

Minutes of a Public Hearing held at the Riverhead Town Hall, Riverhead, New York, on Tuesday, October 14, 1997, at 2:00 p.m.

Present:

Russell Kratoville	Deputy Supervisor
Vincent Prusinowski,	Councilman
James B. Lull,	Councilman
Mark A. Kwasna,	Councilman
Otto Wittmeier,	Councilman

Also Present:

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

Absent:

James R. Stark,	Supervisor
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Deputy Supervisor Kratoville called the meeting to order at 2:04 p.m.

Deputy Supervisor Kratoville: "The time is 2:04. We are having a Public Hearing. Would the Clerk please read the notice of publication."

Barbara Grattan: "I have affidavits of publishing and posting of a Public Hearing to be held at Riverhead Town Hall, Riverhead, New York, at 2:00 p.m. on October 14, 1997, to hear all interested persons who wish to be heard regarding the consideration of a Local Law to amend Chapter 108 of the Town Code to add a new article entitled, "Agricultural Lands Preservation."

Deputy Supervisor Kratoville: "Rick, would you give us a little background?"

Richard Hanley: "Yes. Richard Hanley, Planning Director. The Local Law that's being considered this afternoon is a culmination of a great deal of effort over a long period of time by many parties to produce a program which will support the continued expansion of the important agricultural industry in this community as well as to provide

for some growth management residential areas within the Agricultural A District. This work was began in 1995 when this Town Board charged the Riverhead Planning Board to make recommendations concerning approximately 11,000 acres of agriculturally zoned and agriculturally used land within the Town.

The Planning Board made those recommendations and this Town Board held a Public Hearing in February of this year, essentially implementing those recommendations. The Hearing was held in conjunction with the preparation of an EIS which this Town Board prepared and there was significant commentary at the time, the most significant coming from the Long Island Farm Bureau.

What the Planning Board and the Farm Bureau has been doing over these many months is negotiating some of the issues and concerns that the Bureau had relative to the proposed zoning ordinance and the Planning Board making the Bureau of the issues and concerns of this Town Board relative to land use policy in the Town.

Essentially this Local Law is a culmination of that negotiation process. It comprised of essentially three main parts, the first being a right to farm or a Farmer's Bill of Rights which has been talked about in this community for quite some time. Essentially what that does is provides for the Planning Board and Town Board to notice properties that are being considered for development which are contiguous to agricultural land. The second part of the program is a purchase of development rights program which the Town Board initiated through an authorization of \$2,000,000 to purchase development rights using Town funds. It is important from our view that this process on prioritizing properties and negotiating sales of development rights be codified. The third part of the program is a transfer of development rights program which essentially would allow for property owners within a sending area which is shown on the map at the front of the room in green, to transfer their as of right development rights to areas outside-- off the property and to designate a receiving area which is outlined in the red which is an industrial receiving area, the orange which is a residential receiving area, and the blue area which are two additional residential receiving areas.

It's the view of the Planning Board as well as the Farm Bureau at this point that-- and other commentators that this program, this

comprehensive program will succeed in-- or could succeed in preserving the entire farm belt, which is that 11,000 acre area shown in green in the Town of Riverhead. That is important for both the viability of the industry as well as affording the growing of food crops for the entire region.

That is all and we invite comments from the public."

Deputy Supervisor Kratoville: "Rick, could you just maybe go over a little bit of the farmland preservation committee and their duties?"

Richard Hanley: "Yes. The Local Law that we've drafted and devised essentially identifies a committee which is known specifically as the Riverhead Town Farmland Preservation Committee. That committee has a number of duties. I should probably talk about how it's constituted.

According to this proposal, there would be four residents of the Town who are actively engaged in the ownership and operation of a farm located upon agricultural lands within the Town. They would be one member of the Riverhead Town Board, the Planning Director of the Town of Riverhead would sit on that committee, as well as one at large member that would be appointed by the Town Board.

That Preservation Committee has a number of functions which were specifically talked about in the Local Law. They are charged with the responsibility of reviewing and approving a general inventory of agricultural lands within the Town. They are to make recommendations on lands which development rights should be purchased by the Town Board and/or by the County of Suffolk and that's the County's ongoing program. They also would be authorized and obligated to review applications for development on the fee simple which remains from lands which the Town buys a development rights. The intent here is to have the agricultural community involved in looking at development on agricultural lands which is agriculturally oriented.

