

Minutes of a Regular Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York, at 7:00 p.m. on Tuesday, November 17, 1998, at 7:00 p.m.

**Present:**

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

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

Supervisor Villella: "The meeting is now open. Who would like to lead us in the Pledge of Allegiance today? Dick, would you like to lead us in the Pledge of Allegiance? Thank you, Dick. Okay. Would you like to approve the minutes?"

Councilman Lull: "I'll move to approve the minutes of the meeting on November 4th and the special meeting on November 10th."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

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

Supervisor Villella: "That's good. That's starting off on a good note. I like that. Would you like to read the Reports, Barbara?"

**REPORTS:**

Juvenile Aid Bureau	Monthly report for October, 1998
Police Department	Monthly reports for September and October
Recreation Department	Monthly report for October, total fees collected \$7,609.05

**APPLICATIONS:**

Parade Permit	Riverhead Lions Club December 6 at 1:00 p.m., Santa comes to the Town of Riverhead
	March of Dimes, April 25, 1999 9 am to 3 pm
Site Plan	Wading River Baptist Church Parsonage, parsonage for the pastor

**CORRESPONDENCE:**

Riverhead Middle School	Thanking the Sewer Dept. For providing a rewarding and learning experience for the seventh graders recently when they visited the Sewer Department
Michele Kropp	Comments on the meeting that was recently held at the Community Center in Jamesport regarding condos
Molly Roach	Petition submitted with 24 names protesting a plan to impose a post office address change to their neighborhood
Lawrence Berry	In support of the hotel application on Route 58
Deborah Wetzel	Addresses Town Board regarding the treatment of exotic animals held in confinement

Supervisor Villella: "Thank you, Barbara.

Public Hearing opened: 7:09 p.m.

Supervisor Villella: "Let the record show the time is 7:09 has arrived. Can you please read the public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall, Riverhead, New York at 7:05 p.m. on November 17, 1998, to hear all interested persons who wish to be heard regarding the consideration of a Local Law amending Chapter 44 "Agricultural Lands Preservation" of the Riverhead Town Code, Section 44-5 Acquisition of Development Rights, registered is crossed out, certified return requested is underlined. With 1000 feet of the is crossed out and underlined is adjacent to the."

Supervisor Villella: "Adam, would you like to address the audience how we're going to run the public hearing?"

Adam Grossman: "I wanted to let people know tonight that there's going to be a bit of a change in the way in which public hearings are conducted here at Riverhead Town Hall. From this day forward, the way in which public hearings will be conducted is that people will be allowed to speak. However, if they veer from the subject which is the subject of the public hearing, that is they talk about another subject that does not relate to the public hearing, I, as Town Attorney, will give one warning to that person to get back to the subject matter. If after that warning is given, there is no change back to the original subject, the person will be asked to sit down. Okay. That change is instituted as of today."

Supervisor Villella: "Thank you, Adam. Would anyone like to (inaudible) on this public hearing? If not, I declare the time is 7:11-- declare the public hearing closed."

Public Hearing closed: 7:11 p.m.

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Public Hearing opened: 7:11 p.m.

Supervisor Villella: "Let the record show the time of 7:11-- good time, 7:11-- 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 7:10 p.m. on November 17, 1998 to hear all interested persons who wish to be heard regarding the consideration of the purchase of development rights of 6.5 acres of agricultural lands owned by Richard L. Reeve located north of Sound Avenue, Riverhead."

Supervisor Villella: "Would anyone like to speak on this? I'm sorry. Yes, Rolph, could you excuse me for a minute? Okay, Julie, would you like to please speak on this? Sorry."

Julie Wesnofske: "I'm Julie Wesnofske from the Peconic Land Trust. And I'd like to just give you a brief history of this project so that you understand how we got to this point. We've been working very closely with the Farmland Committee to bring about a sale of development rights and we started out with the Trust having meetings with all of the landowners who expressed an interest in a purchase of development rights program, to find out future plans for the property, look at the families financial situation and to, you know, assess the value of the properties to Riverhead Town.

We reported our findings back to the Farmland Committee and they decided to order a preliminary appraisal for some of these properties. We used that preliminary appraisal to present to the landowners and facilitate a discussion about possible prices which began the negotiations. They continued between the town and the landowner until a final price was agreed upon that was mutually acceptable to the town and the landowner and supported by a final full appraisal.

In this case, during the process of negotiations the landowner agreed to accept a price that was lower than the value of his development rights as stated in the appraisal. You might be familiar with this sort of arrangement, it's called a bargain and sale-- we-- the tool-- the conservation tool that we use often at the Trust.

What happens is that the difference between the fair market value of the development rights and the price that the landowner has agreed to accept becomes a charitable gift to the landowner that they can use to offset ordinary income taxes, capital gains, that sort of thing. It's also very beneficial to the town because it saves the town money. In this case, the town will be saving about \$8,000 because of the landowner's agreement to accept that lower price.

So this is the piece right here. It's owned by Richard L. Reeve. The entire piece is about 12 acres but the part that's considered for purchase of development rights is only eight acres. The buildings with the house and all the accessory structures have been kept out and there's a one and a half acre development area that's being left off the north end of the parcel for future sale by the landowner.

The price that the landowner agreed to is \$8,500 an acre and the

appraisal supported a price of \$9,500 an acre. So if we take the \$8,500 an acre, the total price of this sale is \$67,600.

It's located on the north side of Sound Avenue and it's farmed with a variety of vegetable crops which are sold at a farm stand.

This particular piece is a little bit unique in its size. It's a relatively small piece of agricultural land. However, we think it's still very important because it's an integral part of a much larger block of farmland. This adjacent property right here is owned by Mr. Reeve's parents and he farms that as well. We've had quite a few discussions with Mr. and Mrs. Reeve on this piece about them selling their development rights and further up at the north end of the property there's some woodland and Sound frontage which eventually will be gifted to the Trust. So it's a great project because it combines both public and private conservation.

Discussions have gone far enough along on this property that a public hearing for them to sell their development rights has been scheduled for December 1st.

In order to ensure that this piece will remain part of a much larger block of farmland, Mr. Reeves contract is contingent upon his parents having a signed contract with the county or the town to sell their development rights.

At this point, Mr. Reeve is prepared to sign a contract and will be ready to close by about December 17th depending on, you know, the situation with his parents and how that affects everything. So, as we're trying to expedite this sale and move things along, we respectfully request that tonight the Board close the hearing, accept the landowner's offer and authorize Supervisor Villella to sign a contract so that we can get things moving and, hopefully, close this one by the end of 1998."

Adam Grossman: "Julie, I just want to mention that in the package, terms of the contract, we have a resolution tonight to authorize the next public hearing for the (inaudible) the Supervisor to execute a contract of sale. However, because I have not completed the contract on the Reeve property, that resolution will be at the next Board meeting."

Julie Wesnofske: "Okay."

Supervisor Villella: "We'll still have time to get the closing going. Great job, Julie. Anyone else like to speak on this public hearing? Rolph?"

Rolph Kestling: "Rolph Kestling, Wading River. I just have one question. Is there any minimum size when they take land development-- they buy land development rights over a farmer's property? Do you have a minimum size or can you take a postage stamp size?"

Supervisor Villella: "We'll let Hoot take care of that for you."

Hoot Sherman: "I'm Hoot Sherman from Peconic Land Trust. As a normal course of events, we like to keep anything bigger than 10 acres. We don't want to use the limited asset to preserve somebody's backyard. We-- this one is a little bit smaller than that and as Julie said earlier because it is an integral part of another 60 acre piece, the whole thing-- if this was a stand alone piece, I think the Farmland Committee would have taken a different view of taking a real small piece like this. But because it is part of a bigger piece it just makes sense to do the whole thing."

Supervisor Villella: "Sounds good to me. Rolph, anything else?"

Rolph Kestling: "Yes, it answers my question, but another question is does the town have a minimum? I mean this is the Land Trust saying we don't want anything bigger-- or anything smaller. But does the town have any regulations?"

Supervisor Villella: "Is Rick-- or Hoot can answer that, too."

Hoot Sherman: "The Land Trust doesn't make these regulations. We just do what the town's Farmland Select Committee requests that we do and that's the Farmland Select Committee who sets those boundaries."

Rolph Kestling: "I have nothing against-- believe me-- but the reason I'm pressing this question, I got a little piece of property, 60 by 100 and all I got on it is fruit trees and berry bushes. So, you know, if you're interested, I'm willing and I'll make a good price, 1000.00."

Supervisor Villella: "Write a poem about it. Adam, is that

okay? Steve, would you like to speak on this?"

Steve Haizlip: "Steve Haizlip of Calverton. I would like to know how the tax is affected on this land preservation purchase. Do we lose taxes all together, then it's spreaded out to me and Henry and John and so forth on?"

Councilman Kent: "Not all together."

Supervisor Villella: "The buildings and everything still is taxed."

Councilman Kent: "Maybe Rick could also answer that question, but there will be a reduction in the amount of real property taxes paid. It won't be completely exempt but there will be some reduction. But this is farmland that's already partially exempt anyway. So there will be an additional partial exemption."

Steve Haizlip: "An additional exemption-- "

Councilman Kent: "They're selling their development rights-- "

Supervisor Villella: "Not on the buildings."

Councilman Kent: "Correct. They're selling their development rights on the farmland. But the actual dollar impact, I cannot give you. That would be up to the Assessors Office."

Steve Haizlip: "Yeah, well, I'm not concerned with the tax-- I am concerned but-- "

Supervisor Villella: "You should be concerned about taxes but it has no effect on it."

Steve Haizlip: "-- as George says, everything is coming off the tax rolls and we're not getting anything on the tax rolls."

Supervisor Villella: "What's the other consequence, is having a developer come in and buy up the property and put something in there and it costs us more in taxes than it does if we keep it preserved."

Councilman Kent: "If this property would be developed residentially and that would cost us more in tax dollars to provide the services, the schools, to a residential development that it costs

us to take the property partially off the roll. So by preserving it, we're actually saving money in the long run."

Steve Haizlip: "And dipping in my pocket to help save it."

Supervisor Villella: "Okay. Thank you, Steve. Yes?"

Sal Mastropolo: "Sal Mastropolo, Calverton. Can you clarify something? The public hearing says six and a half acres, I heard her say eight and then I heard her say an acre and a half was going to be set aside. Now is it six and a half or is it eight acres?"

Julie Wesnofske: "I can answer that. In the process of working with the landowner, we worked through a lot of difference scenarios on the property and at one point the actual area devoted to purchasing the development rights (inaudible) was six and a half. So that was the number floating around at one point. The entire parcel is 12 acres, leaving out about two and a half for all the structures and leaving out the one and a half acre development area at the end, the total comes to eight acres."

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

Henry Pfeiffer: "Henry Pfeiffer, Wading River. I just have one question. Does the purchase of development rights preclude development by a government body or can you as a town or some other governmental body go in there and build upon it, develop it?"

Supervisor Villella: "It does but, Adam, you want to speak?"

Adam Grossman: "Well, what happens is part of that purchase of development rights program and, Julie or Rick if you want to jump in at any point, feel free to do so. What the program does is it involves an easement that's going to be recorded on these properties. That is anybody that owns these properties will be subjected to the limitations and the limitations are that you can't build on the property. It's an interesting scenario to talk about whether if the government actually was a purchaser, whether that easement would impact on the government. I think the answer would be that it would."

Henry Pfeiffer: "In other words, the government is not bound by this."

Adam Grossman: "No. The government is."

Councilman Kent: "We don't own the property though. We only own the development rights."

Henry Pfeiffer: "I know."

Councilman Kent: "The property still is in the hands of the property owner. We only purchase the development rights. I believe the property is-- still there is allowed agricultural development on these properties. So they're still allowed to develop it but only for agricultural purposes."

Councilman Cardinale: "I think his question is what happens if the development rights were remerged with the underlining fee title and it was held by the government. For example, the government bought the agricultural rights. Could you then redevelop the property? Interesting question. I think it depends upon the rules of whether it's the Suffolk County program, the Town program, etc. But certainly it's something that would be worth exploring. It's a good question."

Henry Pfeiffer: "Thank you."

Supervisor Villella: "Henry always comes up with good questions. Anyone else like to-- Charlie? Why are you sitting way in the back for?"

Charles Cetas: "I'm Charles Cetas, Vice-President of the North Fork Environmental Council. I'm a Riverhead Town resident as well. The North Fork Environmental Council, of course, supports the purchase of development rights on farmland. I guess I have a follow up question to what his question is, isn't the Town's program when you purchase development rights, do you not extinguish those development rights in this program or not?"

Supervisor Villella: "Rick will answer that for you."

Rick Hanley: "Rick Hanley, Planning Director. The program is fashioned around the filing of a 247 conservation easement which is filed with the County Clerk. That easement only provides for agricultural use of the property. There is no other provision for any other development on the property other than agricultural use. The rights are not retained necessarily as a certificate by the town, they can be transferred to other properties so I think the answer to the

question is that we cannot alienate those rights as a town. That once that easement is filed, it's filed, and in order to amend that easement, it would have to be a-- my understanding is it would have to be some procedure in front of the Supreme Court of the State of New York. So-- "

Councilman Kwasna: "You're saying even if the town owned-- bought and property and owned it themselves."

Rick Hanley: "Well, we're not buying the fee title-- "

Councilman Kwasna: "We're talking about later on."

Rick Hanley: "If the town were to purchase the property, then remerge the rights, I think there would have to be some way to amend that conservation easement and that's done by the Supreme Court, not by the town itself unilaterally."

Supervisor Villella: "Thanks, Rick. Anyone else like to speak on this? Anyone else besides Rolph who already spoke? Rolph, you can come up one more time."

