Lane to the outside world is a small-- but not good enough. Possibly we should erect, put a monument or posting like a plaque on a post like we see throughout the state in many places of small lesser things. But I think that shouldn't go unnoticed."

Councilman Lull: "Thank you for bringing that up, Bill."

Supervisor Villella: "That was very nice of you, Bill."

William Kasperovich: "All right. On Resolution 341, I see the Supervisor authorized to do something-- "

Supervisor Villella: "That's the one that Steve brought up."

William Kasperovich: "The other gentleman saw the map that I put together when I was talking about-- or asking about getting some designation for the roads. It took me five sheets to put that thing together and the county, they charged \$3.00 a sheet. By the scale maps, \$5.00 a sheet. Okay. Here within the Town Hall, people back away from reproducing these maps. When they do it, they do it low profile. She wanted a small piece out of the stack of maps in the assessor's Office, you have to copy it. You can't reproduce it in their office. And so Mr. Supervisor, a little more freedom to reproduce these maps for practical reasons and functional things. I think would be to the good of the town. Because people don't want to spend three and five dollars a sheet."

The last item, (inaudible) started to think it many directions and 'til then I didn't quite get to the last sentence, Villella shall serve in said position without compensation. (inaudible) within the Town Hall walls, nobody can charge anybody for getting them married no matter how they're designated."

Supervisor Villella: "No, you can. You can. That's all right."

William Kasperovich: "Or is it that within the Town Hall they don't do it, but outside the Town Hall they do do it? I know the justices charge for time outside the hall. So a lot of people they, outside the building they charge, not an exorbitant charge, no."

Councilman Lull: "Barbara does not charge during regular work

ours here."

William Kasperovich: "I know she doesn't. And nobody else within the Town Hall. But people that don't have money don't realize that if they are just going through the legal formalities, that if they do it in the Town Hall, it doesn't cost them anything. Barbara makes a very nice presentation and ceremony-- "

Supervisor Villella: "She does a tremendous job. I have to learn from her because I'm going to be doing one pretty soon."

William Kasperovich: "But I think the public should somehow get a feel for this that if they haven't got the money to spend outside, that they can do it here and people will be happy to do it for them."

Councilman Lull: "Just made the presentation for us, Bill. Thanks. Appreciate that."

William Kasperovich: "I'm not going to go further than that when-- because when we ran out of money, we ran out of this nice little ceremony that when people came in for a marriage license, they got a little bag of tidbits or carnations-- "

Barbara Grattan: "They still do."

William Kasperovich: "Well, who pays for that? Who pays for that?"

Barbara Grattan: "Pataki."

William Kasperovich: "All right. But not the town. So when Pataki is not (inaudible) they don't do it. And I say this is one of the (inaudible) things that should be done by the town."

Barbara Grattan: "Bill, I've got five great big boxes in today. won't run out for a long, long time."

William Kasperovich: "Five boxes, you could get married five times. Okay."

Supervisor Villella: "Maybe we'll make him the ringbearer."

Marie Dunleavy."

Marie Dunleavy: "Good evening. Marie Dunleavy. Resident. The reason I'm here tonight is because I was not able to resolve this issue any other way so I decided to come here. And (inaudible) for me to come here and resolve this issue as it should be for you. Now, this is a hard act to follow tonight. But I just want to ask you to bear with me. I wrote it down so-- "

Supervisor Vilella: "That's fine."

Marie Dunleavy: "And I'm going to kind of read it off. If you need clarification, I'll try. Approximately three to four weeks ago this all started. I call was placed to the dog warden regarding a problem of two loose dogs on my street, running around early in the morning between the hours of 6:00 and 8:30 a.m., tearing up garbage, because the garbage is out between 6:00 and 8:30 in the morning. And this is every Monday for about three weeks. We called the dog warden's office and we left a message because he doesn't answer and he says leave messages. And we left a message on the machine and we called approximately four times leaving messages four times; never received a return phone call, and continue to call.

Finally, we placed a call to your office and we asked to speak to a McDonald (phonetic). She was not available, the secretary said she's not available and the secretary asked us what it was in reference to and we explained to the secretary the problem about the loose dogs tearing up garbage between 6:00 and 8:30 a.m. and she responded that we should go to the house that owns the dog and we should tell them the problem. Since I wasn't satisfied with that response, I asked her-- I terminated the conversation and I just asked her if she could have Lynne call us. Lynne did return the call and, stating that the dog warden came around our neighborhood approximately nine times and didn't see any stray dog. She also told us that the dog warden only worked 9:00 to 5:00 and that his major job is to care for animals in the pound.

She also stated that even though we registered a complaint with him, he's not allowed to go to people's houses himself. That's not his job and it's not important for him to return phone calls. Now, the problem that we express is fairly specific and clear that the nine visits were not between the hours of 6:00 and 8:30 a.m. That's when the problem. We were told he doesn't work those hours and there

doesn't seem to be any flexibility in the warden's schedule.

Now I wouldn't come here just for that, I probably would have found some time to get up here. Because I work five days a week myself. But what really kind of culminated my anger about this is that on Saturday, this past Saturday, my 81 year old father was out visiting me, he takes his healthy walks, and was walking down our street, and two dogs came out chasing him and scared him."

Supervisor Villella: "Is this the same two dogs?"

Marie Dunleavy: "No, no, no. We have two more dogs. The first two garbage culprits we did, in fact, let me just say this. We did, in fact, take care of the problem. We went to our neighbor; we knew the two dogs, because we observed the animals that were involved. We spoke to our neighbors; it's resolved, they are going to take care of it and whatever. I have no complaint about my neighbor. That's not why I'm here. That happened on Saturday morning. Saturday afternoon, later that day, my son was out visiting and he was jogging, ran down the street, and one of these two other dogs came and grabbed him by the sneaker and he had to shake him off. These two dogs were not the garbage culprits. There are two different ones.

Now I'm in a dilemma Saturday morning. I've already been told there's no dog warden. I hesitated to call the police department because I hate to utilize policemen to come and be dog catchers and even to ask police to investigate these kinds of things. I think if the town hires a dog warden, I would assume that part of a dog warden's job is to take care of this kind of thing. And my sense also is that if there's a dog lying on the street, there's an accident, if it's after 5:00 now I have to assume based on what I've been told, that nothing is going to happen until the following day between the hours of 9:00 and 5:00. Number one."

Supervisor Villella: "No. That's not true."

Marie Dunleavy: "I would assume that's not true."

Councilman Lull: "Marie, can I answer that? I would encourage you if you have any questions at all having to do with animal control, that you can bring them to me. We all have committees

that we work on. That's the committee that I work on. It is incorrect that the dog control officer is ever off duty. The dog control officer is a member of the police department and works through the police department. If you have a problem when the dog control officer is not officially on duty, which is 8:00 to 4:00, 10:00 to 5:00, whatever his time is, if you have a problem, you call the police department, you call the emergency, call 911. But if it's just a complaint, you call the 4500 number. You make it clear what the problem is. They will call the dog control officer and he will answer the complaint. He is on the radio; it is his job to answer complaints after hours. That is part of what we pay him for. We do have a dog control officer all weekend. She also is paid to answer complaints, to answer radio complaints. The majority of the time that the dog control officer is on the job, he is on the job. He is out in the streets, answering calls, and pursuing such things as this. These-- the two dogs you're talking about-- their owners are breaking the law. We have a leash law in this town."

