Minutes of a Regular Board Meeting held by the Town Board of the Town of Riverhead held at Town Hall, Howell Avenue, Riverhead, New York, on Tuesday, September 16, 1997, at 2:00 p.m.

Present:

James R. Stark,	Supervisor
Victor J. Prusinowski,	Councilman
James B. Lull,	Councilman
Mark A. Kwasna,	Councilman
Otto Wittmeier,	Councilman

Also Present:

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

Supervisor Stark: "Before we get started-- it gives me great pleasure to-- Vic, if you would get the microphone-- we have a special guest with us here today and I would ask Evelyn is she would come up and maybe just describe the program. This is Supervisor of the Day day in the Town of Riverhead-- Evelyn come on right around. Rich, you all ready? Okay. Evelyn, why don't you give them the background on your program and how we select the Supervisor of the Day and then we'll introduce the Supervisor and bring her up."

Evelyn: "Okay, the Riverhead Free Library runs a lot of programs for children and one of the things we do in the summer is we have a summer reading program and Dana Loatman and her brother were in the program and I guess Mom must have read a lot of books to them. The summer reading club-- in order to finish the summer reading club successfully you have to have read a number of books and reported on them, or if they're young and a pre-reader, to have been read to, and Dana and her brother had that. So Congratulations to Dana and her brother and her mom for encouraging reading and learning.

Now, everybody who finishes the summer reading club, and we had hundreds, we did, were invited to a gala at the high school in the middle of August and the names of everybody was put in a hat and the

Supervisor came (inaudible) and Dana's name was drawn for the grand prize of Supervisor of the Day. So that's how all of this came to be and I want to thank the Supervisor and Ms. Talmage and the Board for the support of the library and I want to congratulate Dana. I do have a certificate for Dana and for the rememberance of her special day as Supervisor of the Day. Thank you. I hope Dana enjoys it; I think you'll enjoy her."

Supervisor Stark: "Ladies and gentlemen, without further adieu, I would like to introduce to you Dana Loatman, our Supervisor of the Day and if you would bring her up, she'll sit up here with us. It's going to be a little tight up here. We've got a nice big chair for you, Dana, climb right up there and pull yourself right up to the edge here-- come right up to the edge. This is where I officially give her the gavel of the day so if anybody gets out of order, you just smack that thing down like that, okay? Can you do that? Let's see if you can do that.

We also on behalf of the Board will present Dana with a Town flag-- do I have it up right? That she can take home and maybe back to your class to show your classmates that she spent the day with us here at Riverhead Town Hall. Gloria has been giving her a tour throughout all the departments and what have you. We went out to lunch. We went to Friendly's. We had chicken and ice cream so we've had a lot of fun so far. So, Dana, I'm going to give you this on behalf of everybody here in the Town of Riverhead, you take that home with you, okay. She has her pad and pencil here to take notes so, Steve, if you get long-winded, you might get a gavel today. So with that, if her mom would come to the podium over there, her aunt, okay. And lead us in the Pledge of Allegiance-- Evelyn how about you coming up and leading us in the Pledge of Allegiance over here. And if everybody would rise, please. The flag is right over here."

(The Pledge of Allegiance was recited.)

Supervisor Stark: "Okay. We'll work this out pretty good. Is there a motion to approve the regular Town Board meeting of September 2nd and the Special Board meeting of September 9th?"

Councilman Lull: "So moved."

Councilman Wittmeier: "Seconded."

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

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed (she said). Motion is carried.

Madam Clerk, the Reports, please.