Rolph Kestling: "Rolph Kestling, Wading River, again. With the last comment, something just struck me. It can only be used for agricultural purposes. But it seems to me I heard once that somebody put a temporary greenhouse there, that's agricultural use. On this piece of property, could the farmer put a temporary greenhouse as long as it's used for agricultural use?"

Councilman Kent: "Yes. As a matter of fact, Rolph, on that application for the temporary greenhouse by the Talmage family, that was on property that development rights were purchased by Suffolk County."

Rolph Kestling: "Yeah, so in other words, the farmer can sell his development rights, turn around and put a temporary greenhouse on there. It don't sound right."

Councilman Kent: "It's farming. We're trying to preserve farming."

Supervisor Villella: "Anyone else like to speak on this? If not, the time is 7:26, I'd like to declare the public hearing closed."

Public Hearing closed: 7:26 p.m.

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Public Hearing opened: 7:26 p.m.

Supervisor Villella: "Let the record show the time of 7:26 has arrived. Would you 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 7:15 p.m. on November 17, 1998 to hear all interested persons who wish to be heard regarding the consideration of the purchase of development rights of 47.4 acres of agricultural lands owned by Austin Warner, located on Youngs Avenue, Calverton, New York."

Supervisor Villella: "Would anyone-- who, Julie."

Julie Wesnofske: "We have a bit of an amendment to the area of this parcel as well. We just recently got hold of a survey so the actual acreage we're dealing with is 45.069 acres."

This sale has come to fruition in much the same way as the Reeve sale had. The same process was used and in this case, Mr. Warner has also agreed to accept a price lower than the appraised value of the development rights. So we're using the bargain and sale concept again on this parcel. And on this sale the savings is a little bit more substantial to the town. It's about \$22,500 that is being saved on this sale. And that's a substantial enough amount of money that, you know, stretching the town's dollars and that money could be applied to future sales to help further the program along. So as I said this is a sale on 45.069 acres; it's over the entire parcel and the price is \$6,500 an acre. The appraisal valued it at \$7,000 an acre. So the total price for this is \$292,949.

It's located just on the north side of Youngs Avenue and it's currently planted in nursery stock and is actively farmed. Mr. Warner is anxious to go through with this deal as well. He's prepared to sign his contract as soon as one is available and we have scheduled a closing date, hopefully definite, for December 17th on this sale.

The timing of this sale is critical to Mr. Warner for other reasons. He has other deals tied to this one so he personally really needs to close this by the end of 1998 or it will become much less

palatable to him and, you know, we can't tell what will happen after that.

So in this case, we would like to request that the process be expedited as much as possible and it looks like right now that this will be Riverhead Town's first purchase of development rights sale. So I think we're all excited about that prospect and, you know, looking forward to making it happen this year. So we'd appreciate your help in trying to get this done."

Supervisor Vilella: "Okay. We had a meeting on this one yesterday and it's correct, we're going to try and do it the week of the 17th and it will be from the town funds because the state funds won't be here in time so we'll do that with the other farms, the state funds and Gaffney was here today, he's going to give us county funds to that's where the partnership is going to work on all the other properties and it's going to be great. Thank you. Anyone else like to speak on this? If not, the time is 7:30, I declare the public hearing closed."

Public Hearing closed: 7:30 p.m.

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Public Hearing opened: 7:30 p.m.

Supervisor Vilella: "Let the record show the time of 7:30 has arrived. Would you 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 7:20 p.m. on November 17, 1998 to hear all interested persons who wish to be heard regarding the consideration of the petition from John L. Tsunis to amend Article XI of the Riverhead Zoning Ordinance (Light Industry Use District) under Section 108-45B(3) to provide for hotels as a specially permitted use to the exclusion of motels."

Supervisor Vilella: "Would anyone like to speak on this? The applicant. Sure, whatever you like."

John Tsunis: "Mr. Supervisor, would it be permitted to consolidate both applications for the change of zone and the special permit? Is that was read?"

Supervisor Vilella: "No-- "

Barbara Grattan: "Okay, I'll read-- "

Supervisor Vilella: "I think we have to keep them separate."

Barbara Grattan: "Separate. Okay."

Supervisor Vilella: "We have to change the zoning and we do have to do it that way, John."

John Tsunis: "Okay. Mr. Supervisor, members of the Board, ladies and gentlemen. My name is John Tsunis and this evening with me I have Jim Burke from my law office and Michael Torterese, the architect on this particular project.

I am an attorney by trade but I'm also involved in the hotel business. My family and I have three hotels presently, a Holiday Inn in Concord, New Hampshire; a Sheraton in Williamsport, Pennsylvania; and a Holiday Inn Express in Stony Brook.

The proposal that we have-- "

(Some discussion - inaudible)

Supervisor Vilella: "Slight changes, okay. Maybe if you could bring it-- "

Councilman Kwasna: "Point out the changes to us from what we originally saw."

John Tsunis: "Put it up here? They are architectural changes--"

Councilman Vilella: "Just so on a slant so everybody can, you know, they can still see it."

John Tsunis: "The proposal is to build a hotel which in the Riverhead Town Code merely means that the property has interior corridors. This particular property with a special permit may have a hotel built on it as a matter of right, which means that you can have one story, two story, three story hotel or-- "

Supervisor Vilella: "John, you have to approach us, not the audience."

John Tsunis: "I'm sorry."

Supervisor Vilella: "That's all right. That's all right."

John Tsunis: "You can build a multi-story motel having exterior corridors. What I am proposing is a-- as it's defined in Riverhead-- a hotel which means that there are interior corridors. And the reason for that is that is what the public demands these days especially in the northeast where there's inclement weather. Everybody is much more comfortable with an interior corridor type of facility.

I don't believe Riverhead presently has an interior corridor hotel. There are many motels evident throughout the Riverhead township but I think the property before us today is something different. They are really first class hotel rooms that the Riverhead business, tourist and residential community can be proud of and my family wants to be proud of this property as well.

As an example-- "

Supervisor Vilella: "George, you walked in just in time. Yes."

John Tsunis: "That's-- as you can see, I'm not the most athletic looking person in the world and that's not a track trophy that I won in high school, but it is an award given by the Holiday Inn system for an outstanding hotel in its system. That was awarded to my hotel in Stony Brook in 1991 when I first opened that hotel. And that name, the Holiday Inn Express in Stony Brook is one of the top 20 Holiday Inns in the world, out of 1,800 hotels at the time.

As a matter of fact, that Holiday Inn Express in Stony Brook is the first Holiday Inn Express newly built and it's the first Holiday Inn Express built by a franchisee of Holiday Inn. There are now approximately 800 Holiday Inn Expresses. A lot of that success has to do with the success of the Stony Brook property.

As you can see from the rendering, this hotel is a full amenity hotel. It has everything that a guest would ever want except that it doesn't have food and beverage. And the reason for that in this particular instance in Riverhead is that in my opinion and in our review of the analysis of the area, there is a full complement of local restaurants and taverns and catering halls that it would be redundant to have a food and beverage operation at this location.

I'm not interested in competing for the food and beverage operation; I'm looking to complement what's going on here and to enhance that. The hotel would have an indoor swimming pool and a health fitness center. I believe that the front elevation before you is a very attractive building. The site plan provides for substantial landscaping and sufficient parking so that it exceeds the present code for this type of facility so there's an excess of landscaping and there's equal or an increase of parking required.

Maybe Michael could just tell us just the numbers as far as landscaping and parking."

Michael Torterese: "Michael Torterese, Southampton, New York. The percent of lot coverage-- this particular footprint and the way this thing is laid out will be covering 14.6% of the lot with the building and that's pretty much under whatever zoning ends up being looked at on the site, the present zoning. The landscape requirement in the present zoning, there really is no specific percentage number but we are at 33.3% landscaping. Our setbacks are well in excess of the required setbacks. I think we're somewhere 150 or 160 foot front yard; 100 feet rear yard and the parking is one per room, one stall per room and that's what we're set up right now, 138 rooms, 138 parking spaces."

John Tsunis: "If we're not familiar with the site, the site is on Route 58; it's west of Mill Road, just east but north of the Riverhead Raceway. Obviously Route 58 is a major east/west road. Notwithstanding that it is a major east/west road, the Board should know that the type of facility proposed being a limited service hotel, is the least amount of a traffic generator that would be permitted on this site except for perhaps a mini storage facility and the reason for that is there is no food and beverage. There's very little activity of ingress and egress coming out of the property and I previously submitted a report to the Town and to the director of planning verifying that and I believe that study was accepted as far as the intensity of ingresses and egresses generating from a limited service hotel.

The Board should also know that there are sewers on site and here is sewer capacity available. There is water available. Mr. Torterese touched upon the landscaping as 33%. That is not by happenstance or accident. That's by design. I feel that landscaping is very, very important to a facility such as this that has to put its best foot forward to the public, our guests, and to the local

community.

Again, I'd like to say that in this particular zone a motel is permitted as of right so we would be permitted with the special permit to build the same amount of physical rooms. All landscaping, parking, height, all conform to the code. There is no request for relief or variance except for the special permit.

I would like the Board and the residents here today to be comfortable with a hotel coming into town also. Due to the unique type of facility it is, it's a hotel, and we basically open our doors 24 hours a day, 365 days a year. So we are very open and work with the local community, the local civic groups. We support local charities and we support the local hospitals. And in all of our facilities we do this and one program we started about 12 years ago and you can verify this with the Stony Brook Medical Center, St. Charles Hospital or Mather Hospital, in the area where the Stony Brook Holiday Inn Express is we offer free rooms to the hospitals, all those hospitals during the Thanksgiving period and the Christmas holiday period for any of their patients' families who do not live in the area and want to visit their loved ones in the hospital but cannot afford to do so. Those rooms are offered to the administration and the administration screens it. And it's been a very successful program.

I can give this to the Board. I would like to assure you that this will be a first class facility. Over the seven years that the Holiday Inn Express in Stony Brook has been open and operating, Stony Brook has been rated in the metropolitan area out of 12 Holiday Inn hotels, as the number one hotel in guest satisfaction every month for the past eight years of operation.

The support I spoke to concerning the local civic groups and local charities and local hospitals comes in many ways as far as financial donations but I don't like to just write out a check. Although money is precious, I think time is precious also and whenever we do participate with the local charity or civic group, we like to physically participate so it's whether I am there or my staff, we intermingle with what goes on in the community and I think that's very important.

I am presently the President of the local Three Village Chamber of Commerce and over the years I've gotten very interested in the museums of Stony Brook. I've become a Trustee and presently am the Vice-Chairman of the Board and as far as my affiliations as a

professional person in the hotel industry, I'm a director of the New York State Hospitality and Tourism Association, and I'm a director of the Long Island Convention Visitors Bureau.

Needless to say, this facility is a very expensive project for me. If I may-- the construction cost is \$7,000,000. Real estate taxes generated-- I'm sorry-- the real estate taxes generated by this facility in our estimation would be \$75,000 on the low side and probably \$90,000 on the high side. It would employ local residents, probably between 30 and 50 local residents. Payroll would be between 300 and \$500,000 a year injected into the local economy. And our analysis-- in that we do complement the local food and beverage operations in that we don't have people staying in our hotel and eating there, we estimate about \$1,575,000 of food and beverage revenue would be generated in the local economy.

As far as shopping and entertainment, that's a very, very difficult number to put a finger on but if you estimate somewhere around 40 or 45,000 people staying over in Riverhead, I think we could all assume that there would be a substantial amount of dollars being spent in the local economy for shopping and entertainment value.

Again, we've done substantial research in this. Our analysis indicates that hotel rooms are needed in town. Hotel rooms don't exist, at least the kind of hotel that I'm seeking to establish. I've communicated with various people in the area and I have letters of support which I would like to give the Town Board at this time. They're from Splish-Splash, Swezey's Department Store, the Riverhead Foundation, Chicago Title Insurance Company, Suffolk County National Bank, Palmer Vineyards, Coastal Gasoline Stations, which is a very interesting one. They say people stop at their gas stations looking for accommodations. Pindar Vineyards, 422 Realty, the Museums of Stony Brook, the State University of New York, Stony Brook Athletic Department, and that goes to the point of our affiliation with the local community and what we do. The Port Jefferson Chamber of Commerce. I have a letter from a gentleman by the name of Lawrence Barry who is the former manager of the former Holiday Inn in Riverhead.

I also took some time and walked up and down Main Street and obtained signatures on a petition which I have and I would like to submit that to the Board also. Finally, I have a study from the Suffolk County Planning Commission. I'm lucky in my timing, I guess, because just earlier this month the Suffolk County Planning Commission

affirmed my belief that a hotel is necessary and needed in Riverhead and they recently generated a report covering the hotel industry in Suffolk County and they, in fact, verify that Riverhead really needs a hotel.

I would just like to reiterate that although there are existing facilities in town, perhaps some people are looking for an alternate. I think the business is clearly here. Unfortunately for the hotels that are available, and unfortunately for the businesses in downtown Riverhead and the food and beverage operations that are here, you are not reaping the full benefit of the reward that you have in Riverhead and by that I mean those 45,000 rooms that could be staying in Riverhead are probably going back to exit 64 and 63 or Hauppauge or Islandia. They're doing their business here, and they're scooting out and staying in those rooms, in those accommodations. And I think my hotel would begin to change that pattern, allow more people to stay overnight, you pick up that evening business, the additional shoppers, the strollers walking downtown, and I sincerely believe it would invigorate not only Riverhead but especially the downtown area. And I think this will be a real beginning to get 200 more pedestrians, potentially at least, downtown.

That is the basis of my presentation for the change of zone application. If the Board has any questions, I'd be happy to try and answer them."

Supervisor Villella: "Well, we're going to ask other people to see if they have anything to say. Anyone else like to speak on this public hearing? Go ahead, lonesome George. Go ahead. George. You want to-- you or Steve, so-- Mr. Cuddy, would you like to speak on this? Yes. Okay, we'll let Steve go first then."