Marie Dunleavy: "I understand the laws. My reason for being here tonight is one, I was given as you're telling me, incorrect information."

Councilman Lull: "Absolutely. If there is a problem, if a dog is in any way, if any dog ever threatens you or a domestic animal that belongs to you or anybody-- or any other person, that dog or the owner of that dog is, in fact, in violation. And you should report that. Now, if it's not a serious thing and it is something you can settle with your neighbors, great. I mean, that's the best answer always. But if that doesn't work or if that is not something you want to try because you don't know the neighbors, you do not want to get into a situation in which you walk into a domestic dispute and that is-- it can be the very worst-- the very ugliest thing that is possible."

Marie Dunleavy: "That's exactly my reason for coming here tonight. I was told that I should resolve the problem."

Councilman Lull: "It is not your problem."

Marie Dunleavy: "It is incorrect; I'm not going to do that. And secondly if the dog warden is given a phone number and (inaudible)"

in the phone book or by the town to call him, I think this is public relations. He should return his phone calls. If he's not going to return phone calls. You said call. So we called what we thought was the best line of defense. We got no response, four weeks. My concern is that when you do try to do the right thing. This is a very little issue. I don't want to make a mountain out of a molehill."

Supervisor Villella: "It's not really that little if a dog is coming after you. That's not little."

Marie Dunleavy: "We need the quality of life issue in this town. We come up here; we complain a lot about a lot of things, but I think we also have to remember that there's day to day quality of life issues for everyone."

Supervisor Villella: "That's right."

Marie Dunleavy: "And that's all I'm concerned about. That if you call the town, I'm asking you folks to help me understand what to do. I have clarification. I also want-- "

Councilman Lull: "Marie, as soon as that dog grabbed your son by the sneaker, it went beyond quality of life. Okay."

Marie Dunleavy: "But even aside from that and I hear what you're saying. I certainly could have made a big deal about it; I chose not to because I felt there was a better way to handle it. And that's simply why I'm coming here tonight because I think if we have employees in the town and if they're not clear on what their position or their job is or how they should talk to the people in the town or give misinformation, that needs to be clarified. And that's simply all I'm asking."

Councilman Lull: "If this was not clear to you then it's obviously not clear to other people as well. And I can say it no more simply than the dog control officer is, in fact, an employee of the police department. The police captain is his direct superior officer. If you have a problem with dog control, whatever it might be, whether it's a dog that's been hit by a car or whether it's a dog running loose in your neighborhood that should not be, if you have a problem along those lines, after hours, when the pound is not open, your job is to call the police department and leave it to the

professionals to take care of it. It is not your job. They should take care of it. If you have a complaint about that call me."

Marie Dunleavy: "Okay. And thank you."

Supervisor Villella: "Thank you, Maria. Charles Cetas."

Charles Cetas: "Charles Cetas, Vice-President of the North Fork Environmental Council and resident of Riverhead. I'm up here about the traditional links project, the golf course report proposal, on Sound Avenue (inaudible). I understand there was a scoping meeting scheduled for this week; it has now been postponed-- "

Supervisor Villella: "We cancelled it. You're right, Charles. We want to make sure that all the people in that area are going to have some input into that scoping meeting so we are going to have it 1:00 next Thursday, right here."

Charles Cetas: "Right. That's what I understand at this point. Now we appreciate-- North Fork Environmental Council appreciates the fact that you're having going through a scoping process prior to an impact statement being submitted by the developer. We feel that is the way to bring the public in at an early stage of the review process, we feel that, you know, public notice is critical to getting the public out-- "

Supervisor Villella: "It's going to be in Thursday's paper."

Charles Cetas: "Right. But so that-- the problem I have at this point is I think the notice is too short a time, the one week notice period is too short. And actually the SEQRA regulations call it a standard of two weeks really. In Section-- "

Supervisor Villella: "No. No. You're talking about after the 60 days, after the scoping?"

Charles Cetas: "No. No."

Supervisor Villella: "Prior?"

Charles Cetas: "No. Two week notice for the scoping meeting. public notice for the scoping meeting."

Supervisor Villella: "We'll have Rick talk on that because we looked it up today and we don't even have to put a public notice in the paper on this but we choose to do it because we want the people to know what's going on. We don't have to do it. But, anyway, Rick could talk about it."

Charles Cetas: "I'm calling on a section in the SEQRA regulations that says on publication of notices. Okay. And it's 617.12C public notices paragraph 2. A notice of hearing must be published at least 14 days in advance of the hearing date in the newspaper-- "

Supervisor Villella: "That's different. Okay, you can speak."

Adam Grossman: "(inaudible) talking about here-- we're talking about the scoping hearing. This is an initial meeting prior to the scoping-- initial scoping meeting prior to the actual scoping hearing."

Supervisor Villella: "This is a meeting with the Planning Board, the Planning Department. A hearing is with the Town Board. This is a meeting we're doing."

Adam Grossman: "Yes. And there is going to be a scoping hearing, but this is prior to that hearing taking place."

Charles Cetas: "The scoping hearing will be prior to the 60 day-- during the 60 days, he's submitted a draft impact-- a draft scoping document right now, right? So you have 60 days, right?"

Adam Grossman: "Charles, Rick Hanley, the Planning Director can speak on exactly what we're going to be doing. I just want you to understand what we're-- you know, the notice has taken place, it's going to be in this week's newspaper, the meeting next week is for a meeting not a hearing. Okay. And they are two different things. And there is no legal requirement for a meeting, that there be public notice. Okay. However, we're doing that because we want public opinion-- "

Supervisor Villella: "We want the people to have some input in it."

Charles Cetas: "Okay. You are going to have a formal scoping

hearing prior to the issuance of a final scoping-- "

Supervisor Villella: "We'll let Rick handle that."

Adam Grossman: "Yes."

Charles Cetas: "Okay. Because you have not had two months to come up with a final scoping document-- "

Adam Grossman: "I really would like Rick to outline all of this."

Charles Cetas: "Okay. Well, I just-- okay. So there will be another meeting-- "

Supervisor Villella: "Rick is right behind you; he'll talk to you. No, no, wait a minute. Don't go putting words in our mouth, Charlie. Let Rick speak. Just step aside. Go ahead, Rick."

Rick Hanley: "Good evening all. Charlie and I had this discussion in the hallway. The door was open. It was a spirited discussion. And what I told Charlie was that the Town Board at this point has decided that this project needs an environmental impact statement. We've issued that notice; it's clear that there are sensitive areas on this property that this Board will be (inaudible) through an EIS. It's been the tradition of this Town Board that we do not hold scoping hearings necessarily. We have found it much more productive in the past to actually hold a hearing where involved agencies, parties of interest, come to Town Hall, they roll out all the documents on the table, and we begin to talk about some of the environmental issues that we have to study in the EIS."