The third-- probably the more important activities that that committee would be involved with would be acting as a clearing house advisory board for the transfer of development rights program. Those are the functions of that committee."

Deputy Supervisor Kratoville: "Is there anyone who would like to make comment at this time in reference to this Public Hearing?"

Lyle Wells: "Good afternoon. I'm Lyle Wells, an eleventh generation farmer here in the Town of Riverhead. I also serve as the Chair of the Long Island Farm Bureau's Riverhead Town Local Affairs Committee.

As Rick had said, today is a historic day culminating a lot of work by the farm community, Barbara Blass and the members of the Planning Board, Rick Hanley and the Town Board under the leadership of Jim Stark. Today is not the end of the process, but the beginning. The Town Board's actions to codify the Riverhead Agricultural Lands Preservation program gives us a legal basis to implement this program. Without a serious commitment from the Town Board, Planning Board and Rick Hanley, this program cannot succeed. The Riverhead farmers are committed to making this program work as it is too important to the farm community and the citizens of Riverhead. We need to work together to achieve our goals.

The best farmland preservation program that we know of is for farmers to make a profit on their investment. Farming is a business based on the farmers most important capital asset, which is their property, their land. All too often, short sighted efforts to preserve land are undertaken without regard for the goals, needs, and circumstances of those who own and work the land. In the end, strategies such as zoning moratoria, bureaucratic delays, blanket up-zoning, and the countervailing moves to weaken land use regulation, foster distrust and polarize the community that lead to a far greater public cost.

The program we are here to support today is not perfect - but it will provide a blueprint for a fair, responsible and far reaching program for the continued viability of agriculture and the protection of farmland in the Town of Riverhead. The program, in particular, the Purchase of Development Rights (PDR) program requires public investment. In the short term that investment provides dividends in many forms such as reduced density of residential development, wildlife habitat, aquifer recharge, fresh food for our residents and the aesthetic value of providing open space and vistas enjoyed by our neighbors. There are savings to the taxpayers in that farmland only requires approximately \$.26 in services for every tax dollar paid by

a landowner compared to \$1.36 in services for every dollar paid by a home. It is cost effective to invest in preserving the land.

The adoption of this Local Law will allow the Town of Riverhead to position itself to leverage the Town's monies against other monies available from Suffolk County, New York State, and the Federal Government. We urge the Town Board to use the full \$2,000,000 that you have set aside for farmland/open space in your application for New York State Bond Act monies as this would possibly provide up to \$6,000,000 from New York State to kick start our program. We will need that find of funding for a number of years until we get the job done.

Please let me address several components of this Local Law in detail.

1) Right to Farm in Riverhead - We fully support this important public policy declaration by the Town. This does not give farmers more rights than his neighbors, but allows farmers to conduct accepted farming practices recognizing that certain activities may make noise, dust, odors, etc. Too many times people that move out here to enjoy a rural quality of life do not understand the operations conducted in agricultural businesses. This section of the code will provide notice to new residences built in the future so that they know they will be residing in a farming community. This policy should help to further reduce future conflicts between farmers and neighbors.

2) Purchase of Development Rights component - Suffolk County developed the first PDR program in the United States in 1974 and while the county has not reached the desired goal of 20,000 acres of preserved farmland, it is still functioning. As government has grown in other areas of spending such as social programs, health care, etc., there has been less monies available for farmland preservation. East-West county politics, a slow working appraisal and negotiating process by the County Real Estate Department and certain limitations of the program itself have cause the county program to limp along.

A Riverhead Town program will allow local needs to be addressed by a locally controlled Farmland Select Committee that can aggressively move forward without goals-- with our goals. Big difference. The local Law will allow the Town to receive matching funds from the

Suffolk County, New York State and the Federal Government to acquire Riverhead Farmland Development Rights. We are in full support of this program as designed.