Steve Haizlip: "Steve Haizlip of Calverton. I would like to just inquire two questions. One, I'd like to have clarified what is interior catering. By that I don't quite understand. And the second question I want to ask, is since we have such severe weather here at times and we could get power outages and does Mr. Tsunis plan on an auxiliary generator to keep a hotel full of guests warm?"

Supervisor Villella: "Would you like to answer this, John?"

John Tsunis: "Sure. I-- it's not interior catering-- it's interior corridors. In other words, I have a hallway that you access inside the hotel from the lobby rather than coming from your car and

walking in the door of the room from the outside. The most efficient way in the hotel industry to heat a facility presently is gas, natural gas. I believe natural gas is available. But to answer your question, my hotel in Stony Brook has a generator and as a matter of fact, St. Charles Hospital during one of the hurricanes some years ago set up their offices in my hotel and they operated the business offices of the hotel-- of the hospital in the hotel."

Supervisor Villella: "John? No, not John, Charlie."

Charles Cuddy: "Charles Cuddy. I speak in opposition to the application. I think there's several problems with this application and there are two hearings tonight, so I'll address first the amendment and then when we get to the special permit, I'll add something to it."

Supervisor Villella: "That will be after we have that special-- "

Charles Cuddy: "Okay. The amendment here is being done without any, as the Board knows, environmental impact statement. The significance of that, I think, is more than just something casual. We have Route 58, we have traffic problems. We've gone through with the larger developers on Route 58 significant environmental impact statements. Here there's absolutely nothing. In the staff report, the staff, the Planning Board-- Planning Department-- identifies certain large impacts, four of them. Then they're all but ignored when you get to the SEQRA analysis that's given in connection with this particular project. I think that that's something that can't be overlooked. I think that you have to look at SEQRA much harder than it has been looked at so far.

This Board is very much aware of the Business Improvement District versus Stark. In the Business Improvement District versus Stark, there was an overlay district or at least alleged overlay district at this point and there was no SEQRA that was done at that time. Here you have a very similar situation. You have large impacts identified but you have no SEQRA study whatsoever. I think that's fatal to this application. I don't think you can pass it as it stands without having some environmental impact done.

Just as importantly, the Planning Board has indicated that there are certain things that should be considered. One of them is that the Master Plan is undergoing reevaluation at this point, in fact, is

being prepared, and that this is a site that should be looked at carefully but it shouldn't be voted on at this point by the Town Board. There's also a further point made by the Planning Board and that is that this is simply a motel in disguise. The indication from Mr. Tsunis is that you can't have a motel because it's not economically feasible. But the Planning Board points out that there's plenty of hotel space in the town. You just zoned over 1,000 acres Industrial C. Industrial C provides for hotels and that's probably the place where it should be. But before it gets on 58, somebody as a minimum, has to do a traffic study and do some environmental hard look that hasn't been done. Thank you."

Councilman Cardinale: "Charles, I have a question. Of course, I agree with you on the draft environmental impact statement but was outvoted sometime ago on that. I-- you indicated you were here tonight in opposition."

Charles Cuddy: "Yes."

Councilman Cardinale: "What interests are you representing?"

Charles Cuddy: "One of the interests I represent is the Ramada Inn which is a hotel, it was overlooked I think by Mr. Tsunis, but here actually is a hotel in Riverhead. It's the Ramada Inn."

Councilman Cardinale: "Thanks, appreciate it."

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

Barbara Blass: "Good evening, Supervisor Villella, Councilmen, ladies and gentlemen. My name is Barbara Blass and I chair the Planning Board for the Town of Riverhead. The Planning Board acting in its advisory capacity issued a report and a recommendation relative to the petition before you this evening and recommended in a 5-0 vote against the change in code at this time. The Planning Board is fully aware of the need for accommodations in this town as we continue to develop as a tourist destination. And, indeed, the Town Board with the support of the Planning Board and backed by the Calverton Hamlet study group actually created a new zoning use district earlier this year to specifically provide for this and similar uses. The district is the Industrial C zoning use district; it's also known as the tourist industry district. It encompasses approximately 2,000 acres in Calverton."

More importantly, in recognition of the need to balance appropriate commercial development while maintaining our quality of life this town provided for an industrial receiving area within this zoning use district. That enables a commercial use such as a hotel to be built at a greater than as of right density by purchasing either pine barrens credits or other identified development credits.

What you're saying here is that we could have both. We want the planned growth and commercial development and we can still maintain our quality of life and rural atmosphere in other parts of town. You envisioned this; this is how you indeed expected hotels to be used in our town. These are not anti-business policies but appropriate planning concepts. The Planning Board is encouraging the use of these available planning tools and recommend that the hotel be located in this specific zone.

Our comment about the PDD is indeed relevant. We made a comment in our report and recommendation and I believe it is relevant in this regard. It is a fact that this parcel lies within the area that was proposed for the Planned Development District and it's also a fact that the district as contemplated did not provide for hotels-- hotel use whether the parcel is three acres, or 10 or 12, the use was not contemplated in the most recent planning study that was undertaken in conjunction with the extension of the commercial sewer district. We looked at it, we chose to make some recommendations relative to new uses, hotels were not one of them in this area.

The final comment does have to do with the Master Plan and while we fully recognize that planning is a dynamic process and that zoning is subject to constant refinement, our code book is not written in stone nor should it ever be. But I think our town has been doing a lot of reacting over the last several years and I think you know what I mean by that. We react to the individual who comes into town and says I want to put my nursery school there and you say that's very nice but it's not allowed there but you can put it here, here, here and here. They say oh, no, but I want to put it there and the town reacts and he gets to located his nursery school where he chooses.

We have an individual who is forced to relocate a motor vehicle repair business in our town and he says I'd like to put it there and says that's a terrific piece of property, unfortunately the use is specifically prohibited in that district. It's not allowed; it's specifically prohibited but the town reacts by encouraging him to go to the Zoning Board of Appeals where he gets a use variance and the

building is being built as we speak.

I think we've done enough reacting and it's time to do some pro-active planning and I think you agree because you indeed have hired a consultant to assist this community in analyzing appropriate land use and development. That Master Plan process is about to get underway.

The Planning Board suggested specifically in its report and recommendation to you that hotel and motel definition be specifically examined by the Master Plan consultants and evaluate as to their appropriate location in our community prior to any action by the Board in this regard. As an individual member of the Planning Board, not speaking on behalf of my colleagues, I'd like to take that request one step further and I would respectfully request or suggest that the Town Board simply not entertain any changes in zone or any code amendments which would result in an increase in use or intensity of development unless it emanates specifically from the Master Plan process. This is not an anti-business or an anti-development concept. This is pro-active planning.

I thank you for your attention."

Supervisor Villella: "Thank you, Barbara."

John Tsunis: "May I respond to a couple of comments?"

Supervisor Villella: "Well, let's see if anyone else wants-- Charlie. John, you can have the last-- John, you can respond last then."

Charles Cetas: "My name is Charles Cetas. I'm Vice-President of the North Fork Environmental Council and also a Riverhead resident, long time Riverhead resident. The North Fork Environmental Council supports the Planning Board's recommendations to deny this zoning amendment petition for hotels in Industrial A zone to the exclusion of motels.

We believe this, as Barbara Blass has just said so eloquently, that this is an ad hoc zoning amendment in response to a particular project application. We think these ad hoc zoning amendments need to stop in the Town of Riverhead and especially for projects of this magnitude and they are not good planning. We believe that aatorium is required on the Route 58, Middle Road corridor, at least until a new Master Plan has been adopted because of all the, you know,

traffic and overdevelopment problems we've been experiencing along Route 58. This project is just going to add to that mess.

We believe the Town Board should explore the possibility of a new hotel in the downtown area. We as an organization support the revitalization of downtown; we believe a new hotel downtown would do a great deal to reviatlize downtown.

I don't think too many people are going to walk from the west end of Route 58 to downtown to a hotel. I think they're going to end up having to drive and I don't think they're going to do that.

We agree with Charles Cuddy that this project, or this zoning amendment, requires an environmental impact statement. It is, in fact, a change of use for a zoning district that covers more than 25 acres. That makes it a Type 1 action automatically and Type 1 actions according to the state regulations are presumed to require an environmental impact statement just because they're guilty until proven innocent.

The Planning Board, we believe, has made a good case that the zoning amendment as proposed is in conflict with adopted plans that the town has. That in itself triggers an environmental impact statement according to the criteria in the zoning-- in the SEQRA state environmental quality review regulations. There are, I'm sure, many impacts this project would have, among them traffic and parking, visual impacts and impacts on the sewer system. I don't have written comments tonight but if you leave the hearing open, we'll try to write them up. Thank you."

Supervisor Villella: "Thank you, Charlie. Anyone else like to speak? George?"

George Schmelzer: "Sorry I can't walk good. The other hotel, say it was built in the 20's and became an old age home. How long will it take for this to become an old age home? Maybe they can tell us."

Supervisor Villella: "Why, do you want a room, George?"

George Schmelzer: "Huh?"

Supervisor Villella: "Do you want a room? George, you."

George Schmelzer: "Me? I have a home."

Supervisor Villella: "You've got a lot of land, I know."

George Schmelzer: "Yeah, so does this-- gentleman said about parking lots, one parking space for each room. Where are the employees going to park if they only have a parking space, one for each room? Supposed somebody comes-- two people come, each one has a car. Where are they going to park? Also, is there any design this building-- if they decide to lease a place out for restaurant, is it designed that way or it would be impossible? Maybe you can answer that."

Supervisor Villella: "I can't answer that, George."

George Schmelzer: "Him. I didn't mean you. You just tell people what to do."

Supervisor Villella: "I tell people what to do?"

John Tsunis: "May I answer that?"

George Schmelzer: "Sure."

Supervisor Villella: "Sure, John. George, step-- give him a little breathing room there."

John Tsunis: "The hotel chain, the Holiday Inn Express hotel chain prohibits any food or beverage properties in the hotel. It's not allowed. But notwithstanding that if something like that was contemplated down the road, a submission, I'm sure, would have to be submitted to the town and due to various factors I'm sure it wouldn't be allowed. But if it would make everybody happy, I'd be willing to put a covenant on the property to restrict any possibility of any food and beverage restaurant to be installed on the property. I'll be happy to do that. Because that's what I intend to do."

Supervisor Villella: "George runs the town. I forgot to tell you. Oh, wait a minute. Where's Jack Hansen? I always thought he ran the town. Where is he? Okay. George, are you finished?"

George Schmelzer: "No, hell, no. I don't care if they build this or not. Why should I care? The Master Plan. They should care about the planning people's life-- or the masters who can't even run

their own lives, half of them. So, it's their money, let them do what they want."

Supervisor Villella: "George, we've got to stop you. You're not talking-- "

George Schmelzer: "What?"

Adam Grossman: "You have to stay on the subject of the public hearing-- "

George Schmelzer: "Well, others mentioned about the Master Plan. You didn't say a word about it."

Supervisor Villella: "That was part of the public hearing."

George Schmelzer: "Well, this is a public hearing, too. So I think it's-- "

Supervisor Villella: "Stick to the Master Plan."

George Schmelzer: "-- his money, he can do what he wants with it."

Councilman Cardinale: "Perhaps, George, I know you came in late. I don't think you heard the George Schmelzer amendment to the way that the public hearings are going to be held. So perhaps you could give him a summary version."

Adam Grossman: "George, what I announced at the beginning of the public hearings tonight is that what I'm going to be doing is to make certain that the subject matter of the public hearing-- discuss it at the public hearing, and that people who speak whoever they might be, don't veer from the subject matter. That I will give anyone who veers from the subject matter of the public hearing one warning and then after that if they continue to be off the subject, will ask them to sit down."

George Schmelzer: "You ought to do that to the planners, too, these hypocritical planners want two acres zoning, live on one-fifth of an acre."

Adam Grossman: "Well, just stick to the subject matter; it will be fine. Okay."

George Schmelzer: "Okay. Well, that's-- I have no objection to a hotel. If the people say the road is too crowded, extend the expressway to 105. That's all they got to do. They should do that anyway. Okay."

Supervisor Villella: "Don't get off the subject. You know we're working on that."

George Schmelzer: "Yeah, I hope so. I don't know it."

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

Tom Bozza: "My name is Tom Bozza, I represent people, the senior citizens in Glenwood Village and notwithstanding George's comments, I am definitely in accordance with the people who are against building a hotel/motel there. The Route 58 is a disaster area. There is no possible way that we're getting out of Mill Road or the exit coming out of Glenwood Village. Nothing could possibly alleviate the bad situation that we've got there. And this is one of the reasons why we're violently opposed to any hotel in that particular area."

We were thrilled when (inaudible) on the-- when they (inaudible) Route 58 hotel and then we couldn't possibly understand why there had to be another hearing and why they didn't follow the wishes of the Planning Board. This is a very bad idea and where we felt the voice of the public was being heard, now it is not and we are violently opposed to that kind of a situation.

Also, we have plenty of hotels-- "

Supervisor Villella: "Tom, that's the reason why we have a public hearing, so we could hear the voices of the town. Don't say we're not doing it the right way."

Tom Bozza: "And we also want to point out-- "

Supervisor Villella: "That's the way to do it."

Tom Bozza: "True, I agree with you."

Supervisor Villella: "Thank you."

Tom Bozza: "And we also want to point out that we've got a wonderful hotel, the Ramada. We've got five other motels around here. So, really, we don't need a hotel or anything that's going to jam up Route 58. This is the feeling of the people that I'm representing. Thank you."

Supervisor Villella: "Thank you, Tom. Anyone else like to-- Tim."