The purpose of a scoping meeting is not to solve all these problems; it's only to identify which problems are going to be reviewed in the impact statement. So as Adam suggested, we have asked the Clerk to notice a scoping meeting, I believe that will be published this Thursday's newspaper for next Thursday at 1:00 in the afternoon. We will have a meeting. We will scope all the environmental issues associated with this particular development. If the Town Board chooses to hold a scoping hearing at some further date, they can so choose. That is purely discretionary under SEQRA

relative to the Town's decision. So if you feel confident enough that the issues have been sufficiently dealt with in a meeting we choose to hold a hearing or not hold a hearing, and we get on the process.

What I would like to do is get away from procedural questions and fighting over whether it's 14 days or 10 days; whether it's a hearing or a meeting, I'd like to get into the real issues, the (inaudible) of the whole project and really identify some of the most important environmental issues on the site. Okay."

Supervisor Villella: "Right, Rick. That's good."

Charles Cetas: "And I don't have any argument with that, what you just said. Just that I think, you know, you need-- the public needs time to get up to speed on what's going on here, you know, a week-- a lot of people don't even know what's really happening. So there may be people out there that have significant things to contribute that may need more than a week's time to do that. So if you want to hold another scoping hearing, I don't think we would object to that."

Supervisor Villella: "Well, we'll see what comes up at the meeting."

Councilman Lull: "I think if it goes beyond that, it goes beyond that, Charles."

Charles Cetas: "Right. I know there is a 60 day clock ticking now-- "

Supervisor Villella: "No, no, not now."

Charles Cetas: "Yes, there is. Because he submitted a draft scope."

Supervisor Villella: "I thought it was after."

Charles Cetas: "You've got 60 days to come up with a final scope."

Supervisor Villella: "Your SEQRA rules are different than mine."

Charles Cetas: "It's in the current-- "

Supervisor Villella: "It says 60 days, right. But I thought it was after the scoping. We'll let Rick handle it again, Charlie."

Charles Cetas: "Once the developer submits the draft-- "

Rick Hanley: "The law states that the lead agency has 60 days to provide a written final scope of the issues from submission of the draft scope to the lead agency, which is now I guess about seven days old, something like that. I don't see that as a problem at all."

Supervisor Villella: "No, there's plenty of time."

Rick Hanley: "Right."

Supervisor Villella: "Sixty days is plenty of time. Okay."

Charles Cetas: "So my question is you may schedule a scoping hearing-- another scoping hearing-- "

Supervisor Villella: "We may. We may. Right."

Adam Grossman: "And it's not another scoping hearing, it will be a scoping hearing."

Charles Cetas: "An a scoping hearing. Okay. So you do-- a hearing that-- "

Supervisor Villella: "This is a meeting-- "

Charles Cetas: "That's a real possibility."

Supervisor Villella: "Yes."

Charles Cetas: "Okay."

Supervisor Villella: "We'll see how the meeting goes first."

Charles Cetas: "Okay. I don't think everybody who is interested

in this project is going to be able to make the 1:00 meeting. I'm a working person, an evening meeting may be better. You know, maybe schedule other meetings."

Councilman Kwasna: "I don't think people are going to be allowed to speak at this meeting."

Supervisor Villella: "Yes, they-- "

Rick Hanley: "I think you're confusing things here. The purpose of this scoping session-- that's a better word to use-- is to identify the environmental impact that have to be studied in the draft EIS. It's not the requirement of this Town Board to notice all property owners within the town that this meeting is taking place, contiguous property owners, the state of New York, the universe. The intent here is to merely draft out those issues that we have to look at in this document. Once the document has been-- first of all we have to submit out a final scope of issues which is available for everyone to see. If there is some argument or quarrel with the issues themselves, there is adequate provisions in the SEQRA law relative that once a draft impact statement is here, people can make commentary on the impact statement, whether it's sufficient or not. So I mean the whole idea of SEQRA is discovery and public participation and I think we're really getting hung up on just the first part of this whole process which is scoping which never seems to be a problem but I guess in this case it is. So, we'll be very careful to be sure that we accommodate all the individuals that have concerns about a particular habitat on this site that seems to be the concern at this point and I can tell you that the draft scope of issues that we do have today, has already highlighted that this is a particular habitat that we are going to be sensitive to and we'll have to mitigate impacts in the impact statement. I think that's (inaudible) to say about that."

Supervisor Villella: "Thanks, Rick."

Charles Cetas: "Just one final word. I think you know scoping is a very important first step and the way you get the issues identified is through the scoping and as the process goes along, it gets harder and harder to introduce new information so we feel that, you know, getting as much in at the first stage is very critical."

Supervisor Vilella: "Is very important. Yes. We agree with that, Charlie."

Charles Cetas: "We want to get as much participation as possible."

Supervisor Vilella: "That's the reason why Rick and Adam and I decided today to stop it for this Thursday and have it next Thursday so you can have some-- "

Charles Cetas: "So maybe you could schedule an evening meeting or something like that for other people that maybe a day meeting is not-- "

Supervisor Vilella: "Well, it's already a public notice for 1:00."

Charles Cetas: "Yes, I know. But I mean after this one."

Supervisor Vilella: "After that. Okay. Well, the Board is being used that night, that's the reason. Next week the Board is being used almost every night."

Charles Cetas: "Okay. Thank you."

Supervisor Vilella: "You're welcome. Anyone else like to speak? Ziggy. Postmaster. All right. It's that time."

Ziggy Wilenski: "Good evening."

Supervisor Vilella: "Good evening."

Ziggy Wilenski: "Supervisor and Town Board. I'm Ziggy Wilenski. I'm the Postmaster of Riverhead and I also reside in the Town of Riverhead. I stand before you today to announce again this year that the Postal Service nationwide is running a food drive this Saturday coming up, May 9th, and as I said it's nationwide and what we ask from the townpeople of Riverhead is to do their best to bring their food either to the Post Office or better yet if you get delivery by your mailbox, leave it out there in a bag and the carriers will deliver your mail that day. At the same token, they will pick up that food and it will be distributed to all the food banks and

agencies.

I had the pleasure today to be one of the agencies, Long Island Harvest, and if you watch channel 25 and you've seen Tom Hartman and Rabbi Gelman (phonetic). I met both of them today and they're very much behind. They joined last year and they are with us again this year. This is the fourth year that this food drive is being held nationwide and I'm proud to say that Long Island has been number one in the nation for three straight years.

Last year Milwaukee came in second. Long Island last year got 1.2 million pounds of food which lasted approximately six or seven months to all the pantries here on Long Island. So, again, I urge you to leave your food this Saturday, May 9th. You should have received in the mail today hopefully a brochure whether you live in Wading River or Calverton or wherever, you should have received the brochure today.

Again, May 9th, this Saturday. If you can help, we'd appreciate. What I would like to see is non-perishable food such as canned soup, vegetables and juice, pasta, cereal and rice. By all means do not include any glass or perishable items because they can-- glass, of course, can injure the carrier and perishable items will spoil. Also, do not clean your cupboards. You might be thinking you are helping us but what happens is when it gets to the distribution point, they do go through it and stale cans, cans that are ripped open just gets thrown out. So it's just really a waste of time for us to collect it to have to throw it out.