3) Transfer of Development Rights component - Central to any effective planning for the preservation of farmland is the creation of a transfer of Development Rights Program. The Town recognized that need by the enactment of Article 95A of the Town Zoning Code. However, the provisions of the code need to be expanded in order for TDRs to be a viable option. The TDR program proposed today is a starting point. It has severe limitations because of the arbitrary manner by which the Suffolk County Health Department approves subdivisions. With, in effect, a two acre zoning requirement in hydrogeologic Zone 3, the program provides no incentives to landowners to use TDR's. The PDR Program and one acre grid subdivision is still an option for affected landowners in Zone 3. We urge a commitment from Rick Hanley, Barbara Blass, and the Planning Board, the Supervisor and the Town Board to work with the AG Committee to address this issue directly with the County Executive, the Suffolk County Board of Health, and appropriate staff.

The ready conversion of residential units to commercial uses is the cornerstone of an effective transfer program. Specifically, residential units must be easily transferable to commercial, industrial or retail uses by use of a standard equivalency much the same way the Pine Barrens Program works now. This Local Law must be expanded over time to develop this principal. The Town Board should not consider any applications for projects above existing zoning without the use of TDR's. Furthermore, all potential receiving sites should be considered including the former Grumman facility in Salverton. Lastly, administration of a TDR program should be done through the Clearinghouse/TDR Bank to facilitate the Transfer of Development Rights transactions. We strongly urge the Town to utilize and fund such a vehicle. There is no reason to go forward with TDR's unless there is a commitment to make the program useful to all landowners who wish to sell development rights through the TDR program.

4) Limited Development - The Peconic Land Trust-- I see John [unclear] here today-- a not for profit organization, specializes in working with individual landowners and families to plan the future of their assets (in this case land) to allow for the passing of land to the

next generation. This is done through a variety of mechanisms including limiting development, gifting, selling development rights, etc. to address the affects of our federal and state estate tax consequences. We urge the Town to consider a planning board policy to expedite limited development plans in that the landowner voluntarily decides to limit development on their land in order to preserve farmland. As time goes on, the Peconic Land Trust will play a major role in service to landowners and the Town.

5) Installment Purchase Agreement - New York State in Chapter 629 of the laws of 1996 has authorized municipalities the ability to facilitate the Purchase of Development Rights by spreading payments over time. The legislation is designed to make it less expensive for municipalities to acquire interests in land while giving important tax advantages to the landowner. The specifics of this program are elaborated on in the Long Island Farm Bureau report (Exhibit E) that -- which I believe you all have-- was submitted to the Town in May of this year. We recommend that the Town pursue this program to further the preservation program.

Just to summarize, the Local Affairs Committee would like to recommend the following actions:

1) That the Town go forward to adopt the proposed local law as presented.

2) Leverage the full \$2,000,000 from the Town's farmland/open space funding resolution to receive a possible \$6,000,000 matching fund from the New York State Clean Air/Clean Water Bond Act for the acquisition of development rights.

3) We would like to see a commitment to resolving the problems with the Suffolk County Health Department by setting up a meeting with the Suffolk County Executive, Suffolk County Board of Health, Health Department staff, and appropriate Riverhead Town officials and members of the Ag Advisory Committee.

4) Ensure that there is funding from the Riverhead Town General Budget to adequately fund staffing in the Riverhead Planning Department for impelmentation of this program. Furthermore, we recommend that Riverhead Town consider hiring the Peconic Land Trust to serve as administrator and/or consultant for the preservation program.

Without the staff needed to implement and do the job, this program will not achieve the stated goals of the town. Thank you. Any questions?"

Deputy Supervisor Kratoville: "Is there anyone else that would like to speak? George?"

George Schmelzer: "Let somebody speak first."

Deputy Supervisor Kratoville: "You're next. Okay, Barbara."

Barbara Blass: "Mr. Deputy Supervisor, Councilmen, ladies and gentlemen. My name is Barbara Blass. And I want to share with you some observations on behalf of the Riverhead Planning Board. First I would like to thank all of the individuals who gave of their time and shared their talents and expertise over the last several years to get us to the point that we are at today. My colleagues on the Planning Board and I want to emphasize that this proposed Local Law represents a compromise in the approach to the goals and objectives shared by both the Planning Board and the Farm Bureau for Riverhead Town.

There are still issues which demand our attention and resources and the Planning Board does indeed remain committed to working with the farming community to successfully resolve them. Having said that, let us not underestimate the importance of this legislation and the critical positive step that it represents in Riverhead's firm commitment to the agricultural industry, the viability of which ensures our quality of life.