Tim Yousik: "Tim Yousik, resident and business owner of Riverhead. I'm up here to go against what I've heard so far. I would like to see the hotel in the town of Riverhead. I look at the fact that the Ramada Inn is full most of the time and there is certainly a need for more space in this town. I look at the fact that the Ramada Inn (inaudible) a lot of business from my restaurant downtown and they have their own restaurant. I look at the fact that this hotel is coming into town without a restaurant and I think will provide a lot more business in the downtown area. I don't think it's going to make a big difference in the traffic as when somebody pulls into a motel, they park their car, they stay there for the evening, they get up in the morning and they leave. They're not in and out all night longer than possibly to get in their car and go to get something to eat."

I think it would be a real asset to the community, especially since the zoning right now allows a motel and if we look around town at the motels that we have, I prefer to see a hotel. I think we should take a good look at what we already have and how it works. We have a motel in town, the Ramada Inn. They've done a very nice job. They keep the place very nice. It's been an asset to our community. We have motels in town that, some of which have not been an asset to our community. Some of which are changing, but I think we should take a very good look at what we have.

What these people are proposing, I'm certainly in favor of it, from a business point of view and from a quality of life point of view. I think we-- I'll say it one more time before I step back and that is take a really good look at what is in this town now, how it's been run in the past, and what they're proposing, and I think the bottom line is it would be an asset to the community. That's my opinion. Thank you."

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

John Tsunis: "This has mostly to do with the statistics of the hotel industry. Is that allowed now at this time or should I wait until-- "

Supervisor Villella: "That might be for the next one. This is on zoning."

John Tsunis: "All right, okay. I'll wait for the next one."

Supervisor Villella: "Okay. That will be fine. Anyone else like to speak on the public hearing? If not, the time is 8:13. I'd like to declare the public hearing closed. Oh, I'm sorry, you-- I'm not even going to keep it closed either. John speak. We are going to leave it open for two weeks, to the next Town Board meeting."

John Tsunis: "There was statistics previously submitted to the town clearly reflecting the low traffic intensity use of this type of facility. The traffic generated on an hourly basis is minimal and that, again, is because there's no food and beverage facility on premises. People-- I mean, just think about it. People come in to check into the hotel sometime in the afternoon, three or four o'clock in the afternoon until ten or eleven o'clock, they check in over a long period of time and they stay there for the night. They check out from five to six in the morning to nine or ten o'clock in the morning and then they're gone. There is very, very little in and out. An office building would have people coming in at eight o'clock, leaving lunch time, coming back in after lunch time, going back again at five o'clock. Those kinds of trips aren't generated in this type of property. So this type of property would generate less amount of trips than a shopping center certainly or an office building or an industrial building for that matter.

Somebody said that this-- the person from the North Fork Council, that this project is 10 or 25 acres. If I misled anybody, it's three acres. Excuse me?"

Supervisor Villella: "Charlie, you know not to speak out of turn."

John Tsunis: "This particular property-- "

Supervisor Villella: "John, face the Board."

John Tsunis: "I'm sorry. This particular property-- "

Supervisor Villella: "You are going to get into a head and head. You can't win with Charlie, so-- "

John Tsunis: "-- is only three acres. It is not in the new proposed development district although I understand it may have been proposed. That district from what I understand you have to ask the town to be included in that district and you are required to have 10 acres to be in that district. It wasn't proposed by the town to include this piece of property. Although I don't own it, I'm in contract to purchase it. It's under the 10 acres minimum required by that proposed zone category. I didn't ask to be included. There's sufficient sanitary available for the property. We are seeking to change basically this whole application-- is change the word motel to hotel, "m" to "h". You are allowed to build a motel, you can't build a hotel. You are allowed to have exterior corridors, exterior entrances from the parking lot to the room, you are not allowed to have a lobby where you walk in and then go into the room from the hallway. That is what this is about. Same type of traffic, same type of parking, same type of sanitary.

I believe that this type of facility is something worthwhile for Riverhead to embrace itself. It only enhances the entire business community, social community, and certainly the food and beverage community, both on Route 58 and downtown.

As far as people walking downtown, no, they're not going to do that but my hotel generates 200 lunches and 200 dinners every day in Stony Brook and a vast majority of them travel 15 minutes to go to Port Jefferson or the Stony Brook Village. I can tell you that. If this property is permitted to be developed in Riverhead, I am confident a substantial amount of people will visit your facilities downtown and thus enhance downtown. Thank you."

Supervisor Villella: "Thank you, I think, Barbara, you want to-- "

Barbara Blass: "Thanks. Just to clarify a point that was raised. Barbara Blass, Riverhead Planning Board. The zoning amendment affects not only this three acre parcel but indeed the entire Industrial A district and that's the reason that it is more than the-- or just the 25 acre minimal threshold under SEQRA. It's not just site specific, it is changing this use throughout the Industrial A district.

And the second point relative to the PDD is that, yes, you have to ask and you have to be interested in applying for the district. You are not, however, required to have a minimum of 10 acres as a single and separate parcel. The code allows for parcels to be assembled. It clearly says, parcels of less than 10 acres can be eligible if they are assembled with neighboring parcels and as a group petition for the district.

And I also might add that in addition to the Industrial C zoning use district that provides for this hotel use, we also have the office service district in town as well as Business A. So there are two other zoning use districts already providing hotels as a specially permitted use. And, indeed, in the office service district, in particular, we take special considerations and conditions for the actual build-out of a hotel. Even though it would be connected to a sewer district, the code says that with an on site sewer, you still require a minimum of 3,000 square feet of land for every room that is built. Those are the conditions.

We would like to see a hotel built in the service district. If this particular hotel were to be located in that zone, it would require at least 10 acres and I would also ask if we could possibly see a view of the hotel, an elevation from Route 58. I know the frontal elevation is indeed very attractive but that's not the elevation that you would see from Route 58. You would actually see the side of the building. So, I was wondering if the architect had a rendering that shows that elevation."

Councilman Cardinale: "Barbara, I have a question."

Barbara Blass: "Sure."

Councilman Cardinale: "The-- I assume that the Planning Board could also-- it's not real crazy about the word "motel" being in this one. Is that accurate?"

Barbara Blass: "I think that there are several uses in that one that we're not crazy about, and that is correct. Motel is not one that we would certainly encourage. I recognize that it is an as of right use but I think the applicant himself said that there is no market indeed to build motels in the town of Riverhead."

Councilman Cardinale: "And one other pertinent point that both John and yourself failed to mention about the PDD is in addition to

everything else, there isn't any (inaudible) in this town at this moment."

Barbara Blass: "Well, that's exactly true. There is no PDD district but that does not negate the planning concepts that went into the establishment of that district. While the district itself is invalidated, those concepts prevail."

Councilman Cardinale: "Thank you."

Supervisor Villella: "Thank you, Barbara. Let's see, who are we going to have? Anyone else like to speak besides Tom and Charlie? If not-- Charlie."

Charles Cetas: "I'd like to apologize for speaking out of turn but I just want to clarify that our comments were referring to the fact that this amendment changes the use in Industrial A zone which the Industrial A zone is, in fact, more than 25 acres. So, that was-- that's what I said before and that's what I mean."

Supervisor Villella: "Okay, thanks, Charlie. Tom?"

Tom Bozza: "I just want to make one more comment about the quality of life. In the last five weeks, we've been trying to get from Riverhead out to Greenport and each time that we start out from Glenwood Village, it takes us so much time just to get out of there. We have to wait and wait and wait and it seems to me that anymore traffic would be the straw that breaks the camel's back. So I can't see any advantage that any situation that is going to bring more traffic to the town is going to help us, particularly we at Glenwood Village. That's it."

Supervisor Villella: "Tom, that's the reason why we are going to have this committee on transportation, (inaudible) and the rest. I think I got (inaudible)-- I think he's going to be chairperson of the committee and they should be starting up pretty soon on that. Anyone else like to speak on this? We're going to-- "

John Tsunis: "I have one quick comment."

Supervisor Villella: "Sure,"

John Tsunis: "Okay. And I can't make Riverhead love me if you really don't want me. But I think this facility is something that

would be a great complement to Riverhead. To address the point of additional traffic one more time, just think about it logically. If a visitor is looking for a hotel room up and down 58, or going east or going west, there's going to be traffic. If there is a facility that accommodates that need, that obviously is so desperately needed, they're going to find that place immediately and get off the road. It's not going to hurt traffic; it's going to help your traffic. It's going to put those cars off the road. Any other type of facility, Mr. Supervisor, that is permitted right now will generate more. Will generate more traffic. This is going to decrease the potential. That's all."

Supervisor Villella: "John, it's not-- I don't think you have-- what I'm hearing from the people in the town of Riverhead is they don't mind the hotel, it's just where it's being put. That's what I'm hearing. Some would like to see it downtown which would be great, I would go for that. And some people want to see it in the Industrial C which we changed the zoning for. So, it's not that they're against hotel". I think it's the site that they're complaining about right now. And that's why I'm going to leave this public hearing open until the next Town Board meeting, whenever it is. Who has a calendar? Look like the Five Stooges up here, we don't even have a calendar here. Two weeks from now, what day is it? The first, thank you. December 1st."

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Public Hearing opened: 8:24 p.m.

Supervisor Villella: "Okay. Let the record show the time of 8:24 has arrived. Would you like to 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 7:25 p.m. on November 17, 1998 to hear all interested persons who wish to be heard regarding the consideration of the special permit application of John Tsunis to allow the construction of a 140 room hotel property located at Old Country Road and Mill Road."

John Tsunis: "Mr. Supervisor, to expedite the application, if I may respectfully request that the record from the previous hearing be included to the special permit application, I will rest on that. I mean, I-- in my previous presentation, I am suggesting that there are absolutely no adverse impacts on any of the neighbors. As a matter of

fact, the neighbors have executed petitions and given me letters of support. There is no impact on traffic. As a matter of fact, it would aid the traffic congestion. There is no sanitary problem as there is municipal sanitary water. No obnoxious odors or anything else and everything with this application, say changing "m" to "h", motel to hotel, outside entrance to inside entrance, everything is permitted as a matter of right without any request for relief or variances in any way, shape or form. So I obviously would urge that the town-- to act favorably on this application as well."

Supervisor Villella: "Thank you. I think we-- Charlie. We can condense both of them. Leave them both open."

Charles Cuddy: "Charles Cuddy. I appear as an attorney for the amada Inn. I indicated before that there is serious environmental concern, I think, that's not been addressed. I point out to you that it's a Type 1 action for the amendment. This has been indicated because it exceeds 25 acres. But nothing has been done and the mazing thing is that the staff report suggests that the environmental considerations will be addressed at the special permit level. But we're here at the special permit level right now and nothing has been addressed. So I don't think you can go forward and approve this application until some environmental analysis is done.

I again refer to the Planning Board considerations and as eloquently voiced by Barbara Blass, Chairman of the Planning Board, spokesperson, excuse me, of the Planning Board, there are a number of problems that that Board has enumerated and set forth in its resolution. Basically, they're saying to you that this is an overintensification of use and instead of reducing coverage which has been the plan of the Planning Board, we're now increasing coverage.

And I would point out to you that while the special permit process involves a hearing, it also involves criteria. And I don't think that the 18 points of criteria have been sufficiently addressed. They're set forth in our town code. And as an example, I just would like a few of them.

One of them is the Planning Board concern. That the site is particularly suitable for the location of such use in the community. Another one has to do with what they say doesn't exist, but we have no study to show us it doesn't exist and that is that the access facilities are adequate for the estimated traffic and that the use will avoid traffic congestion.

Another one of those says that all proposed curb cuts, street intersections, have been approved by the agency which has jurisdiction. There's no evidence whatsoever that that's been done.

I indicated to you that I represent Ramada Inn, I would point out that the average use or occupancy at the Ramada Inn is roughly 60%. One of the criteria here is that the proposed number of units is justified in light of the number of units that are vacant, proposed built occupied in the Town of Riverhead. I-- there's no study that supports that either.

So I think that the applicant has a lot of things to do before he can get a special permit. And I ask at this time, that the application not be approved. Thank you."

Supervisor Villella: "The public hearing is going to be kept open. Yes?"

Allan Ryan: "Mr. Supervisor, members of the Board. My name is Allan Ryan and I own and operate the Wading River Motel on Middle Country Road. Marketing research is a tough call. But a motel, motel, survives on occupancy alone, especially the type that Mr. Sunis is planning because its main attraction is just its rooms. That's his only commodity.

Statistically in the area, Mr. Cuddy just observed that Ramada does about 60%. Myself, we're doing around 58%, 55% and it has improved this year which I'm very thankful for. Things like the water park are not necessarily attracting people to stay at hotels. It's-- there is some residual traffic from them but a lot of the traffic is visiting and leaving the area. The things that bring people out, the tourist attractions during the tourist season, are the farms, the vineyards and the Southampton area in general. The people come out and they work their way back.

With the statistics being at 60% occupancy rate or less in some cases, and also now you have the Riverhead resort motel being rebuilt and it will become a credible 56 rooms thrown onto the market, probably next summer and then you'll have it as a major contender during the slow periods which is three-quarter-- 75% of the year is the slow part of the hotel industry in this area.

When you have a loss of occupancy, you have occurring problems in Riverhead that are detrimental to the town. Take for example the

Holiday Inn before the Ramada bought it out. The people would come out to stay at a Signature Motel, they wouldn't look for me necessarily right away, they would stay at a Holiday Inn if they could get a room. If they got a room at the Holiday Inn, the rooms were bad, the restaurant was third rated-- if you can say that, maybe worse. And the service was bad in general. This chased people away. Ramada took it over and it's doing an excellent job.