And it's very interesting, I might make this comment, that you do have a Councilman here, Jim Lull, very active in his way in the pantries here in Riverhead to help the hungry and this is along the line of work that he does. And with that, I'm just going to say again May 9th, the day before Mother's Day, and I want to tell all the mothers happy Mother's Day. Again, like I did last year and especially to my mom, happy Mother's Day. Thank you, Vinny."

Supervisor Villella: "Ziggy, thank you very much."

Councilman Lull: "Ziggy, one-- if you can wait for just one second. I did get a chance to visit your operation up at the transfer station, the transfer center last year. And the people here would

not believe the amount of food that came in there. It was absolutely incredible. And we certainly thank you for the job that you've done.

Also, Town Hall is not going to be open on Saturday obviously, but if we have things to leave for our Town Hall postman, will he pick it up on Friday?"

Ziggy Wilenski: "Yes, he will."

Councilman Lull: "Okay. Thanks."

Ziggy Wilenski: "He'll pick everything up Friday, if you leave it there. I failed to mention also that last year in the township of Riverhead, we collected 10,000 pounds, which is one of the top 10 post offices in Long Island. Out of 40 post offices, Riverhead town itself had 10,000 pounds of the 1.2 million pounds."

Supervisor Villella: "You did a good job, Ziggy, with that."

Ziggy Wilenski: "So the people of Riverhead ought to be commended. Thank you."

Supervisor Villella: "Thank you. We should get this advertised more. I know we got newspaper, it will be on cable Friday night. Did you do any publicity in the papers, radio and everything on this?"

Ziggy Wilenski: "It's on TV, and in the newspapers."

Supervisor Villella: "Okay, great."

Councilman Lull: "Yes. And everybody got something in the mail."

Supervisor Villella: "Got something in the mail already. Right. Good job, Zig. Anybody else? Yes."

Linda Gatz: "I'm Linda Gatz from Zdunko Lane, as you know. I just had a question, you still are aware that we still some-- "

Supervisor Villella: "The pile. Yes."

Linda Gatz: "Okay. The other question is to Phil. How is our

little traffic light project coming?"

Supervisor Villella: "Both of you love that traffic light."

Linda Gatz: "I don't like-- "

Supervisor Villella: "I know. Neither does he."

Councilman Cardinale: "You know, I was thinking of that the other day. I was talking to Vinny on it. I-- and I said I would follow how much we had spent and whether we could absolutely spend \$54,000 for the traffic light. I'm afraid they're doing it but I tell you what, when I report at the next meeting, I'll give you specifics as to how much they've spent and whether we're going to be under or over."

Linda Gatz: "Okay. I know they're going to do it. I was just curious as to what the one costs that went up at 105 and Northville. That's like the kind of same area thing. It was a town. But I just wondered if there was any way you could find out what that one cost because it's like comparable for the same sort of thing."

Councilman Cardinale: "Yes. I can check with Ken and I'll let you know directly and try to-- remind me at the next Board Meeting if you are there; if not I'll try to remind myself to him know where we are, how much of the budget has been spent."

Linda Gatz: "I would think it's astronomical."

Supervisor Villella: "How are the roads by you now, Linda? Can a tractor get in there to get the piles out now or is-- "

Linda Gatz: "It's not near my road."

Supervisor Villella: "The back side."

Linda Gatz: "Yeah, I believe (inaudible) probably. I don't know about their own road. I know they've got that plow at the moment. There's nothing planted there. (inaudible) But behind us there's no (inaudible)."

Supervisor Villella: "I know Leroy is not here tonight. So-- "

Linda Gatz: "Right. I was hoping he was here-- "

Supervisor Villella: "Lynne, can you just write that down, a footnote, so I can talk to Leroy tomorrow on that, please?"

Linda Gatz: "But I, you know, if he had approaches Allan, I think Allan got his road fixed and so maybe if they do it right, you know, we're still getting so much rain and it's so muddy."

Supervisor Villella: "That's what I mean, I know. That's the problem."

Linda Gatz: "Right now I think they can probably-- I don't know with those big trucks. Once they load them up again and turn them around, I don't know what it would do up there. I have no idea."

Councilman Lull: "I was up there I would say three days ago, Linda. It looked like-- they should be able to."

Linda Gatz: "Yeah, I mean, it's dried up pretty good. You know. We're not talking about the corner of Sound Avenue and Roanoke. That's terrible."

Supervisor Villella: "That's a big mess."

Linda Gatz: "That's really bad. I don't think they'll ever plant anything there this year."

Supervisor Villella: "It's all washed out."

Linda Gatz: "The water is standing there. Yesterday morning I saw water standing there. So, that's all I wanted-- "

Supervisor Villella: "Okay, thank you, Linda. Steve."

Steve Haizlip: "Steve Haizlip, thank you for allowing me to come back up. But I got an afterthought that I didn't have when I was up initially and that's with Mr. Cardinale. Mr. Cardinale, how did we make out with Cablevision hearing. You said you was going to try to look into the fact that they wanted me to be on line by March 31st and I didn't even have wires down there."

Councilman Cardinale: "Yes, as we discussed, that was not coincidental. They did that deliberately to limit the impact of that rollback of rate. I don't see any great prospect that they're going to reverse that because their whole point was to make it a limited reduction-- limited to only those people who as you point out, were already on the basic as of March 31st. However, we did have a meeting with Cablevision this past week and we made some progress in regard to what is now continuing-- I guess a six year breach on their part of not giving a discounted rate to the senior citizens of the town of Riverhead. They indicated that-- and we indicated to them that we would not be interested in further discussion of the franchise agreement so we could resolve that breach of the existing contract. They indicated to us that they would consider carefully our request for compensation. And I've asked the tax assessor's office to ascertain how many people were eligible for the reduction, how many people-- during the years '92 through '98 might have applied for it, and I'm trying to calculate exactly what it is that I believe that they owe the people of the town of Riverhead."

Steve Haizlip: "How do you like that part in the paper where Patricia Acampora our Assemblywoman asked to send an FCC representative up here and the reply was budget constraining won't allow it and yet on our telephone bill they're charging the heck out of us every month."

Supervisor Villella: "You're right, Steve."

Councilman Cardinale: "I find it very amusing. You're right."

Steve Haizlip: "That's right."

Supervisor Villella: "Actually, I think there was something that came in today about the FCC has a temporary-- don't they have a license-- they gave them a temporary license to Cablevision. It's temporary, so I think we can still squeeze them."

Councilman Cardinale: "Yes. They're-- "

Supervisor Villella: "It's on TV now. On Cable. Tom."

Tom Blaser: "I don't like to talk too much but I'd be doing the citizens of Glenwood Village an injustice if I didn't mention

the fact that they need a light on 58, getting out of Glenwood Village it's almost impossible and people have been complaining about that for years. Has the Town Board ever considered that?"

Councilman Villella: "The Riverhead Centre situation is supposed to be-- the DOT is supposed to be addressing the problem. I don't think there's going to be a light directly across from you but it's going to be like a four lane highway there to Riverhead Centre."