This Local Law is quite literally the foundation for the Town's farmland protection program. At the risk of sounding dramatic, we can't hope to meet our obligation to future generations without it. We urge you to adopt Local Law No. 13 entitled "Agricultural Lands Preservation with pride and conviction. Thank you."

Deputy Supervisor Kratoville: "Thank you. Is there anyone else who would like to-- okay, George."

George Schmelzer: "I'm glad I don't have any land involved in this. I'd be ashamed of it. It's a damn disgrace. You are acting like a bunch of Communists. We are going back to the feudal system."

A farmer won't be a serf on his own land. All this nonsense about preserving stuff."

Councilman Prusinowski: "It's a voluntary program. Nobody has to sign up for it."

George Schmelzer: "Yeah, but they push the-- well, the taxpayers money, is that voluntary?"

Councilman Prusinowski: "Well, 3400 acres have been voluntarily sold to the Suffolk County Development Rights."

George Schmelzer: "You've got \$2,000,000 of taxpayers' money. Is that voluntary? Can I say my portion you can't use? Is that voluntary? No."

Councilman Prusinowski: "Well, most of Riverhead-- this is one case where Suffolk County has paid off for the people of Riverhead because the majority of the Suffolk County preservation money comes from western Suffolk that bought the 3400 acres in Riverhead, because we're 70% of the-- "

George Schmelzer: "I'm talking about the \$2,000,000 in Riverhead town."

Councilman Prusinowski: "That's correct and I'm sure that if we had a public referendum on, I'm sure it would pass overwhelmingly. As Peconic County passed by 7% in the town."

George Schmelzer: "Why don't you have one?"

Councilman Prusinowski: "Well, we did one because I (inaudible) the Peconic County vote to create Peconic County as-- in the same direction as spending this \$2,000,000 for open space. We have political polls that show that farmland preservation using this type of money is very popular with the people in Riverhead and they live and work here."

George Schmelzer: "Talk about two acre zoning, how many of you have two acres on your own house?"

Councilman Prusinowski: "We're not talking about two acre

zoning."

George Schmelzer: "We are talking about it. The whole thing started with two acre zoning. The Planning Board-- have two acres on their own house, too."

Councilman Prusinowski: "We're not talking about two acre zoning here."

George Schmelzer: "Well, what did it start off from? It started off from that, didn't it?"

Councilman Prusinowski: "Sure."

George Schmelzer: "Now you abandoned that?"

Councilman Prusinowski: "Well, we're doing-- we're trying a different approach in cooperation with the Farm Bureau."

George Schmelzer: "Yeah. What's the problem? Too many people in the country? If there's too many people in the country, go to-- tell them to cut out the immigration, that's all."

Councilman Prusinowski: "Residential development is a very-- is a drain on the tax base because of the school taxes."

George Schmelzer: "Where are people going to live? Throw them away like animals?"

Councilman Prusinowski: "There are plenty of people moving into this Town right now-- especially Wading River, is the fastest growing part of the Town. So that's not a problem."

George Schmelzer: "You mean you are denying the right to live here?"

Councilman Prusinowski: "Not at all. We have more and more people moving into the Town of Riverhead. I know there's a group of people running around time right now, election time, telling the Town how bad it is here, but there's thousands of people trying to move into the Town on any given day."

George Schmelzer: "Well the population since 1945 has doubled nationwide, but not in Riverhead."

Councilman Prusinowski: "That's correct because of programs like the Suffolk County Farm Program which has preserved 3400 acres and they would have been about 4,000 homes."

George Schmelzer: "Well, we're going back to the Middle Ages. The farmer would become a serf on his own land. First they steal it from him from inheritance tax, then they have-- the heir has to sell part of the farm to pay the tax, then they take that money and come to him to buy development rights. It's really his own money. What kind of system is this?"

Councilman Prusinowski: "Well, I agree with you on inheritance tax. My family faced the same thing. There's a lot I see-- Mrs. Anderson is out there. A lot of farm families. I think that Congress is trying to correct that, but I agree that's an outrage."

George Schmelzer: "What's the matter with the Farm Bureau? They're not doing anything about it."

Councilman Lull: "They are not a legislative body, George."

George Schmelzer: "What?"

Councilman Lull: "They're not a legislative body."

George Schmelzer: "I didn't say they are; you said it."