With the-- the problem being in this area, I don't think tha the occupancy rate was looked at carefully by Mr. Tsunis because we have 13 weeks or three months in the year, and 13 weekends in that year if the sun happens to be out and the weekends are (inaudible) that we all have a possibility of no vacancy, no vacancy, again, being limited predominantly to Saturday night. So when you do that, you're dealing with under 5% of no vacancy nights in the year. Now, it might be different in Stony Brook where Mr. Tsunis has his Holiday Inn Express and this award, I'm sure, was given to him at one time. There have been periods of time during his existence over there where his occupancy rate has been less than he liked. And his rooms are not occupied as full as he wished. And there are, I'm sure if he addressed that entirely on his occupancy rate through the existence time he was there, you'd notice that it wasn't consistent and it's not consistent out here. And to put another 140 rooms in the way at this moment, in the place where it's being put would be detrimental to everybody. We would wind up with a 90% availability of rooms throughout the year, where there would be empty, unrented rooms, 90% of the year. Just some statistics that are now available with the businesses that are running Riverhead now.

And I think that businesses from Jamesport, Motel on the Bay, Reamer's Cove, the Budget Host itself, the Ramada, myself, and you can go back and include exit 63 and 64 if you wish because they also tend to serve Riverhead on busy weekends. So, but the busy point is only 13 weekends and you're dealing with a very low percentage of time when we would need his extra rooms in the area and to create a situation where you might create another one like the Holiday whether it's his hotel which falls into disrepair, or upkeep and maintenance and starts treating people shabbily or the Ramada or myself, if you wish to create what Mr. Digger O'Dell there was upset about, create a situation like the Riverhead Resort Hotel, this is the best way to do it. By overbuilding and creating more rooms than are necessary through the major part of the year. Because we have to pay our taxes every month. We have to buy-- our expenses continue, whether we rent rooms or not.

I think that's just an important consideration. Thank you."

Supervisor Villella: "Thank you."

Dorothy Denario: "Hi. I'm Dorothy Denario and I'm the general manager of the Budget Host Inn which happens to be a block off of Main Street and also I am the last large hotel to the Hamptons-- before the Hamptons. And, again, what Allan says is true. We get possibly 13 good weekends out of a year and if it rains, we don't even get that. And when I first started back in '88, '86, I'm sorry, we were full every Friday, every Saturday. We never had a problem. Always knew we were going to be that way. We had Grumman in the wintertime to keep us going, Brookhaven Lab to keep us going. When all that stopped, we had to rely on the 13 weekends, and, again, if there was rain, that meant you didn't have that. So, the weekends then turned into a Saturday night and Saturday night is like pulling teeth.

I used to work the desk going back in '86, Friday and Saturday night we would have lines out the door waiting for people wanting rooms. I could have built three more buildings. We have 68 rooms, they're clean rooms, they're nice rooms. A lot of times people don't know we're there because we're off behind Riverboat Diner, but we are here, we are a decently run hotel. It's a nice hotel. People come, they stay. Now, I'm lucky if on a Saturday night I do fill and it's because Allan at the Wading River when he sends them over, the Ramada sends them over, we work back and forth. Another 140 rooms and I'm not only going to sit at 30 and 40% occupied year round, I'm going to sit like he says at 10%. We might as well all close our doors because it's impossible to carry. There's not enough people that come out here. If they do put something in Grumman and they do build something, maybe then we have a shot at getting the business we had. Right now, the business is not there. We don't have enough for us and it's just not there for another 140 rooms. No matter where they put it. And on 58, I have to say I'm sorry, but I don't have food in my hotel. And people check in and I'm open 24 hours a day, 365 days a year, and in my hotel they have to leave me to go and get food. They have to leave me to go to Splish-Splash. They have to leave me to go anywhere they want to go because all I have is a hotel. All I have-- I'm sorry, a motel. All I have are rooms.

And so the traffic circle in the summertime is unbearable. If anybody has ever driven down Main Street on a Saturday, it's unbearable. My people have to come out to go and eat. His people are going to have to come out to go and eat which is going to put the

traffic on Route 58, whether you want to believe that or not. It's the truth. They're not going to come to the hotel and sit there all day. Nobody does. They come and they go do what they want to do and they go eat and they come and they go visit this and they go visit that and they come back and they're in and out hundreds of times a day. Nobody stays in the hotel or goes anywhere to travel to sit here and do nothing in their room. They could do that home. And so the traffic is going to be in and out, in and out, just like it is in any place.

And I really don't know what else to say other than the fact that there's not enough business for us now and no matter where you're going to put it, it's going to be worse."

Supervisor Villella: "Thank you."

John Fields: "My name is John Fields. I'm the General Manager of the Ramada Inn interior corridor hotel in Riverhead. I'm also a resident of the town. I want to say first, believe it or not I'm not here to knock down the competition. I think competition coming into Riverhead town could be good. I do ask that the Town Board consider two things. One, where the next hotel in Riverhead is and where you put it, and secondly, what kind of hotel you allow in Riverhead.

The supply of hotel rooms as was brought out by Allan and Dory really is-- I mean, I count eight weekends, it could be 13 weekends, two months, July and August. And, again, it encompasses Saturday nights. We're sold out Saturday nights in those two months. The rest of the year we sit, pulling people off the streets.

I can tell you that I think the town needs to put some demand in this area before we put hotel rooms. I've been in this industry for many years, four years in this area-- (inaudible) this hotel for four years and I can tell you now that the wrong place for a hotel is on Route 58. I think (inaudible) of Route 58 can only generate traffic congestion which people have talked about. I can tell you that people check in or look to check in at 9:00 in the morning at a hotel. If a room is not ready, they are looking for a restaurant, they are looking for a tourist spot, they're looking to where they need to go to meet family, to meet friends, they're out on the road.

If you think about the Riverhead raceway on a Saturday afternoon sitting out at the same time, a group is trying to leave the Holiday Inn Express while maybe a senior from Glenwood is trying to make a

...ft, it's disastrous. Route 58, again, I think is the wrong place  
or a hotel. Now I do believe that a downtown site makes sense. I  
think the town is investing an awful lot of time in doing studies and  
putting in a new library, trying to get new courts here, an aquarium,  
music hall, the Suffolk Theatre, and a waterfront park which I think  
is a great idea, again, all that creates demand and it's all resources  
that we have. But if this town does all of that and we put a hotel up  
on Route 58, I think the only one that's going to benefit from  
everything that we do downtown is the guy who builds the hotel in  
Southampton on the Peconic River and I don't know if you know, there  
is somebody who is proposing to (inaudible) a full service hotel."

Supervisor Vilella: "Two hotels."

John Fields: "Okay."

Supervisor Vilella: "But they can't do it until they get the  
okay from the Town of Riverhead even though it's in the Town of  
Southampton. So we'll handle that one."

John Fields: "Okay. I didn't realize that. But I think, too,  
the point was brought out anybody that's staying on Route 58 is  
not going to utilize the downtown restaurants. There's a ton of  
restaurants up on Route 58. People who are not familiar with the area  
are going to make a left and make a right on a main road and say I  
hope there's a restaurant out here. They're not going to know  
anything about downtown."

Downtown's also too inconvenient. I think if you put a hotel  
in downtown people can walk to restaurants, people can walk to shops and  
people enjoy that."

Supervisor Vilella: "I like this. I should put a bid out,  
who's going to be the first one to build a hotel downtown?"

John Fields: "Who's got cash? I'll build a hotel."

Supervisor Vilella: "I'm off the record; I'm sorry. Go  
ahead."

John Fields: "I just think that is Southampton did take  
advantage of what Riverhead invests in our own downtown, they'll have  
an edge on-- a marketing edge. I can tell you truthfully we run a  
65% occupancy in our hotel. Yes, in July and August it's tough to

: a room at the Ramada but, again, it's on a Saturday night. rough the week I may run 85%, 90%. There are still 10 rooms left, ey're there. If a Holiday Inn Express comes in, we're going to lit that occupancy so each of us are running at 32% or so. Again, thampton, if they put in a hotel where they propose to put one or ), the Riverhead hotels will lose. People are going to stay intown, they're going to stay on the water.

Route 58 is becoming-- what it's becoming, if it's a retail ca, then so be it. You know, let's focus on downtown and let's us on Calverton. If the occupancy rates in a full service hotel e the Ramada are 60%, this hotel comes in, those occupancy rates p. How are you going to propose a hotel site at Calverton? Market dies are going to be done. They're going to look at the largest els in the area and they're going to shake their head and say re's nothing out here."

Supervisor Villella: "Well, there's other groups that are going help that out, John, you know, like three or four golf courses and t keeps people-- "

John Fields: "That is the right time to build a hotel. Not ."

Supervisor Villella: "Right. You're talking about Calverton, mman property."

John Fields: "Right. That's where a hotel should go."

Supervisor Villella: "That's the package deal."

John Fields: "Correct. Not on 58. There are no golf courses."

Supervisor Villella: "No. I'm just saying, you mention-- E."

John Fields: "When all that happens I think that's the right e."

Supervisor Villella: "It's pretty close."

John Fields: "Okay. That's what I think we should wait for. ourse, managing a hotel, I have concerns about new rooms coming in you know, blasting us out, that would be obvious. But I can

cept new rooms, again, if they're done right, if the hotel is built the right area, if it's built with tourist assets like golf courses, you know, water park or theme park or whatever else we can do at Calverton or if it's built in a downtown quaint village, waterfront area. I think that's what the Board needs to focus on is developing downtown, developing Calverton and sit tight on this."

Supervisor Vilella: "Thank you, John. Anyone else like to talk on this?"

John Tsunis: "May I respond?"

Supervisor Vilella: "Yes."

John Tsunis: "I believe in Riverhead. Seven million bucks, I have in it. And all due respect, if I had a hotel in Riverhead right now, I'd be taking my money and investing it in my hotel. Don't take the money out; put the money back in. Make yourself a first class hotel. Have great rooms and there's business here. It's not just me. The Suffolk County Planning Commission said it. You have a report."

Supervisor Vilella: "I think we're also waiting for the Planning Commission's response on-- "

John Tsunis: "On the application."

Supervisor Vilella: "Our Planning Board's response."

John Tsunis: "On the application. Correct. But I'm speaking to the effect of whether there is demand here. There is demand here. The Suffolk County Planning Commission has done a study and said Riverhead needs rooms now. The Suffolk County Planning Commission believes that, I didn't know that they were doing the study at the time. I have in Riverhead. I want to invest the money to give first class rooms here. I strongly suggest that Riverhead is missing the boat right now. The tourists, the businessmen, there's a lot of businesses here and more want to come. The businessmen is not staying here. They're here. They don't want to stay here. I think with a project that I'm proposing, they will stay here and all of Riverhead will benefit from that."

I'm sensitive to what the hotel people are saying right now. I want them to talk to their owners to put money back into the hotel.

They'll increase their business by doing that. Thank you."

Supervisor Villella: "Thank you. Is that a response to what he had to say? Okay. Go ahead, make it quick."

Allan Ryan: "Here's my comment on what Mr. Tsunis said. We're all putting money back into our hotels and the demand-- the businessman is not a man who wants to spend money in a full class, full service hotel. Businessmen in this area are looking for a good, clean hotel and economical prices. And we all put money back in our hotels and if he wishes to check out my landscaping, I'm sure it surpasses his idea (inaudible) and I think you all know that, too. We're all concerned and I'm kind of pleased to see the Riverhead Resort putting money back in and becoming a (inaudible). Okay. This is all very good for the area. I just don't think the demand is there now and if it was I'd be all for another hotel in the area. And I stand to have a lot of competition right across the street when you guys start throwing in the golf courses and the hotels. I don't think if they're full service and big hotels with convention centers, that only serves to bring more business in. So it doesn't-- it's not considered in the same light as 140 room only accommodation."

We don't-- I don't see this demand. Now if you had-- that one (inaudible) on Talmage down on Sound Avenue, instead of the 300 houses even if it's impossible to do, that would make more sense to have two 18 hole golf courses and a full service, first class hotel of 300 rooms. Because you bring more-- by bringing conventions in the area you make business. This is not making business. This isn't drawing business into the area. Again, marketing research is very hard to determine so I'm not-- it's a tough call. But I just don't see the demand at the present time. Thank you."

Supervisor Villella: "Thank you, Allan. Any other people like to speak on this? If not the time is-- oh, we're not even closing it anyway. Excuse me. We're keeping it open until the next Town Board meeting."

Charles Cetas: "Charles Cetas, Vice-President of the North Fork Environmental Council and resident of Riverhead. And just to make it quick, just for the record, we support the Planning Board's recommendations to deny the special permit application."

Supervisor Villella: "All right, we're keeping it open for the next two weeks. Thank you."

All right. Public comment on resolutions. But I just wanted-- before I do that, I just want to speak to Dick.

Okay. Let's get this meeting going. Any public comments on the resolutions? Steve?"

Councilman Kwasna: "Mr. Supervisor, I'd just like to say before we get started on the public comment on the resolutions, that we do have an add on resolution tonight. The resolution 1041 which appoints the a law firm to start working on the condemnations proceedings in connection with various properties located on Railroad Avenue in Riverhead. So if anybody wants to speak on that also, we do have that resolution tonight."

Adam Grossman: "And I also want to add regarding (inaudible) resolution miscommunication between the Supervisor's office and the office of the Town Attorney (inaudible)."

Supervisor Villella: "I'll take the blame for it. This is something that's very important. I want it put on tonight's agenda, I didn't want to wait two weeks for this because we're cleaning up Railroad Avenue. Steve."

Steve Haizlip: "Okay, Steve Haizlip of Calverton. Resolution No. 1004. It says authorizes the Supervisor to execute license agreement between Northrup Grumman Corp. There is no Northrup Grumman Corp., not out here."

Councilman Lull: "Steve, what that means is that the East End aircraft will have the right to use the Grumman name and logo for their work. That's all."