Tom Blaser: "So that is pretty-- you know-- there's going-- "

Supervisor Villella: "You can't have a light and then a light. It's against the law. That close."

Tom Blaser: "I understand that they've been trying to get a light there for years and they were always told it was impossible."

Supervisor Villella: "Right. That's true. But you have to go out Mill Road, that's the problem. But that's the safest way for the people to get out of Glenwood."

Tom Blaser: "Yes. Okay."

Supervisor Villella: "You don't want to put them in danger, especially with all that traffic from Route 58."

Tom Blaser: "Then they're going to have to divert traffic to Mill Road. So then it's going to be almost an impossibility to get out-- "

Supervisor Villella: "No, no, no. I'm saying for the Glenwood people to go out the exit, Mill Road, it would be easier to avoid the problems that you have at Route 58. Then you could hit the light and you could wait for the light and it's easy."

Tom Blaser: "Well, Vinny, that entrance going in and out of there would be useless."

Councilman Kent: "It would only be-- only as an entrance."

Councilman Lull: "As an exit it might be."

Supervisor Villella: "You can only make a right hand turn. You can't make a left; it would be crazy."

Tom Blaser: "Is there anything that can possibly be done about that? Can we look into that?"

Councilman Lull: "I think the only additional help you can expect really is there will be an acceleration lane there. And that's it."

Supervisor Villella: "I tell you what you should do from that area, is get in touch with the people from Riverhead Centre and say I'd like to have some input as to what's going on. Like I would say the same thing for the people that live on Mill Road. That's their road. They're going to be tearing that up and making it, you know, wider, and they should have some input. And I think your situation-- "

Tom Blaser: "So the Riverhead Centre, who? Meaning the-- who in particular?"

Supervisor Villella: "Well, that's the owner, yes."

Tom Blaser: "That would be a good place to start."

Supervisor Villella: "I don't know what the chain of command is but go you go to the top, go to the top."

Tom Blaser: "What do you think Phil?"

Councilman Cardinale: "I think it's going to get worse before it gets better at that site and I think that if I were living in Glenwood I would not exit on Route 58 if I wanted to survive."

Councilman Lull: "That's exactly-- "

Tom Blaser: "Okay, gentlemen, thanks."

Supervisor Villella: "All right, are we ready to do resolutions now? Oh wait a minute, we have two-- George, and then Charlie and then that's it, please. We've got to do the resolutions. Who's on first? Yes. Charlie's on second."

George Schmelzer: "Wasting five seconds already. About the school taxes. Nothing seems to be done or talked about. We're subsidizing Brookhaven students and Southampton students. Roughly, in round figures, Southampton students (inaudible) the town of Southampton does 80% of the cost, Brookhaven 30% of the cost, and we in the town have to make up for each student 120% to make up for that. What's-- nobody does anything about it. How about getting something stirred up."

Supervisor Villella: "We did, we went up to Albany to ask for a new formula. They are going to try and do it for next year."

George Schmelzer: "The hell with the formula-- tell-- "

Supervisor Villella: "Well, that's what's hurting us."

George Schmelzer: "Tell Southampton to make their own school. They got one school over there already."

Supervisor Villella: "It has nothing to do with starting a-- it's Riverhead School District-- "

George Schmelzer: "Huh? They made it down to Hampton Bays almost one time, you know why."

Supervisor Villella: "It is there."

George Schmelzer: "Yeah, they're not-- let's put it in reverse and I've been trying to find out for a year when-- what year was it that they included south of the river in Calverton. Nobody wants to say or they can't find out. I don't know which it is. And it was around 1900 or 1901, 1899."

Supervisor Villella: "Have you been to a school board meeting?"

George Schmelzer: "Well, the Superintendent looks at me, closes his eyes, and never says a word. At least you talk to me and are nice about it. That school business, I don't know. That's-- really, I wish they'd break the district apart, have only Riverhead. Maybe you should push for that, 'cause if and when in a year or so they want a new school, I say the people of Riverhead should vote it down. Force a breakup, 'cause this will never end. Our so called

State Senator, I have another name for him but I won't mention it now, he doesn't do anything. He told me outside on the sidewalk, he doesn't know what to do. I walked in here one time-- last year I was walking in, he was walking out. He knew I was walking in; he probably went out the back door, he wouldn't see me, but he didn't. It was too late for him to turn around. So that's the way it is."

Supervisor Villella: "Thanks, George."

George Schmelzer: "I'm a little disgusted with that. There's no end to it and the school, they want to increase 8% next year?"

Supervisor Villella: "I wish it was eight. It's 9.6."

George Schmelzer: "Huh? 9.2, well you round it off, call it 10. Okay. Thank you."

Councilman Cardinale: "Yes, George. One of the things that we are profoundly aware of is that we speak about saving money up here and helping the taxes that the percentage that we can impact is so limited compared to the school board. So if you really want to save money, I think we should all be attending the school board meetings a lot more frequently. Because that is where the money is being spent if you look at your tax bill."

Supervisor Villella: "58% of your tax bill."

George Schmelzer: "Well, when they started off with this two acre zoning a year ago-- the reason was to help the school district. Now we can't reverse it."

Supervisor Villella: "We have 30% of the land-- "

George Schmelzer: "The former Town Board said that itself."

Supervisor Villella: "30% of the land is off the tax rolls. That's our problem. And we're not getting any money for it."

George Schmelzer: "And you're making it worse. How about along the river?"

Supervisor Villella: "You're right."

George Schmelzer: "The Town Board last year wanted to make that a park. Who the hell is going to pay for it? Tell the state legislature to get rid of that park, get rid of that scenic river nonsense this side of the river. The other side of the river is all woods anyhow, the county owns it, and our (inaudible) didn't do any good. He gave all the land outside the fence to the state; could have made it part of the park preserve, (inaudible) pay school taxes. Did nothing. I buttonholed him on it, he said what's the difference? The navy didn't pay any taxes. I don't know why-- kick him in the butt, really."

Supervisor Villella: "Okay, George. Who's next?"

George Schmelzer: "But that wouldn't be legal."

Councilman Kent: "George, George. That's why we give those tax incentives to the people who are looking to buy the land that we own. We want them to come here, get the property back on the tax rolls, and have them contribute. Every dollar that we get from that property is a dollar that we don't have today. That's why we give these incentives to people to come buy this property that's owned by the town so that they will pay property taxes."

George Schmelzer: "But the town doesn't own it yet, do they?"

Supervisor Villella: "No."

Councilman Kent: "No. But we own the aquarium piece and, hopefully, the Grumman piece."

George Schmelzer: "You going to make the whole town an aquarium now? That's bad enough. Any-- what do you call that? The DEC or something?"

Supervisor Villella: "I'm going to make a special tank. George's tank."

George Schmelzer: "The whole town take advantage (inaudible). Everybody owner should have that opportunity to sell his land to some jerk who wants to stay 10 years and then run away. That's what will happen."

George Schmelzer: "Thank you."

Supervisor Villella: "You're welcome."

George Schmelzer: "You really mean it?"

Supervisor Villella: "Yes. I really do. You know that."