Councilman Lull: "That's right. They can't make any decisions."

George Schmelzer: "Well, you know better than that. I didn't say to you-- "

Councilman Prusinowski: "No. The Farm Bureau's position is, I believe they have lobbied in Washington; they're for change in the state tax laws. Isn't that correct, Joe? You and I have talked about this. The Farm Bureau is a lobbyist body and they go to Albany and to Washington to, you know, to push for these types of changes."

George Schmelzer: "And they-- "

Councilman Prusinowski: "And we're having a debate tomorrow night so keep it up because I want to get some practice."

George Schmelzer: "This is a disgrace. You might be better off -- the heir to a farm should have two choices, to pay the taxes or not. If he doesn't want to pay the taxes, he must sign a covenant that the land would be used for farming for 20 years."

Councilman Prusinowski: "Well, we have that now in the eight year commitment program."

George Schmelzer: "No I'm talking about the federal tax."

Councilman Prusinowski: "Oh, the federal tax. Okay."

George Schmelzer: "Then in the interim after that was settled, he made the 20 year commitment, he sells the land, the cost of the land would be zero. Do you understand what I mean?"

Councilman Prusinowski: "I'm in favor of that."

George Schmelzer: "Yes, and it wouldn't cost a cent. Wouldn't cost anybody anything."

Councilman Prusinowski: "Most farmers I know-- "

George Schmelzer: "And-- farmers-- what do you have in here? Some grease? Some political grease? I don't know. No smell to it."

Deputy Supervisor Kratoville: "You're not in favor of adopting this Local Law?"

George Schmelzer: "No."

Deputy Supervisor Kratoville: "Okay."

George Schmelzer: "To me it's a socialist system. It's silly. I have a different tax structure, like I said, I won't repeat what I said, it would cost the farmer nothing, it would cost the taxpayers nothing and if an heir decided to stay in farming, he (inaudible) for 20 years and don't have his tax."

Councilman Prusinowski: "Well, that's the federal tax law. I'm in favor of that, sure."

George Schmelzer: "Well, the Farm Bureau ought to do something about that."

Councilman Prusinowski: "Well, I know they're trying to lobby for a change in the state-- "

George Schmelzer: "I never heard any lobby like that. All they lobby is for mooch money. We've got corporate welfare, personal welfare, now you've got farmer's welfare. All the same damn system. Bunch of damn mooch-- "

Councilman Prusinowski: "Well, let me ask you a question."

George Schmelzer: "Yeah, go ahead."

Councilman Prusinowski: "All the farmers in the midwest are subsidized with all these subsidies, I know people in the east don't get that kind of money except for some poultry farmers that I know that raise exotic animals, but other than that, on Long Island, most of the farmers don't get that type of direct subsidies like in the midwest for not growing grain and stuff, so-- "

George Schmelzer: "Well then do we get paid for not growing ducks? Geez how many ducks here?"

Councilman Prusinowski: "Well, I know that."

George Schmelzer: "How many ducks (inaudible) not raise if we not paid for not raising them?"

Councilman Prusinowski: "Like I agree. I'm saying that. None of us got that kind of subsidies. So-- "

George Schmelzer: "Well, grain, the country has to have-- be assured to have sufficient grain every year. There's some reason for that, but not the way they do it. And potatoes, not like they're birth control pills for potatoes, you can keep them beyond the season and that louses the market up, so well they pay the tobacco growers, they got development rights, well the government gets more from

tobacco tax than the farmers get for the tobacco, so I don't know why we don't. But it's getting crazier every year. It's all aid and to me it's bad but I don't-- I'm disgusted with a system like this. You should think of something different. Start off with the federal tax system just like I said."

Deputy Supervisor Kratoville: "So we can let the record show that George Schmelzer is opposed to the Agricultural Lands Preservation."

George Schmelzer: "To me, it's asinine."

Deputy Supervisor Kratoville: "Okay, thank you."

George Schmelzer: "You ought to be ashamed to propose something like that, really. You'd think that we're getting to be a Soviet America."

Deputy Supervisor Kratoville: "Okay, George."

George Schmelzer: "People got away from that in Europe to be a serf; now we're going back to serfdom again. You can call them what you want, but that's what it is. Okay. I've got to go. I can't listen to this crap anymore. So long."

Deputy Supervisor Kratoville: "Bye."