Councilman Kwasna: "See, Steve, there may not be a Grumman Corp. but I think they still own the rights to the name."

Councilman Lull: "Yes, the logo. Not the name, but the logo."

Supervisor Villella: "We have a-- Mr. Grumman, himself, allowing this. Steve did a lot of homework."

Councilman Kwasna: "What the contract says, they can use the Grumman name only in connection with Grumman park or Grumman museum. They cannot use the name in any other way besides put together with those words. That's what the contract states."

Steve Haizlip: "Well, you know, I bitterly object to Northrup name being on the F-14A memorial park. That aircraft was-- "

Supervisor Villella: "It's not on there. Just Grumman. We're taking the Northrup out."

Councilman Kwasna: "We just want the Grumman name, not Grumman Northrup."

Steve Haizlip: "Oh, okay."

Supervisor Villella: "We want it just the way you are going to have it, Steve."

Councilman Lull: "Steve, we have to contract with Northrup Grumman in order to use the old Grumman logo."

Councilman Kent: "They own it."

Councilman Lull: "They bought the company, they own the logo. We have to sign the agreement with them so we can use the Grumman logo. Okay?"

Steve Haizlip: "So, in other words, on that Grumman Memorial Park, we'll end up with the word Grumman Memorial Park, no Northrup Grumman Memorial Park."

Supervisor Villella: "Thank you."

Steve Haizlip: "That's what I want to hear."

Supervisor Villella: "All right. Anyone else like to speak on the resolutions? Oh, good. Let's go into the resolutions. No, I'm sorry, Mike. I'm sorry."

Mike Jacobzek: "Mike Jacobzek, President of Riverhead (inaudible). Is this with the new law? Is this the time to address the resolution on Railroad Avenue?"

Supervisor Villella: "Yes, yes."

Mike Jacobzek: "Okay. We had appeared at a work session two or three months back and there was great interest in the Railroad Avenue project at that time. The resolution that was passed this evening,

could you explain what that's pertaining to?"

Supervisor Villella: "We haven't passed it yet."

Councilman Kwasna: "It's a resolution-- oh, it hasn't been passed tonight, but the resolution tonight pertains to the first four parcels on Railroad Avenue-- "

Supervisor Villella: "Three-- four."

Councilman Kwasna: "-- starting on the south side of Railroad Avenue and the corner of-- what's the corner street there? Osborn Avenue. Okay. So it would be the two properties that we tore the buildings down, plus the empty lot, and the laundromat. That's the properties that we're working on tonight. That would be the first four."

Mike Jacobzek: "Thank you very much."

Supervisor Villella: "Anyone else like to speak on it? If not, we're going into the resolutions."

Resolution #997

Councilman Cardinale: "This resolution adopts an amendment to the zoning code and it is my recommendation that we table it because we need additional amendments. So I move to table 997."

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

Supervisor Villella: "Moved and seconded."

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

Resolution #998

Councilman Kent: "Resolution 998 adopts local law amending chapter 101 entitled Vehicles and Traffic of the Riverhead Town Code regarding a stop sign located on-- at the intersection of Second Street and South Jamesport Avenue in South Jamesport. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "I'm going to vote yes and I know that one of my friends and constituents was very instrumental in getting this, Mr. Wilenski (phonetic), and I hope it serves the purpose it's intended to."

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

Resolution #999

Councilman Lull: "999 appoints Debra Sorensen as Detention Attendant in the police department. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

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

Supervisor Villella: "And the hourly rate is \$11.20. We need a-- I think we need one or two more. Is the Chief still here? No. We need a few more-- we do need some more detention attendants, so if you're interested it's \$11.20."

Councilman Cardinale: "Some more detention, too."

Barbara Grattan: "The resolution is adopted."

Resolution #1000

Councilman Kwasna: "Since we're coming into a tax season here now, this resolution appoints temporary clerks to the Tax Receiver's office. 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 #1001

Councilman Cardinale: "This resolution appoints a volleyball official to the Recreation Department program which starts tomorrow night. So moved. \$7 a game, I think."

Councilman Kent: "Second."

Supervisor Villella: "Moved and seconded."

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

Councilman Kwasna: "I just want to change one thing in this resolution which I believe the period goes from December 1, 1998 until April 15, 1999, if that could be changed in there to make sure that it's right."

Supervisor Villella: "'99, yes."

Councilman Kwasna: "And I vote yes."

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

Resolution #1002

Councilman Kent: "Yes. 1002 approves the site plan of Wading River Baptist Church Parsonage. 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 #1003

Councilman Lull: "Authorizes the Supervisor to sign a grant agreement with the Great American Station Foundation. This is for monies to restore the historic Riverhead Railroad station. 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 #1004

Councilman Kwasna: "This authorizes the Supervisor to execute a license agreement between Northrup Grumman Corporation and East End Aircraft Long Island Corporation and the Town of Riverhead. This is for-- like Steve had brought up before, for the use of the Grumman name on our memorial park and museum. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Councilman Lull: "This is an eight page agreement to allow us to use one word. Yes."

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

Resolution #1005

Councilman Cardinale: "Resolution 1005 authorizes the Supervisor to execute and submit a grant application to Suffolk County for fiscal year 1999 Community Development Block Grant funds, '98 should be amended to '99. 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 #1006

Councilman Kent: "Authorizes the Supervisor to release petty

cash monies to Receiver of Taxes. \$200. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale."

Councilman Cardinale: "Discussion. What's she going to do with it?"

Supervisor Villella: "Petty cash, whatever comes up."

Councilman Kent: "So she can make change-- "

Councilman Cardinale: "Okay, fine. In that case, yes."

Supervisor Villella: "I only get \$100 in my office."

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

Resolution #1007

Councilman Kwasna: "This authorizes the Town Clerk to publish and post a help wanted ad for full time bus driver to be used in the Nutrition Department. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Supervisor Villella: "I just want to say that we're replacing a driver; we're not adding on another person on the town budget, so we're just replacing someone."

Barbara Grattan: "The resolution is adopted."

Resolution #1008

Councilman Lull: "1008 authorizes the Town Clerk to publish and

post public notice to consider the extension of the Riverhead Parking District. This is to include a parcel on West Main Street, which is actually used to be the Minuteman Press building at the request of the Suffolk County National Bank. This request will go through the public Parking District liaison group this coming week and we'll have a public hearing on it on December 1st. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Oh, so it's on West Main Street. I thought it was the bank itself wanted to be-- don't they want to be petitioning? They're going to be petitioning, too, okay. Moved and seconded."

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

Resolution #1009

Councilman Cardinale: "This resolution authorizes the Town Clerk to publish and post public notice, first meeting, of the Riverhead Town Code Revision Committee which is incidentally tomorrow at 7:00."

Adam Grossman: "I just want to mention that that notice was published last week."

Councilman Cardinale: "I'm comforted to hear that."

Adam Grossman: "The meeting is tomorrow night, 7:00 p.m. By the time they see this on television, it will have already taken place."

Councilman Cardinale: "They'll all be there. So moved. Seconded, whatever I'm doing."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded. Don't you want people o-- wouldn't you like to have people that whoever, you know, like to be involved with Town. I'd love to have people join this committee."

Adam Grossman: "Well, as long as the subject of the Code Revision Committee is coming up, I'd also want to mention to the

public that this is an open process and that anyone, even though the Committee is already going to begin to meet as of tomorrow night, we are-- if anyone would like to be involved with the Code Revision Committee, we are going to keep the membership open on it and anyone who is interested should contact myself at Riverhead Town Hall, extension 216. I'm here or you can write to me. And (inaudible) to keep the process open both for members of the Committee and for people who would like to sit in on our meetings. Thank you."

Supervisor Villella: "Thank you, Adam. Now we can go for the vote. It's moved and seconded."

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

Resolution #1010

Councilman Kent: "Authorizes the attendance of one police officer and one public safety dispatcher at a conference in Albany on December 3rd and 4th. 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 #1011

Councilman Kwasna: "This authorizes the extension of time to remit real property taxes for senior citizens receiving an exemption pursuant to Section 464 of New York State law-- 467. Sorry. This has to do with the Receiver of Taxes recognizes that the need to assist our seniors in payments of their real property taxes without being penalized due to time lapse between when they receive their Social Security checks and the May 31st, 1999 tax deadline. So that for these certain individuals, the tax date will be extended to Friday, June 4, 1999 to pay their taxes. 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 #1012

Councilman Kent: "This resolution awards the bid for snow removal at our property that we own in Calverton. The former Grumman site, to New View Landscaping. 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 #1013

Councilman Kwasna: "This awards the bid for the street light and traffic signal maintenance repair parts. These bids were awarded to one, two, three, four, five-- five different businesses according to how low their bids came in. 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 #1014

Councilman Lull: "If this is November, this must be the time for budget adjustments. We've got a whole bunch of resolutions coming up which are budget adjustments. This is 1014 which is Risk Retention fund budget adjustment. 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 #1015

Councilman Cardinale: "This is an Ambulance Fund budget adjustment, \$5,000 amount from appropriated to equipment. 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 #1016

Councilman Kent: "This is a PAL Fund budget adjustment from fund balance and supplies to pay for umpires and football supplies. 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 #1017

Councilman Kwasna: "This is a Recreation Program fund budget adjustment of \$4,500-- no, sorry, that's not the total, \$7,200. 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 #1018

Councilman Lull: "Child care center building fund budget adjustment from miscellaneous expense to utility expense. 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 #1019

Councilman Cardinale: "Water district budget adjustment, speaking of which I had a question on this anyway, but it is a water district budget adjustment and it is in the amount of \$83,330-- \$30 to property taxes, \$82,500 to the general fund and \$800 to telephone, utilities."

Councilman Kent: "I think it's a \$30 property tax."

Councilman Cardinale: "That's his question. Anybody know? My question is on the \$82,500, we're moving it from I assume from that appropriated fund balance to their general fund. Not our general fund as the town. So it's the water district general fund."

Supervisor Villella: "It's their fund balance and they're taking it from there to pay off the bills-- "

Councilman Cardinale: "Okay. In that case, so moved."

Supervisor Villella: "Is it seconded?"

Councilman Kent: "I'll second it."

Supervisor Villella: "Moved and seconded."

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

Resolution #1020

Councilman Kent: "This is a budget adjustment for repair and maintenance reserve fund from their appropriated fund balance to five items within their budget. 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 #1021

Councilman Kwasna: "This is the Street Lighting District budget adjustment. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Resoution #1022

Councilman Lull: "That's a budget adjustment in the Public Parking District. 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 #1023

Councilman Cardinale: "This is a Business Improvement District budget adjustment in the amount of \$3,000 from appropriated fund to BID Management Association expense. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1024

Councilman Kent: "This is UDC Trust account budget adjustment, 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 #2025

Councilman Kwasna: "This is Workman's Compensation Fund budget adjustment. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #2026

Councilman Lull: "This guy contingency has a lot of money. This is a water extension capital project budget adjustment from contingency to engineering. 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 #2027

Councilman Cardinale: "This is a water well pump #4-2 capital project budget adjustment in the amount of \$5,000 to engineering. 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 #1028

Councilman Kent: "A capital project budget adjustment for Water Extension #41B, Northside Estates. 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 #1029

Councilman Kwasna: "This is a 1998 police computerization capital project budget adoption. This is for a total of about \$223,000, of which about \$268,000 was from different federal aid and grants and I believe out of our general fund budget, law enforcement project transfer budget is about \$54,000. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Supervisor Villella: "Yes. And I want to thank Charlene (inaudible) and also Congressman Forbes for getting us that big grant. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #1030

Councilman Lull: "All the rest of the budget adjustments are for the general fund. 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 #1031

Councilman Cardinale: "1031 authorizes the Town Clerk to publish and post notice to bidders for sealed bids for junk and abandoned vehicles. 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 #1032

Councilman Kent: "Authorizes the Town Clerk to publish and post notice to bidders for sealed bids for junk and abandoned motorcycles and mopeds. So moved."

Councilman Kwasna: "Second."

Supervisor Villella: "Moved and seconded."

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

Councilman Lull: "Barbara, didn't we get any bids the first time?"

Barbara Grattan: "Excuse me?"

Councilman Lull: "Didn't we get any bids the first time?"

Councilman Kent: "We discussed this at work session."

Councilman Lull: "Okay."

Barbara Grattan: "First time."

Councilman Lull: "Yes."

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

Resolution #1033

Councilman Kwasna: "Authorize the Town of Riverhead to secure or demolish unsafe building and structure pursuant to Chapter 54 of the Riverhead Town Code. This pertains to a building and property at 44 Cranberry Street in Riverhead. 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 #1034

Councilman Lull: "We had a public hearing on this earlier, discussion on this earlier and 1034 accepts the offer of sale of development rights, the Austin Warner property. And I so move."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

The Vote: "Cardinale, yes; Kent."

Councilman Kent: "Yes, and I'd like to say that I think this is a great step for the Town of Riverhead. Purchasing property from a family that's long been known in our community-- in our agricultural community, the Warners, and I'm glad that we're making this first step. So I vote yes."

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

Councilman Lull: "And thanks for the cooperation for the Farmland Preservation Committee and the Peconic Land Trust. Works well. Yes."

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

Supervisor Villella: "And today we made history. So this is-- I want to thank everybody, even the 2% tax that you voted on, that's another day in history so we're going to preserve the land as much as we can. Thank you."

Barbara Grattan: "The resolution is adopted."

Resolution #1035

Councilman Cardinale: "This resolution authorizes the Town Clerk to publish and post notice to bidders for building materials. So moved."