George Schmelzer: "You're very welcome."

Supervisor Villella: "Charles and then-- "

Charles Cetas: "Charles Cetas, once again, Vice-President of the North Fork Environmental Council. Just one other question on the scoping meeting. I heard someone say that we would not be allowed to speak at the meeting or-- "

Supervisor Villella: "No, no, no. You are going to be participating in that. I thought you still handled everything. What's the lack of communication?"

Charles Cetas: "Well, I-- registered as I sat down."

Rick Hanley: "Just because it's called-- it's not called a hearing doesn't mean there's no voices. Obviously-- "

Supervisor Villella: "How are you going to get input?"

Rick Hanley: "There's an exchange of ideas."

Supervisor Villella: "Right. And in an orderly manner. In an orderly manner."

Charles Cetas: "In an orderly manner."

Supervisor Villella: "Or I'll have to-- "

Charles Cetas: "(inaudible) Okay, thank you."

Rick Hanley: "The intent is to try to get (inaudible) of the environmental issues."

Charles Cetas: "Okay. (inaudible) I just want to put North

Fork Environmental Council on record as supportin the South Jamesport Civic Association and the Jamesport Campgrounds in their efforts to make the Lebanon-- former Lebanon property in South Jamesport safe and getting cleaned up. So we believe that there may be additional testing needed to determine if there's any contamination."

Supervisor Villella: "Well, before we do that, we went out-- we're getting bids right now in knocking down the building. He hasn't done anything since that meeting. So we're going to be getting bids. We're going to knock down that building. I guess-- George doesn't like that. But we're going to do it anyway."

Charles Cetas: "That doesn't address the contaminated-- possible contamination of the site from chemicals."

Supervisor Villella: "No. After that-- we're going to be doing that, too."

Charles Cetas: "And also the, you know, possible contamination of the wetlands adjacent to the property. Well, that's going to be done."

Charles Cetas: "Okay."

Councilman Cardinale: "Charles, the position of the Suffolk County Health Department as delivered at the meeting at Legislator Carraciola meeting-- is that-- "

Charles Cetas: "Yes, I understand there was-- "

Councilman Cardinale: "Is that that property is-- the soil is safe and the water is safe. However,-- "

Charles Cetas: "However, yes."

Councilman Cardinale: "However, they have-- they did indicate an inclination to do additional testing because what they were really saying is that what they had done, which wasn't very much, and wasn't very recently, did not show anything. So it would be very helpful if we-- if you could give to the Jamesport Civic Association whatever experts that are available to the North Fork, some guidance as to what to tell-- what the proper testing should

be there. In fact, Terry Fenton (phonetic) has a meeting set up with them-- "

Charles Cetas: "It was yesterday, I believe."

Councilman Cardinale: "Yes. It was either yesterday or-- "

Charles Cetas: "Well, I told her she ought to take (inaudible) with-- because (inaudible) is saying there should be additional testing."

Councilman Cardinale: "Yes-- "

Supervisor Villella: "Right. Because he did the first testing and he knew that the first testing wasn't done the way he would have liked to have it done. He was-- they were told to do a certain thing."

Charles Cetas: "I just wanted to put NFEC on record as (inaudible)."

Councilman Cardinale: "Thank you."

Charles Cetas: "Also, I have a question on the resolution 325. What's that all about? Adopts amendment to Chapter 108 entitled zoning of the Riverhead Town Code."

Councilman Kent: "That's the code change from Industrial A and B to Industrial C."

Charles Cetas: "In Calverton?"

Councilman Kent: "Yes."

Charles Cetas: "And it's still keeping golf courses as an as of right use?"

Supervisor Villella: "Yes. In C."

Charles Cetas: "Okay. Well, we would like to see you keep golf courses as special permit because out of 2,500 acres, that's a lot of land to give as of right use to-- to that kind of use, we

believe, and I don't-- have you determined that every possible site within that 2,500 acres is an appropriate site for golf course, or not? Because I think by special permit you can still tell the landowner or the developer that, hey, your property is not really an appropriate site. But if you get as of right use, you can mess around with the site plan all you want, but you can't take that right away. And we feel that siting of golf courses is one of the most critical aspects of determining how to make a golf course an environmentally responsible facility. So, we would like you to not make it an as of right use. Keep it special permit. Thank you."

Supervisor Villella: "Any-- yes. Is that Pat?"

Rita Hoden: "Rita Hoden, Calverton. What's happening with (inaudible) property? I know Sunday they're up there screening sand. They were working up in the back."

Supervisor Villella: "They were?"

Rita Hoden: "Yes. They were. They were screening sand."

Supervisor Villella: "Saturday also. Calverton. You're talking about Calverton-- "

Rita Hoden: "You realize that there is a road-- a town road down that-- is that going to be kept open? There's a road that goes -- that road is-- that road is supposed to be not closed; it's supposed to stay open. That's a town road."

Supervisor Villella: "Everything they're doing up there, Rita, is illegal right now as far as we're concerned. And, Adam, do you just want to-- "

Councilman Kent: "Yes, we just issued a-- "

Adam Grossman: "Yes, Rita, about a week ago we had actually people from the Building Department go and take a look at what was going on at the site because we did have people contact Town Hall with concerns. There is currently a modified injunction in place that allows them to do certain limited activity at the site. It does not allow them to for example sand mine that site. So I was in touch with the DEC. What we actually ended up doing about a week

ago was a stop work was issued by the Building Department for any activity that's outside the modified injunction of Justice Berler, because we can't stop them from doing what the injunction allows them to do. And the DEC at this point is additionally reviewing what's happening at the site and is prepared to act. So we're examining it very carefully and so is the DEC. In the meantime, there's also outstanding litigation that is going on at the same time that from my office to handle it."

Rita Hoden: "Very good. Thank you."

Supervisor Villella: "Thank you, Rita. Anyone else so we can start going to the resolutions? Okay. Let's start the resolutions. Andrea. There she comes. We are going to close the Town Board meeting."

Recess

Town Board meeting reopened: 9:24 p.m.

Supervisor Villella: "We reopen the Town Board meeting. Let's see."

Councilman Lull: "Let's begin with 279. That one that's on the table. Resolution #279 was an authorization to advertise for bids on a freightliner cab. This was tabled at the last meeting. What I'm going to ask you to do is to take two votes on this, first of all to bring it off the table and secondly to defeat the motion because it will be replaced by #403 later on which has the specs correctly-- correctly done. So I move that we bring it off the table Resolution #279."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

Councilman Kent: "The same questions we had last time on this for discussion. Should we reject the bids prior to authorizing the rebid or should we-- "

Councilman Lull: "We're not going to rebid now. The authorization for rebid is at the end of the packet. We're just rejecting

both of them."

Supervisor Villella: "That's later on. We're just getting these out of the way."

Barbara Grattan: "Okay. But you're pulling off the table. 279 and 280 are two resolutions that were brought on the table."

Councilman Lull: "Yes. We're going to reject both of them."

Barbara Grattan: "Reject both of them."

Supervisor Villella: "Can we do both at one time? No. Okay."