Councilman Wittmeier: "Have a good day, George."

George Schmelzer: "Well, I hope so; I've got other things to do. The day is good. Good-bye."

Deputy Supervisor Kratoville: "Is there anyone else who would like to make a statement?"

Councilman Wittmeier: "Yes, I would like to say-- add to Barbara's and Lyle's comments. There were a lot of meetings and some were very long and I say in on some of them. Victor has certainly been a member longer than I have and hearing some of the concerns of the farmers, it's very important I think that this is a very important day. As Lyle said, this program might not be perfect, but it is a starting point and if any of us were out this weekend or the last two

weekends and underestimate the importance of farming to this community as far as bringing in dollars that, then you must have had your eyes closed. Because farming is extremely important in this community. It brings a lot of money in; a lot of people come out here and visit the farmstands and everything else. So you have my continued support and I hope we get the program to where it is perfect for you."

Councilman Lull: "I guess also just sitting here-- was it eight months ago when it first started? February. And listening to the responses to the first documents and talking with various farmers and hearing people's responses to see us come at this point to a system that we can live with as a beginning for a long term program for the town and incorporating the long term programs of the county, I want to thank the work of Rick and his staff, Barbara and her Board, and Joe and Lyle and the rest of the Farm Bureau for the simple fact of sitting down and talking to each other until it became clear that there was a direction you would take together. It's the way it should really work."

Deputy Supervisor Kratoville: "Yes, Joe?"

Joe Gergela: "I guess you want my name. Joe Gergela, Executive Director of Long Island Farm Bureau. The only thing that I would like to add and to underscore something extremely important and that is that Rick Hanley can't do everything himself in this town and he needs some help in that Planning Department. This program is going to require staff people's time and attention. Right now, the man does everything. It's unfair to put him in that position to expect him to take on a farmland preservation program where all the land has got to be inventoried. These things have to be prepared before they go before the Farm Select Committee. I'm urging you to commit to resolving that, that either get him some help or work with our friends from Peconic Land Trust but without that commitment this program does not get off the ground. So I'm asking the Board to really entertain that part of our recommendation."

Councilman Prusinowski: "Okay, it's budget time, too. As you know, the Supervisor sent us a budget and now the Town Board has to deliberate and there will be a Public Hearing on the budget on the Wednesday after Election Day and that's another time where you might want to make that statement to the Town Board for the record and on TV."

Joe Gergela: "Very good."

Deputy Supervisor Kratoville: "Also, Joe, the Supervisor wanted me to also confirm the fact that he would like to as soon as possible get back together with your Committee to discuss what types of staffing might be necessary to implement this and what recommendations we have as well as setting up that meeting that you're asking for with the Suffolk County Executive and Health Services as well."

Joe Gergela: "Excellent."

Deputy Supervisor Kratoville: "Being there is no other one who is wishing to speak I, therefore, declare the Public Hearing closed."

Public Hearing closed: 2:35 p.m.

Barbara Gatten
Town Clerk

**WAIVER OF NOTICE AND CONSENT
OF SPECIAL MEETING**

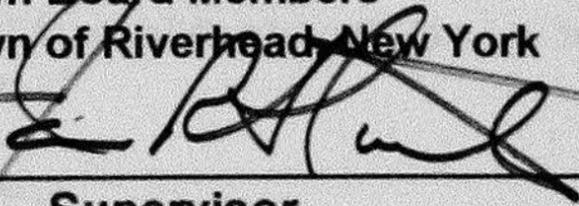
We, the Undersigned, being all members of the Riverhead Town Board of the Town of Riverhead, County of Suffolk, and State of New York, do hereby waive notice of the time, place, date and purpose of a meeting of the Town Board of the Town of Riverhead, to be held at the Town Hall, Riverhead, New York at 3:00 P.M. the 14th day of October, 1997, and do consent to the holding of such meeting for the purpose of:

Res. No. 854 Authorizes Town Supervisor to Submit Grant Application for Financial Assistance to the New York State Department of Agriculture & Markets for Implementation of Agricultural and Farmland Protection Plan.