Councilman Kent: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Resolution #1036

Councilman Kent: "Yes, Resolution 1036 declares the Town Board as lead agency and determines the environmental significance of a site plan application of Maidstone Landing. By this resolution, not only are we declaring lead agency but we're determining that the action is a Type 1 action requiring the preparation of a supplemental environmental impact statement and also we're going to amend this resolution in the third to the last Resolve clause. It will state that we're having the Town Clerk publish and post notice of public hearing. We're going to have a scoping hearing on December 1st, 1998, and also amend it to provide the language for the public notice to be printed in the November 25th paper, News Review, to be scheduled at 7:15 on December 1st. So we're having a public hearing, scoping hearing for the draft environmental impact statement on December 1st at 7:15. So with those amendments, I'll move the resolution."

Councilman Kwasna: "I'll second it."

Supervisor Villella: "How can we have a scoping and Board meeting the same night? Is there going to be any problem?"

Councilman Kent: "According to Rick, that's fine. We only have a couple of hearings that night."

Supervisor Villella: "Good, okay, so we can work it out. Okay. Was it seconded?"

Councilman Lull: "Mark seconded it."

Supervisor Villella: "Moved and seconded."

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

Supervisor Villella: "And I want to thank-- I don't know, is Rick here? Rick, I want to thank Rick and also Chris for working on this to bring out that we're going to be doing it the right way. We are going to be doing a supplemental EIS, that's the way it should have been done last year. So, I want to thank both of you for bringing it up. I vote yes."

Resolution #1037

Councilman Kwasna: "On 1037 I have a question of the Town Attorney here. On the second page, public notice, Adam, we're posting a public hearing for December 15th."

Councilman Kent: "We're going to change that to December 1st to 7:20."

Adam Grossman: "December 1st, 7:20 p.m. There was an error."

Councilman Lull: "Yes, but we're still saying we're closing the beaches as of November 18th."

Councilman Kwasna: "We're opening the beaches as of November 18th. Do we want to open them before we have a public hearing or wait until we have the public hearing?"

Adam Grossman: "I think we have to have the public hearing first."

Councilman Kwasna: "So we'll change the December 15th to December 1st?"

Adam Grossman: "December 1st the public hearing will be."

Barbara Grattan: "The public hearing is going to be on December 1st."

Adam Grossman: "December 1st at 7:20."

Councilman Kwasna: "Okay, and to commence December 1st if we decide. If we decide, we'll commence it on December 1st, 1998 through the same, February 16th or-- "

Councilman Kent: "No. March 1st."

Councilman Kwasna: "To March 1st, 1999."

Councilman Kent: "It will be 90 days."

Councilman Kwasna: "Just so that everybody knows, this is a public hearing pertaining to-- I'll read it first. Authorize the Town Clerk to publish and post public notice to consider a 90 day waiver of Chapter 48 entitled Beaches and Recreation Center of the Riverhead Town Code. This pertains to Jamesport Marina and boat launching ramp parking lot only.

WHEREAS, on November 5, 1998, the Riverhead High School Positive Action Committee formerly known as Youth Leadership Committee has requested that the Jamesport Marina and Beach parking lot remain open until 1:00 a.m. Now it is open until 10:00 a.m. right now, seven days a week.

This public hearing is for the Town Board to consider a 90 day trial period to keep the beach open until 1:00 on any particular night. Through the winter time we are considering only keeping it open until 1:00 on Friday and Saturday nights but that will all be brought up at the public hearing and people can put in their comment on that whether it be seven days a week or just Friday and Saturday nights and this will be just for a trial period. So the public hearing is going to be on December 1st and this is an afternoon-- "

Barbara Grattan: "No. December 1st is night."

Councilman Kwasna: "December 1st is night. We have to change the time also."

Barbara Grattan: "7:20."

Councilman Kwasna: "7:20 on December 1st and this is to consider keeping the Jamesport Beach and Marina open from December 1st, 1998 to March 1st, 1999 to 1:00 a.m. in the morning."

Barbara Grattan: "March 1st, 1999."

Councilman Kwasna: "March 1st, 1999, rather than the 10:00 a.m. that it now states in our town code. So moved."

Councilman Lull: "Second."

Supervisor Villella: "Moved and seconded."

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

Resolution #1038

Councilman Kent: "1038 appoints a 30 day temporary part time clerk typist in the Office of the Town Supervisor, Patricia McQueeney, who will be working at a rate of \$10.21 per hour. So moved."

Councilman Cardinale: "Seconded."

Supervisor Villella: "Moved and seconded."

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

Supervisor Villella: "I just want to explain it a little bit first. This is going to be a part time job. It will be two days for Patty and also want to mention we have Tom (inaudible) is here. He's going to be working three days doing public relations for the town so it's coming out of my budget line so I'm not putting new people into office. Lynn left. She left her job, she was paid quite a bit and the two people that are taking her place is going to be much less than what my budget line is so I'm saving money in my budget, plus the town or the office is being run very efficiently and the great thing about it is it increases productivity and that's what we're going to be doing with all department heads in the Town of Riverhead. We are issuing them a memo to increase productivity and to make sure they stay within their budget. We're having out budget meeting tomorrow to finalize it and that 10% on their expense line goes. I have met with all department heads except maybe one or two and we're laying-- that's exactly the way it's going to be. They can't go over that budget line. So this is the first time we're being very strict and I might take a little heat for it but I think that's the right thing to do and I'm going to do it. And I hope I have the backing of the Board on that for tomorrow. Thank you. And I vote yes on this resolution."

Barbara Grattan: "The resolution is adopted."

Resolution #1039

Councilman Cardinale: "This resolution is a budget adoption for the Washington Avenue drainage capital project. And since I drive down that road every day to work, as does one of my constituents who calls me often about this, I am pleased to offer it. And so I do. 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 #1040

Barbara Grattan: "Resolution #1040 is to pay bills."

Councilman Lull: "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 #1041

Councilman Lull: "1041, Mark pointed out in the beginning of this resolution period, appoints the law firm of Smith, Finkelstein, Lundberg, Isler, Yakabowski, Esqs. to commence condemnation proceedings in connection with various properties located within the Railroad Street revitalization project, four properties listed. 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."

Supervisor Vilella: "Is that it for the resolutions? We're going to go right into public comment and the first one is Steve."

Steve Haizlip: "Steve Haizlip of Calverton. You know, I'm glad to hear Adam bring up about the code revision and it's going to be tomorrow night and any town citizen can attend and it's going to be held right in here?"

Adam Grossman: "Yes. It will be held, Steve, it will be held here at Riverhead Town Hall right in this room at 7:00 p.m. tomorrow night. I'd like to see you there."

Steve Haizlip: "Well, I'm going to be there because I'm getting a little tired and sick reading in the paper about Office Max where one guy will say well, that's the way I interpret the law. Another one says that's the way I interpret the law and so it's going to have to be get this thing in plain understandable language.

I'll give you an example. Nascar has got a law where it says any recognized track that runs racecars, modified, jalopies or what have you, will hold a minimum of two races a year. There's a clause right in that statement and the clause is all you have to do is go get two people in two cars and go out there and race around the track. It doesn't come out in plain English and state it will be an authorized car. See, that's where the key is right there. So I'm going to try to help on that."

Supervisor Vilella: "Great, Steve. Looking forward to it. Is that it? Sal."

Sal Mastropollo: "Sal Mastropollo, Calverton. Just a quick question. Is a builder authorized to dig a hole for a foundation before he has a building permit?"

Adam Grossman: "Sal, actually, (inaudible) asked me the question just before the meeting, Sal, I'm going to have to get back to you on your answer and the code. For the most part as a whole, zoning requires that you obtain permits before really doing just about anything, even if it's something very simple on a piece of property with some exceptions."

Sal Mastropollo: "Okay. There's two holes already dug in the Wildwood Acres area, one on Hulse Landing Road right across from the firehouse, and one on Hulse Avenue about a block south of Park. Okay."

Both of them have been dug by bulldozers, have been graded with no permits posted."

Supervisor Villella: "Is Leroy Barnes here? Any code enforcer here? No. Make sure we check that out first thing tomorrow."

Adam Grossman: "I'll be happy to get an answer."

Sal Mastropollo: "The one lot on Hulse Landing Road in particular-- "

Supervisor Villella: "Lou, do you know anything about it? Lou did it."

Sal Mastropollo: "Yeah, okay. The one lot on Hulse Landing Road in particular was backfilled a couple of years ago which created a water problem-- the property right next door which just happens to be my mother's property."

Supervisor Villella: "Is that 18-- 19-- what street is that?"

Sal Mastropollo: "19th Street."

Supervisor Villella: "Well, we're taking care of that. That's the first drainage problem we're taking care of."

Sal Mastropollo: "Okay. But the question is the hole that's dug, number one, do they have a building permit? Number two, okay, did they go down to virgin ground because that hole was backfilled about three or four years ago with fill."

Adam Grossman: "Sal, (inaudible) depends on what they're going to be doing. You would need a building permit if you are going to be building something there, but, for example, if you're putting in a drain-- "

Sal Mastropollo: "No. No. According to the bulldozer operator they're putting in a house."

Supervisor Villella: "Okay. We'll check into it, Sal."

Sal Mastropollo: "Thank you."

Adam Grossman: "Give me a call at Town Hall."

Supervisor Villella: "Sal, I thought you were talking about Calverton Industries and TS Haulers with their big hole."

Sal Mastropollo: "No (inaudible) started on that."

Supervisor Villella: "I mean we can give them permits and they're digging holes and the Court's backing them. That's pretty sad. Yes. I've got it right here."

Adam Grossman: "Sal, if you give me your phone number-- "

Sal Mastropollo: "929-3058."

Supervisor Villella: "Well, you didn't have to-- you should-- "

Councilman Kent: "We've got to wish Lou a Happy Birthday. Forty years old."

Supervisor Villella: "Happy Birthday."

Councilman Kent: "Happy Birthday, Lou. Lou is 40 years old now."

Lou Passantino: "Today. And I'm here."

Barbara Grattan: "And you're at the Town Board meeting today?"

Lou Passantino: "Talk about committed. Should be."

Councilman Kent: "You should be, is right."

Lou Passantino: "Well, it's funny because Sal-- we live in the same neighborhood. We've observed the same two pieces of property that have been-- the holes have been dug, I don't see any identifying permits that are there. I happen to know from experience that yes, you do need to have your permit posted when you dig the hole. Certain people that may have come before the Boards, the ZBA, they have stated and it was a requirement of the ZBA, as on any building lot, that you're supposed to take care of the water on your own property."

Now Sal mentioned the 19th Street-- 19th and 20th Street. What has happened there is if you drive past there, you'll see how high this guy is going to make his property. He brought in all this extra dirt; he's the guy who had the lowest piece of property between 18th

and 19th Street. And when it was undeveloped we didn't have a problem as bad on those streets. And if possible, not even a problem. So now you've got two parcels that have been developed without permits out there. You have water contentions, we're going to have problems."

Supervisor Villella: "You think it's going to drain off into the road because he's going to have it higher?"

Lou Passantino: "Oh, I've got to say it's got to be at least three feet to four feet higher than the road if you look at the grade."

Supervisor Villella: "Adam, I want you to take care of this."

Lou Passantino: "I'm not trying to split hairs here but yes as Sal said, that is going to cause a problem and I don't see a permit so and I know for sure you need a permit."

Supervisor Villella: "It's going to cause a problem. Here we are trying to fix it before the season's over and this guy is going to add to it. So-- "

Lou Passantino: "Well, this is what originally caused the problem on those two blocks and if people come before the ZBA and they say that they're going to maintain the water on their own property, as soon as they grade the property or at least just to dig the hole and you see how they're starting to grade it, you're going to see that they have no intention of doing that. And on those two parcels I think that we should look at it."

Supervisor Villella: "They should have drains on their own property to take in some of that. We did that to some other homes."

Lou Passantino: "Yes. I know of-- but what I would say is that the way that the property is graded, it may have been a hole to begin with and now it's much higher. Thank you."

Adam Grossman: "Appreciate the information and I'll be happy to follow up on it."

Lou Passantino: "Thank you."

Supervisor Villella: "Edna, remind me to talk to Leroy tomorrow. He should have been here tonight, the department heads

should be here. William Kasperovich."

William Kasperovich: "If I may speak off the record for the moment, this property on Hulse Landing Road opposite the fire house, it was excavated many years ago. What the man did with this excavation, I don't know but they were buying truckloads of earth to create a fence around the Grumman property and this is outside the fence. But that was a big hole to start with. The mounds are no-- cannot be interpreted as to where the first floor of the house will be because this is a very common fact of excavation where banks are put up so that the concrete truck can get to a higher elevation to unload. This is a common way of banking excavation. This has nothing to do with where the first floor will be. Okay."

Supervisor Villella: "Thank you, Bill."

William Kasperovich: "William Kasperovich of Wading River. Let me put this on my tape recorder so that it's for record. I think Mr. Supervisor you have added one more historical moment in the township. When you concede the Chairmanship of a public hearing to the Town Attorney you were doing something absolutely improper and incorrect and most likely illegal."

Supervisor Villella: "I'll check into it. Thank you for the warning."

William Kasperovich: "Now, what is pertinent and what is germane to this subject. If anybody doesn't understand it or can cope with the complexity of it, they should not attack the speaker for speaking at such length, trying to explain to them what is involved. And I think you gentlemen on-- with the last meeting, the public hearing, have to do some homework to see the points that were pertinent and germane to the hearing. Thank you."

Supervisor Villella: "Thank you, Bill. Linda Stepnoski."

Linda Stepnoski: "Good evening. My name is Linda Stepnoski and I live on the corner of Middle Road and Roanoke, one block north of the hospital. Now if you can visualize where that is, possibly you'll understand why I'm here today. It doesn't matter who you speak to in Riverhead, everyone knows someone who has either had an accident there or had a very close call, or they themselves had an accident. So my neighbors and my family and people who work around that area, we have gotten together and put together a petition to ask the town for a

light.