REPORTS:

Building Department	Monthly report for August of '97 total monies collected - $43,413.50
Juvenile Aid Bureau	Monthly report for August
Police Department	Monthly report for August

APPLICATIONS:

Shows & Exhibition Permit	Helen McKay-hay rides, Union Ave., Aquebogue, commencing September 27 thru October 26
Site Plan	John Wesley Village II, n/o of Middle Road, Riverhead

CORRESPONDENCE:

Anthony Thompson 33 Further Lane, Rhd.	Writes letter complaining about the high taxes in the Town of Riverhead
JoanneDoering	Writes in behalf of the Shoreham-Wading River School District expressing opposition to the proposal before the Town Board to rezone property to allow for 70 homes and a Senior Community Center in Wading River
Eugene LaFurno 162 Founders Path Baiting Hollow	Addresses the issue regarding the proposed Riverhead Library expansion project

James Woodson	Letter of resignation
Town of Southampton	Notice of adoption and a notice of a public hearing which was held on 9/9/97
Town of Southold	Notice of public hearings to be held on 9/16/97
NYS Dept. of Transportation	regarding a stop sign Route 25 at Phillips Street and speed limit on Eileen Circle in Jamesport (investigations to be scheduled shortly)

Supervisor Stark: "Thank you, Barbara. Before we get into the Regular Town Board Meeting, I will recess this one for a few minutes and we will call for a CDA Agency meeting-- Community Development Agency."

Recess

Meeting resumed: 2:14 p.m.

Public Hearing opened: 2:14 p.m.

Supervisor Stark: "Let the record show the time of 2:14. The Regular Town Board Meeting of September 16th is now in session. Also let the record show that the time is now 2:14. Would the Clerk please read the notice of 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 2:05 p.m. on September 16, 1997, to hear all interested persons who wish to be heard regarding the special permit application of Edward Partridge (TS Haulers, Inc.) to allow a mining and materials processing operated located at Route 25 in Calverton."

Supervisor Stark: "Yes, the attorney, counselor, I mean."

Peter Danowski: "My name is Pete Danowski. I do represent Mr. Partridge and his company. Just by way of history, I know the Board is somewhat familiar with this application, some members of the audience may be as well. It was well over a year ago that Mr. Partridge began the application process to seek to gain a permit both from New York State with regard to a mining permit, and the Town of Riverhead with regard to a special permit and site plan.

Before any of the agencies could make a complete determination and issue a permit, the New York State Environmental Quality Review Act had to be complied with. Lead agency status was taken by the New York State DEC. They determined this to be a Type 1 action and they ultimately issued a negative declaration. That negative declaration has been made part of the record in the Town, both before the Planning Board, the Zoning Board of Appeals, and publicly with the Town Clerk.

At the same time that the applicant filed an application with the New York State DEC, pursuant to the Riverhead Town Code, with the Building Department, an application was filed for an excavation permit that would issue from the Riverhead Town Board. That application was in essence a duplication of the DEC permit information.

There has been some mischaracterizations about what is intended to happen at the site. I will try to streamline my comments to indicate in rough terms what is meant to happen. The firm of Young & Young has completed the mining permit application form. That particular form was very detailed as to what would be allowed to take place. Modifications were made pursuant to requests and inquiries from the New York State DEC. The intention is to put a well landscaped front yard to this parcel which sits in Industrial Zone. This is an industrial area, zoned Industrial A and hopefully if the permit is issued, the site plan will be developed and a tax base will be added to this town.

This is not an area which will be exempt from agricultural taxes because, in fact, my client was penalized pursuant to the Ag District--Ag & Markets Law, the sum of approximately $57,000. This land was committed to agriculture by a prior owner. Pursuant to that commitment should it be developed an Ag District penalty would be imposed. That has, in fact, been done.

In addition, this would result in a full tax burden being faced by my client on this Industrial zoned piece of property.

The application for a special permit is sort of two-fold. One is for a sand and gravel processing yard. Accessory, or together with that is a mining permit. I suppose the Town Board in considering this can consider both of those issues. The application is to allow both. New York State DEC at the end of their process asked the applicant or the Town to let them know whether zoning permits the use. In this town, the process is to apply for a special permit. That is why we're here today to hear from the public with regard to the special permit application.

Once again, the plan itself calls for a 50 foot buffer on an approximately 57 acre parcel of ground. The front will be screened effectively by landscaping and a building. That landscape plan and building have been proposed on a site plan prepared by Young & Young. To the rear of this parcel and within the central area, over a period of 12 years during a phasing period, the topsoil will be removed, stockpiled on site. The mining will take place in a small portion of the area and then pursuant to the restoration plan, the topsoil will be then put back on the area and the area will re-vegetate. The entire site will not be developed at one time and the restoration plan will have to pass muster with the New York State DEC.