Res. No. 853 ADOPTES LOCAL LAW #14-AGRICULTURAL LANDS PRESERVATION

Dated: October 14, 1997

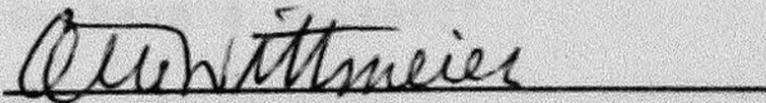
Town Board Members
Town of Riverhead, New York



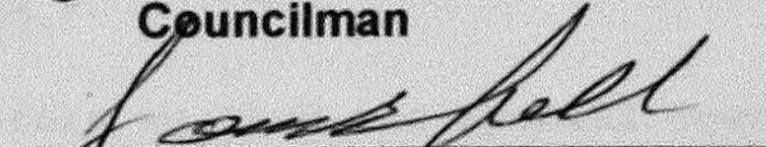
Supervisor



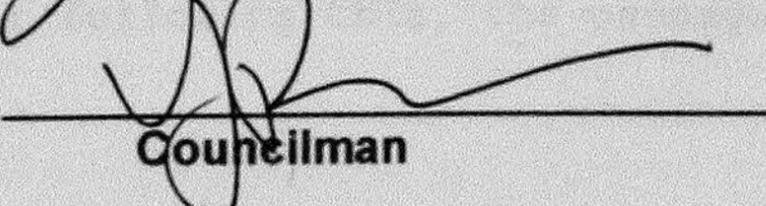
Councilman



Councilman



Councilman



Councilman

Minutes of a Special Board Meeting held by the Town Board of the Town of Riverhead, at Town Hall, Riverhead, New York, on Tuesday, October 14, 1997, at 2:00 p.m.

Present:

Russell Kratoville,	Deputy Supervisor
Vincent Prusinowski,	Councilman
James B. Lull,	Councilman
Mark A. Kwasna,	Councilman
Otto Wittmeier,	Councilman

Also Present:

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

Absent:

James R. Stark,	Supervisor
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Deputy Supervisor Kratoville called the meeting to order at 2:35 p.m.

Deputy Supervisor Kratoville: "I would entertain a motion to call for a Special Town Board meeting."

Councilman Wittmeier: "So moved."

Councilman Lull: "Seconded."

Deputy Supervisor Kratoville: "Moved by Councilman Wittmeier, seconded by Councilman Lull. Do we have a waiver?"

Barbara Grattan: "Yes, we do."

Councilman Prusinowski: "Before we have the Special Town Board meeting I would ask the press to stay. We're going to have a brief press conference on another matter following this, the passage of these two resolutions."

Resolution #853

Councilman Prusinowski: "We're going to adopt Local Law 13, the Agricultural Lands Preservation. I do want to say, somebody was saying that we started this with the land-- upzoning in the 80's, but as you two guys know, something that was written-- the Farmer's Bill of Rights which has been kicking around the building for 10 years, I think is very important especially with the, you know, with more residential development coming in the town, so I move Resolution 853 which adopts Local Law 13."

Councilman Lull: "Second."

Deputy Supervisor Kratoville: "Moved and seconded. Any other discussion? All in favor?"

The Vote (Collective response): "Aye."

Deputy Supervisor Kratoville: "Opposed? Motion carried."

Resolution #854

Councilman Lull: "Authorizes the Town Supervisor to submit a grant application for financial assistance to the New York State Department of Agriculture & Markets for implementation of Agricultural and Farmland Protection Plan. So moved."

Councilman Prusinowski: "Seconded."

Deputy Supervisor Kratoville: "Moved and seconded. Any discussion?"

Councilman Prusinowski: "Yes. I just want to point out to the press that-- so there's no misunderstanding, there is a deadline-- I believe this Friday-- the 20th, we have a deadline of October 20th to submit this application to the State of New York to qualify for that bond act that was approved last year by the voters. So there's no misunderstanding that this is some type of a thing at election time. There is a real deadline that has to be made in Albany by October 20th. That's the reason why we're adopting the Local Law today and authorizing the application to go forward. Because we definitely do not want to miss out on those matching grants for farmland

preservation."

Deputy Supervisor Kratoville: "Any other discussion? All in favor?"

The Vote (Collective response): "Aye."

Deputy Supervisor Kratoville: "Opposed? Motion carried."

There being no further business, I therefore declare the Special Town Board Meeting closed."

Meeting closed: 2:38 p.m.

Barbara Gutton
Town Clerk