And before I read this, I do want to tell you that when Mr. Janoski was the Supervisor we had tried at that point to get a light there and I believe it was designated as one of the 10 worse intersections in Riverhead. However, nothing was ever done. Since that time, we've had a lot more traffic and population in the area. So we decided that we want to do something."

Supervisor Villella: "Everybody cuts through there to avoid Route 58. They use your road, absolutely."

Linda Stepnoski: "Absolutely. We the undersigned as residents of Riverhead Town request that the Town of Riverhead put up a stop light at the intersection of Middle Road and Roanoke Avenue. Middle Road and Roanoke Avenue serve many pedestrians every day. Senior citizens from John Wesley Village who walk to do their shopping, mentally challenged adults from three area adult homes who walk to local stores, numerous health walkers and joggers, children riding their bicycles and at certain times of the year cross country runners who are students from Mercy High.

The safety of these pedestrians is jeopardized every day due to the unsafe driving around that corner. Over the past 21 years, the number of accidents in that intersection has increased due in part to increased population, increased volume of traffic on Middle Road, John Wesley Village, Two Bears development and Tall Oak Estates, increased number of drivers using Middle Road as an alternative route to Route 58, and an increased speed of vehicles of roads. This increase of traffic and speed has resulted in numerous accidents, property damage, bodily injury and at least one or two deaths.

We feel a light will slow down traffic to a safe stop instead of stop signs which allow drivers more freedom to judge the probability of a safe intersection crossing.

Now since this was put out for the public to sign, which we did get about approximately 180 signatures, I have done a little homework and I have an accident report dated October 9, 1994. In this particular accident, two people died as a result of the accident. It wasn't really advertised or made public. A lot of people don't even know about this particular accident with the deaths. In fact, in this accident report, it was mentioned that two or three other people in the accident were taken to the hospital but these two people weren't

even mentioned as taken to the hospital. But the officer who was in charge did write down they died and he put down the date. Now, I don't know-- I can't prove for sure that they died as a result of this accident because I don't have the death certificate. You can get the death certificate and you can follow up on this.

So, now I submit the petition and the accident report."

Supervisor Villella: "Thank you, Linda. Well, death or not, there's accidents there almost constantly. I drive that every day."

Councilman Kent: "I drive it every day, too."

Supervisor Villella: "Well, I think we'll get the Highway Department to look at it, maybe even engineering, and we'll get the chief of police to look at it. Let's see what we can do. A blinking light won't do it, though, you say. You want a regular light. Because they might recommend something, that's what I'm trying-- I don't know."

Councilman Kent: "We should also do a letter to the chief to enforce the speed limit on Roanoke, 35 miles per mile in that area. People are going much faster."

Agnes Stark: "I'd just like to add-- my name is Agnes Stark. I live on Middle Road, just before you get to the intersection. Fairly recently, I don't know exactly the time frame, there was a sign post put up notifying the people who were traveling east on Middle Road that there was a stop sign that would be coming.

In your response just to, you know, when Lynn stepped aside, you were a little but unsure about, you know, whether you wanted a stop sign or whether we could put a traffic light, or whether it's going to be blinking. My question is I'm really unsure in terms of how the town does plan for the different areas in the town in terms of, you know, potential traffic hazards and safety. I know for instance on North-- I mean ever since we had another accident in late September, I said, yes, I think it's time we need at least a blinking light. And then it raised questions in my mind and if you can address this, I don't know, in terms of who decides to put the stop light at the hospital. Was there any thought in terms of the road in general from Sound Avenue to the traffic circle? So I raise that question, you know. We can bat around we need a light. Do we need-- "

Supervisor Villella: "Yes, that's why the traffic study would have to show that."

Agnes Stark: "But I want you to be aware for instance on Northville Turnpike, and I don't know how, as I say, how this evolves and how the ultimate decision is determined. So I'm just offering this to you in terms of when you do this study or investigate the situation."

I noticed on Northville Turnpike, of course, you have a stop light at 105, you have a blinking light at Doctor's Path, you have another blinking light at Middle Road and Northville and then you have the stop sign, of course, the red stop signal on 58 and Northville. I notice we have two yellow blinking lights in Polish Town. We have a yellow blinking light at the entrance of Foxwoods. My question is when you decide to do this, whose determination is it, you know, how is it done? So maybe to answer your question, for instance, the light at Northville, one side it's a red and a yellow blinking light. So whether it's a completely yellow blinking light, whether it's a traffic light, or whether it's a four way stop sign, that's something I think that you should take into consideration. Thank you."

Supervisor Villella: "Thank you. That's all I have on the cards but if anyone would like to speak. George. It's probably still out in the box, George."

George Schmelzer: "Okay. Ken, the engineer, called me up this afternoon, said he had got a call from the DOT. They cleaned that pipe."

Supervisor Villella: "That's what they told-- you were in my office yesterday. That's what they told us."

George Schmelzer: "And I told them I didn't think they did. So I tried to call Mrs. Purcell (phonetic), wasn't in, I called her after dark, she says no, they came down and cut a few branches off."

Supervisor Villella: "Cut a few branches off?"

George Schmelzer: "Yeah. On trees. Not inside the pipe. So I get back-- tell Ken to get back to them or yourself that they didn't do it. They lied, cussed the bastards out. If they did do it, congratulate them. I think they need to be cussed out though."

Supervisor Villella: "You already have that taken care of. We want to follow up on it. I know you were in my office yesterday. It was too late, the DOT, they left at 4:00. They have better hours than us."

George Schmelzer: "That's one thing."

Supervisor Villella: "Go ahead, George."

George Schmelzer: "You have this tax of people who sell land, sell topsoil or move it off the property. A dollar a yard?"

Supervisor Villella: "No. No. It's not a tax. It's a fee. It's \$.50 a cubic yard."

George Schmelzer: "\$.50."

Supervisor Villella: "Yes, on commercial properties."

George Schmelzer: "Oh, I figured out if anybody raises sod and they take about 3/8 of topsoil off everytime-- a good sod-- that figures out about 50 yards an acre. So you should get \$25 an acre everytime they harvest a yard-- an acre of sod."

Supervisor Villella: "It wasn't meant for that. It was meant for new-- "

George Schmelzer: "What?"

Supervisor Villella: "It was meant for new commercial buildings going on."

George Schmelzer: "Oh, you're being selective, huh? Somebody puts up a building-- "

Supervisor Villella: "George-- it does include golf courses, yes. Anything after July 8th or 11th, Adam, the law went into effect."

George Schmelzer: "Okay. I wish-- it seems that H2M is setting the policies for the water department because they do nothing but H2M doesn't want. You can follow that up that yourself and I'll talk to you about it some other time."

There's a-- Harry Finkelstein (phonetic) was a friend years back, no relation to Finkelstein the lawyer. We knew him since the '30's; he's long time dead. Before he died he had some strange ideas. He owned the land west of the cauliflower farm, north of 58, there's a big pond. He filled the pond in. I called up one of the Board members that time, I said, the town owns that, he shouldn't fill that in. You are going to have a lot of problems. Nobody did anything. So it cost the county big money to correct the problem of the flooding on the road. The town owns that lake because it's part of the Andrews (phonetic) Patent and got a deed from the Trustees of Southold, 1965. I brought a deed in here a couple years ago. Maybe it's around here someplace. If you can't find it, I'll get another copy for you. So I don't know if you are going to do anything about it or not. Somebody ever puts a building there, they really don't own it. Unless they get a quit claim deed from the town. It's a filled in lake."

Supervisor Villella: "Is this Warsaw Lake you're talking about?"

George Schmelzer: "The lake, just the west side of the cauliflower farm. Yeah, you look at an old map, you'll see it."

Supervisor Villella: "Yes, Warsaw Lake. It was filled in in the late '50's or '60's. When was it filled in, George?"

George Schmelzer: "After '65. Yeah, when the town owned it. See, the town separated from Southold in 1792 but it never settled that Trustees right to the waters of Southold and part of the Andrews (phonetic) Patent. It's got nothing to do with the stuff south of the (inaudible), it's private. So the town didn't follow through on it so somebody puts a building there, either you have to give the guy a quit claim deed or do something, should resolve that."

Supervisor Villella: "I would like to get the property back and sell it for \$225,000 an acre."

George Schmelzer: "No. You only get it back, you must dig it out for a pond again. Otherwise you're in violation of your own (inaudible). So, that's what I mean."

Now, a bad place, accident prone is Edwards Avenue and River Road, Calverton. If you're on River Road, it's very hard to see a car coming down from the north because of the hill. It's luck that nobody got killed there. I'm scared every time I go through there."

Supervisor Villella: "Did they lower the speed limit? Because they said they were going to?"

George Schmelzer: "No, I don't think so, no."

Supervisor Villella: "I thought it was lowered to 30 miles per hour. They did lower it."

George Schmelzer: "They're not going any slower. Why did they put the sign up?"

Supervisor Villella: "Steve, if you want to, you can come up-- "

George Schmelzer: "That's okay."

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

Councilman Kwasna: "You can show him when you go home tonight."

Supervisor Villella: "Yeah, take him home."

George Schmelzer: "The sign by Steve's house, when they cross the track, they might think it doesn't apply. You should put one south of the tracks just at the top of the hill. Otherwise it's meaningless. Also, some places in town you might consider a four-way stop sign, Brookhaven uses it successfully some places, with a crossroad, or four corners, have a stop sign. Don't need any light, no nothing. They all stop, if it's clear they go. If it's not, they don't go. It works very well."

Councilman Kwasna: "We did that tonight in South Jamesport, George."

George Schmelzer: "Yeah, well, four way stop signs."

Councilman Kwasna: "I guess that's when you were taking your nap."

George Schmelzer: "Maybe so, yeah. I see you've got budget reductions from most departments except for Planning Board. You ought to cut them down a bit. They're useless anyhow."

Supervisor Villella: "I didn't hear that. What was that,

George?"

George Schmelzer: "I mean the Planning Board. Budget down-- I didn't see anything on-- "

Supervisor Villella: "Yeah, everybody-- every department head's budget is cut."

George Schmelzer: "You didn't cut down the Town Clerk, did you?"

Supervisor Villella: "Yes."

George Schmelzer: "You did?"

Supervisor Villella: "Sure did."

George Schmelzer: "I didn't see it."

Councilman Kwasna: "That's why she's out of tape right now."

Supervisor Villella: "It's only on the expense line, not-- you can't touch the salaries. It's the expense line. Either that or we have to fire people."

George Schmelzer: "So I think the Town Clerk should be compensated for the work of this-- "

Supervisor Villella: "How much did you pay him for that?"

Barbara Grattan: "For what?"

Supervisor Villella: "What he just said."

George Schmelzer: "I said it shouldn't get cut. The Town Clerk shouldn't get cut. It's useful."

Barbara Grattan: "Oh, George, thank you very much."

George Schmelzer: "Some of these other departments, they're useless, see. Like the Planning Board."

Councilman Kent: "The Town Board."

George Schmelzer: "I didn't say Town Board, I said Planning Board. Maybe sometime the Town Board is useless."

Supervisor Villella: "The Town Board is the worse culprit. We're way over our budget."

George Schmelzer: "Yeah, well, I figure the Veterans Administration should compensate the town, the work they have on this national cemetery. I wrote a letter. Do you want me to read it?"

Supervisor Villella: "Yes, right, get it on record. I told you to-- good, and then I'll give it to Forbes."

George Schmelzer: "How do you know? I didn't read it yet."

Supervisor Villella: "You mentioned it to me yesterday you were going-- I asked you to write it."

George Schmelzer: "Do you want me to read it to you?"

Supervisor Villella: "No. Just give it to-- "

George Schmelzer: "Well, maybe the people should hear it, too."

Supervisor Villella: "Go ahead, real quick, George."

George Schmelzer: "Letter to the Town Board. I hear that the budgets of the various town departments are being trimmed for the coming year in order to keep the tax rate down. The Calverton National Cemetery causes a lot of expense for Riverhead town which includes burial permits and indexed permanent records thereof. By the end of this year there will be over 140,000 burials there. The Town Clerk is running out of storage space to keep these records safe, dry and orderly. Also, Riverhead taxpayers pay for the costs of compiling this stuff by the Town Clerk."

Supervisor Villella: "You're absolutely right."

George Schmelzer: "Maybe we should ask the Veterans Administration to pay for all this added cost to the town."

Supervisor Villella: "That's why I told you to write the letter. Thank you."

George Schmelzer: "Okay."

Supervisor Villella: "I'll take care of that. But Barbara has to (inaudible) that in, and stamp it and I'll take care of that."

George Schmelzer: "Okay. Don't stamp my finger there. Let's see, what else."

Supervisor Villella: "What else? We've got to go home, George."

George Schmelzer: "That's enough junk I mentioned."

Supervisor Villella: "No, no. You did very well tonight. Thank you. But I want that letter, though. Give it to Barbara."

Barbara Grattan: "I appreciate that, George. Because I found out some things today, too, about it."

Supervisor Villella: "Barbara, would you like to mention the new plan for licenses for out of towners? Your-- room tax. That's what she calls it. She's going to have a chapel with Elvis out there marrying everybody."

George Schmelzer: "(inaudible) running out of room-- keep these old records."

Barbara Grattan: "Well, we have burial (inaudible)."

Supervisor Villella: "Okay, George, thank you very much. Steve, did you want to say something?"

Steve Haizlip: "I just wanted to ask Adam the time tomorrow on that code-- "

Adam Grossman: "7:00, Steve, here at Town Hall."

Steve Haizlip: "All right. Right."

Supervisor Villella: "Would anyone else like to speak before we close the meeting? Meeting adjourned. Thank you for coming."

Meeting adjourned: 9:50 p.m.

*Barbara Grattan*  
Town Clerk