In addition, we're willing to go to Architectural Review Board as to the appearance of any building. We're willing to listen to reasonable conditions that will be placed on the application. The applicant himself as part of the process has indicated that the hours of operation will be from 7:30 in the morning until 4:30 at night. Saturdays from 7:30 to noontime. There will be no operation on Saturday afternoon; no operation on Sunday; and no operation at any time after 4:30 p.m.

Things like watering the road to keep the dust down; the buffer area; the limitation of the areas to be developed have been put into the application itself by the applicant. I've heard some people say, well the thought is after you're done and you've got a depression in the ground you will want to put Riverhead Raceway there. Well, a lot of fans might like that to be done, but the proposal we have is to put a nursery there or a bedding plant operation there and the

only example I can think of that to my mind looks very, very attractive, you go down to Half Hollow Nursery in Laurel and you look at the bedding potting plants that sit there. Many times it's an advantage for them to sit in a depressed area and that's how they're located for agricultural purposes.

So our overall goal is over a 12 year period to do the sand and gravel processing plant with a landscape building that's pursuant to Riverhead Town Code site planning. This is a period of time at which the excavation would take place. The property at the end of the 12 year period would be restored, revegetated and be used, hopefully, by someone either in the greenhouse business or the bedding--planting business.

Once again, it's something that's being added to the tax roll; it's not a residential development calling for services. It's something I would ask the public to support. Thank you."

Supervisor Stark: "Thank you, counselor. Is there anybody in the audience that would like to make comment at this particular time? Bill? Andrea, can I see you for a second?"

Bill Roberts: "Bill Roberts, Baiting Hollow. I speak as a Trustee of the Greater Calverton Civic Association and also as a concerned citizen. Mr. Partridge bought the property in December of 1995. In February of '96, aerial photos confirmed that a mining operation was under way, before any permit had been sought from the Town or anything from the DEC. The proposal is to mine 2,800,000 cubic yards over 15 years. There was a statement in the paper dated March 14th of this year that it will be over 12 years. It is over 15 years, beginning April 1, '96 through July 31, 2011. So Mr. Partridge is already doing his mining before he even got approval for starting operations on August 1st.

Now there's a little bit confusion here that bothers me--actually there's a lot of confusion. On May 29th of 1996, an application was filed for a special permit for a soil, sand and gravel processing yard by Tom Wolpert of Young & Young on behalf of Mr. Partridge and TS Haulers. That was-- that preparation was signed by Tom Wolpert on May 29th. On July 29th that was date stamped that was given to the Town Clerk two months after the date that Mr. Wolpert signed that application. And then two days later,

an application was filed by Mr. Wolpert of Young & Young with the DEC for a mining operation. First we had a permit for soil, sand and gravel processing yard and all of a sudden with the DEC that (inaudible) and we have a mining operation going or a plan to ask for one.

TS Haulers have been fined several times. I think that they-- close to $15,000 in September of '96; $30,000 in '97. They also had to pay the agricultural penalty as Peter Danowski said of $57,000 over two years. Mr. Partridge decided he would utilize the system used by MidAtlantic Race Complex and he sent a request for-- and a form letter, to some of his customers and suppliers and they responded. These were attached to the agenda of the June 3rd, '97, meeting. Possibly you are not aware of them; I've got copies if you want to see them and I'll give them to Barbara for distribution. One was from his CPA who said it represented Mr. Partridge since 1994. The statement is that Mr. Partridge pays a large amount of federal, state and local taxes. In the last fiscal year ending July of '96 or fiscal '96, he paid nearly $250,000 to the federal government, to the state, to the town. Actually, during fiscal '96, he paid in taxes to the town only $3,425. So that was not a large amount he paid. Of course, that was when it was zoned Agricultural so the tax would have been small.