Barbara Grattan: "279, Councilmen Lull and Kwasna bringing it off the table."

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

Councilman Lull: "Now I'll move the resolution. Because it's going to be replaced by-- "

Councilman Kent: "Why don't we just withdraw it?"

Supervisor Villella: "Wouldn't that be easier, just to withdraw it?"

Councilman Kent: "Can we just withdraw resolutions that we offer?"

Councilman Lull: "I think it's on the table. I think we better vote."

Supervisor Villella: "Let's vote on it."

Barbara Grattan: "So we're going to replace it with another one."

Councilman Lull: "Right now, we're going to vote on this one."

Councilman Kent: "What's the other resolution number?"

Councilman Lull: "It's four-- it will be at the end. It's 403 or something like that. It's going to be off the table."

Supervisor Villella: "Let's vote this off right now. Okay."

Councilman Lull: "We're voting on this resolution."

Councilman Kent: "We're voting on 279."

Barbara Grattan: "Lull has brought it off. And who seconded it? Kwasna?"

Supervisor Villella: "Yes, Mark seconded it."

The Vote: "Cardinale, yes, no; Kent, abstain; Kwasna, no; Lull, no; Villella, no. The resolution is not adopted."

Councilman Cardinale: "Okay. I would make a motion on 280 to bring it off the table for consideration."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, no-- yes to bring it off the table, yes, yes; Kent, yes; Kwasna, yes; Lull, yes; Villella, yes. The resolution is brought off the table."

Councilman Cardinale: "Okay. I would then-- I would now move the resolution having been brought off the table for passage."

Supervisor Villella: "This is to reject it."

Councilman Cardinale: "Yes, right."

Councilman Kwasna: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes, I want to reject the bid; Kent, yes;

Kwasna, yes; Lull, yes; Villella, yes. It has been rejected."

Councilman #313

Councilman Cardinale: "This resolution appoints Vinny marriage officer for the town and I think as George earlier stated it, I think Vinny has a real feel for this job. I move this resolution."

Councilman Kent: "I thought it said he was going to get a (inaudible)."

Supervisor Villella: "Anyone second that?"

Councilman Kent: "I'll second that."

Supervisor Villella: "Okay. Moved and seconded."

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

Resolution #314

Councilman Kent: "Yes. It appoints Kathy Berezny Secretary to the Board of Assessment Review. 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 #315

Councilman Lull: "Authorizes Town Clerk to publish and post a help wanted ad for automotive equipment operator in the Highway 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 #316

Councilman Kwasna: "This is an authorization to publish bid for sports equipment for the use by the Town of Riverhead. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #317

Councilman Cardinale: "This resolution rejects bids for the downtown facade improvement. 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 #318

Councilman Kent: "Authorizes the Town Clerk to republish and repost bids for facade improvements. 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 #319

Councilman Lull: "It is an amendment to the site plan of West

Marine - facade alteration. The site plan calls for a roll-up door that substitutes two pass doors. 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 #320

Councilman Kwasna: "Authorizes H2M to prepare engineering report for Extension NO. 52, which is Edwards Avenue, River Road, George and Steve, Riverhead Water Extension. 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 #321

Councilman Cardinale: "This resolution approves the application of Swezey's Department Store to have their sidewalk sale between the 9th and the 12th of July. 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 #322

Councilman Lull: "This 322 authorizes the Town Clerk to publish and post public notice to consider an amendment to Chapter 46-A entitled Architectural Review" of the Code of the Town of Riverhead. This public hearing will be held May 19th at 7:30 at the George

Young Community Center in Riverhead-- in Jamesport. Sorry about that. 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 #323

Councilman Kent: "This adopts a local law amending Chapter 101 entitled Vehicles and Traffic of the Riverhead Town Code. This is regarding the stop and yield intersections along Farm Road West, neighborhood in Wading River. Is that correct? And Second Street and Remsen and downtown Riverhead. So moved."

Councilman Lull: "Second. I'm sorry."

Supervisor Villella: "Moved and seconded."

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

Resolution #324

Councilman Lull: "Authorizes the attendance of a police officer at a seminar at West Point. The seminar entitled Property and Evidence management for Law Enforcement Agencies on October 19th and 20th. 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 #325

Councilman Kent: "Resolution #325 adopts an amendment to

Chapter 108 entitled Zoning of the Riverhead Town Code Industrial A and Industrial B to become Industrial C. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes."

Councilman Kent: "Excuse me. Barbara, there was one amendment we wanted to make to this resolution prior to adoption."

Barbara Grattan: "Okay."

Councilman Kent: "And I will provide you a copy of the amendment. It's in the text of the code amendment itself, Section 108--208 under Uses, Section C, entitled Accessory Uses in the text prior to the list where it says Accessory Uses specifically allowed include-- we want to add, comma, but are not limited to comma, the following. So the addition is but are not limited to. So I'd like to amend it as such. Do we require a vote on that first?"

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

Supervisor Villella: "Moved and seconded."

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

Councilman Cardinale: "That was the amendment, Barbara."

Councilman Kent: "That was the amendment. I think we can amend it right up to the time we vote on it without-- . That's adopted."

Resolution #326

Councilman Cardinale: "This is a budget adjustment public parking district from appropriated fund balance-- oh, I missed that one. Okay. This is #326. This resolution authorizes the Town clerk to publish and post public notice to consider the naming of a

road in the Town of Riverhead, Debbie Lane. 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 #327

Councilman Cardinale: "This is the budget adjustment in the Public Parking District from appropriated fund balance to Peconic Riverfront Driveway Capital Project \$95,000. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale-- "

Councilman Lull: "Just to clear up this as a budget adjustment. It's a resolution, it's a shift of money within the Public Parking District. It's preliminary to the resolution we're going to have later which has to do with the assignment of town projects. But it's preliminary to the rebuilding and resurfacing of River Drive and that's what's going to-- this is going to be doing the River Drive to the south part of the parking lot."

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

Resolution #328

Councilman Kent: "This is a Police Athletic League budget adjustment from a fund balance for baseball uniforms. 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 #329

Councilman Lull: "Business Improvement District budget adjustment. 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 #330

Councilman Kwasna: "This is order authorizing the increase and improvement to the Riverhead Water District acquisition and installation of water main in conjunction with the establishment of No. 48 of the Riverhead Water District. So moved."

Councilman Kent: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #331

Councilman Kent: "Resolution 331 promotes our part time clerk typist at Justice Court to the position of part time Justice Court Clerk. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #332

Councilman Lull: "Our annual financial report summary for the end of the year 1997 is available and this resolution authorizes the Town Clerk to publish and post it. 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 #333

Councilman Cardinale: "This resolution authorizes the Town Clerk to publish and post a help wanted ad for a part time kennel attendant in the animal shelter. So moved."

Councilman Kwasna: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Councilman Lull: "Before I vote on it, I just want to make sure this kennel attendant which we are advertising part time for is a weekend job and we will in the very near future, and I want to make this as part of an advertisement, we will in the near future be advertising for a part time kennel attendant during the week, on weekdays. And we'll be specifically looking for, hopefully, a college student who is either is a Vet Tech program or a Veterinary Assistant program or something like that who would like to get on the job training, firsthand knowledge. And that will becoming up soon. But at this point, this is a weekend job. I vote yes."

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

Resolution #334

Councilman Kwasna: "334 accepts the resignation of a Town employee. 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 #335

Councilman Kent: "Resolution 335 appoints seasonal laborers to the Buildings and Grounds Department. 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 #336

Councilman Lull: "Authorizes the attendance of police sergeant at a seminar in Kingston, a four day seminar entitled SCAN, Scientific Content Analysis, at the Kingston police training center. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #337

Councilman Cardinale: "Yes. It was SCAN, not SCAM, that last resolution. Edwards Avenue water extension #52. Capital budget -- project budget adoption. 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 #338

Councilman Kwasna: "338 separates a town employee from employment. So moved."

Councilman Kent: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #339

Councilman Kent: "This resolution 339 authorizes publication of a notice for public hearing regarding the redevelopment of the Calverton Enterprise Park other wise known as the Grumman property. So moved."

Councilman Lull: "I second that and I also want to call to everybody's attention that the hearing is held on the 27th of May at 6:30 at Town Hall. It's not a normal Town Board meeting."

Supervisor Villella: "Moved and seconded."

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

Resolution #340

Councilman Lull: "Approves a stipulation of settlement with a town employee. 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 #341

Councilman Cardinale: "This resolution authorizes the Supervisor to execute an intermunicipal licensing agreement between Suffolk County real property tax service agency and the Town of Riverhead. But we don't have to pay anything for it. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #342 through 391

Councilman Kwasna: "You are going to give me all 50 resolutions."

Barbara Grattan: "All 50 resolutions."

Councilman Kwasna: "All right. I'm going to take the next 50 resolutions from 342 to 391 which is all hiring part timers, full time summer help as far as summer recreation aides, scorekeepers, beach attendants, assistant recreation aides, lifeguards, water safety instructors, part time summer rec aides and waterfront coordinator. So moved."

Councilman Cardinale: "I'll second that."

Supervisor Villella: "Okay. Moved and seconded."

Councilman Kent: "Okay, I will second that even though there's some familiar names on here I see."

The Vote: "Cardinale?"

Councilman Cardinale: "I vote yes on all of them except 347 on which I abstain since it is my son, Joseph, who for the last two summers before my venture into politics, labored for the town as a part time beach attendant and I now see he has reached the lofty heights of beach attendant. So, I am abstaining on that one."

Councilman Kent: "I'll vote yes because I think Joseph needs the job."

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

Councilman Kwasna: "Same with me. I'm going to vote on all of them except I'll abstain on 367. I'll abstain on that one. I have the same problem Phil has."

The Vote (Cont'd.): "How about Councilman Lull?"

Councilman Lull: "My kids are all too old. Yes."

The Vote (Cont'd.): "And Villella, yes. The resolutions are adopted."

Resolution #392

Councilman Kent: "One second. Hold on a second. This resolution 392 appoints a recreation aide who is not related to me to the Riverhead Recreation Department. 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 #393

Councilman Lull: "Awards the bid on 100% acrylic traffic paint cold application and very bright."

Supervisor Villella: "The three best things in life, I remember, this is one of them."

Councilman Cardinale: "So moved."

Supervisor Villella: "Moved and seconded."

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

yes; Villella, yes. The resolution is adopted."

Resolution #394

Councilman Kent: "This awards a second bid on 100% acrylic traffic paint cold application. 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 #395

Councilman Kwasna: "395 awards a bid for processing and disposal of household hazardous waste. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "The 23rd of March-- wait a minute. That's when we had-- there is no-- we'll post if for you."

Councilman Kent: "I think we have to work it out with the low bidder."

Supervisor Villella: "Was that seconded by Mr. Cardinale? Yes. Okay. Moved and seconded."

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

Resolution #396

Councilman Cardinale: "This resolution authorizes the Town Clerk to publish and post a help wanted ad for a crossing guard. 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 #397

Councilman Lull: "Authorizes fee schedule for Police Athletic League program. 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 #398

Councilman Kent: "This is a general fund budget adjustment from Ambulance Field Supplies to Ambulance Vaccinations. 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 #399

Councilman Kwasna: "Authorizes the establishment of a new bank account. So moved."

Councilman Cardinale: "Seconded. And I can't resist for discussion. Only Jack Hansen could have a resolution that reads as follows:

BE IT RESOLVED that the Town Board hereby authorizes the establishment of a bank account entitled "Expendable Special Trust Account".

We-- Chris and I asked exactly what that was and Chris will explain because I certainly wasn't going to pass a resolution for an

expendable special trust account unless I knew."

Councilman Kent: "Since the Town Board has to pass a resolution every time we set up a bank account, this is an account that will be established for recreation fees. Is that correct? And I will-- "

Councilman Cardinale: "My first question was who it was expendable by and when I found it wasn't me I immediately wanted further detail. That explanation I will second."

Councilman Kent: "We still want to know who it's expendable by."

Councilman Cardinale: "It's expendable only for recreational fees."

Supervisor Villella: "Moved and seconded."

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

Resolution #400

Councilman Kent: "Move to pay the bills."

Councilman Kwasna: "I'll second it."

Supervisor Villella: "Moved and seconded."

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

Resolution #401

Councilman Lull: "401 is an approval of an assembly permit for Living Water Full Gospel Church. This is brought off the floor without having been published ahead of time but it is coming up this week and we need to get that taken care of. So I will move that."

Councilman Cardinale: "Second it."

Supervisor Villella: "Moved and seconded."

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

Resolution #402

Councilman Kent: "Awards bid for townwide construction contract."

Councilman Lull: "Yes. That awards bids for townwide construction, one of which is the one we talked about before which is the waterfront construction. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "Just discussion. I assume that we-- these are low bids, right? In that case, yes."

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

Resolution #403

Councilman Lull: "403, we're back to the freightliner again. 403 authorizes the Town Clerk to advertise for bids on one 1999 Freightliner cab and chassis equipped as specified or equal and the specifications are different from what they had been before. I'm sorry, the dates are different from what they were before. So moved."

Councilman Kwasna: "Second."

Councilman Cardinale: "Just one question. Is-- Freightliner is a kind of truck?"

Councilman Lull: "It's a Freightliner cab. It's a brand name. That's a brand name."

Councilman Cardinale: "We only want a Freightliner? No other kind?"

Adam Grossman: "Well, that's my understanding."

Councilman Cardinale: "Okay. Yes."

Councilman Lull: "The one that will do the job."

Councilman Kent: "Well, what they did though I think the change was the type of transmission. It's open now, it could be International or (inaudible) or things like that."

Councilman Lull: "But also within the bid it says, or equal."

Councilman Cardinale: "Okay. Very good. Then."

Barbara Grattan: "Who seconded that?"

Councilman Kwasna: "I'll second it."

Supervisor Villella: "Moved and seconded."

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

Supervisor Villella: "Is that it for the resolutions? That's it. Wait a minute. George is back there. Meeting adjourned."

Meeting adjourned: 9:55 p.m.

*Barbara Grattan  
Town Clerk*