Also, the CPA says that the corporation also employs several people in the area, but the total payroll for fiscal '96 amounted to $467-- $466,000. Now, somebody got to be paid a lot of money but certainly several people in the area didn't benefit by that amount.

Another letter came from East End Asphalt. It started, the Town is growing and with it we as contractors need sand and a re-cycling facility. That's the red flag. I feel the site is a perfect location and Ed runs a clean operation. Mr. Anderson continues, for the first time in the last 15 years that I have been in business, I can finally compete with my cohorts from Southold and Southampton and not be at their mercy because they have nowhere in the Town to take recycled material. What is that recycled material that's going to go into that great big hugh hole in the ground? That is the question. That's a contamination. It affects the environment.

Then there were two letters, one from Hobscreen (phonetic) that provides Mr. Partridge with wire mesh screens and another one from

Rite Equipment Company (phonetic) that provides them some sort of equipment. The letters were identical word for word. The same form letter that Mr. Partridge sent to them, they adapted on their letterhead and it was the same letter. And the last one was apparently from a similar operator as the Partridges, and totally support the sand mining operation is need to local as well as surrounding communities with no environmental harm. It really stresses no environmental harm. That is as I said the red flag of which we all should be concerned.

Oh, incidentally, TS Haulers are supposed to pay a $73,000 reclamation bond with the DEC but if you have-- end up with a hole in the ground that Mr. Partridge flies away from his coop or goes into bankruptcy, $75,000 is not going to restore that hole.

Now, 2,800,000 cubic yards over 15 years. That weighs approximately 2,800,000 tons of sand and gravel. This is big business because the end consumer who buys it at about $40 a cubic yard, that totals $112,000,000. Of course, Mr. Partridge is not going to realize it but he'll get a very nice share of it.

These-- the permit application that Mr. Partridge filed with the Town plus what he filed is identical to the one he filed with the DEC. But the one filed with the DEC has a lot more information in it than what was filed with the Town, that the Planning Board reviewed and the one filed with the DEC is a lot more discriminating and incriminating to things that they disclosed to the DEC that was not disclosed to the Town.

The depth of ground water is from 23 to 64 feet. Now they're going to go into ground water, that's for sure. That will be a sand pit before too long. And the water on the bottom, stop operations, then how do you fill a hole in the ground that's full of water? With recycled materials, contaminated soil, chemicals. Talk about Love Canal in Niagra Falls where Hooker Chemical dumped chemical waste. The army dumped material from chemical warfare and even the army dumped material for the Manhattan project."

Councilman Prusinowski: "Bill, can I just say one thing as you are going on and then you can continue? I just want to make it clear that Peter said earlier, they made an application to the Town. But I want to say for the record, this gentleman has been operating

without any Town permits at all or any approval from this Town Board. In fact, we went to Court to stop him and he has violated the Court order. So I just want to put that on the record so there's no misunderstanding out there for the people at home that are watching this, that this is isn't something that's in operation because the Town Board gave its consent. There's a difference between making an application-- the second time I've heard that in 10 days for another project, because you made an application to us, or sent a letter to us, that doesn't mean we've given-- unless it's a roll call vote up here at this podium."

Bill Roberts: "I understand. You're absolutely right. As I said, what gets recycled? Contaminated material? Oil? Pesticides? Building-- parts of buildings like maybe Lebanon Chemical. You've got to fill 2,800,000 cubic yards of space. It's very nice to talk about putting in a nursery or a landscape business, but you would rather have that above ground so people can see it. They don't want to climb down stairs and see what you're raising in a hole in the ground.

The reclamation will commence and be completed at the time, the 15 years and 2,800,000 cubic yards of sand are removed. What if Mr. Partridge decides to for one reason or another stop operating or what if he goes bankrupt? We inherit that property, well, Suffolk County will, but it will be ours and what will we do with it? As I said, there's Love Canal, Niagra Falls, and then there's that town in (inaudible) Beach, in southwest Missouri. Dioxin was emitted by -- (inaudible) Chemical Company, but they did, they used oil that had been contaminated and they sprayed it as we have done on the roads and then we put the small bluestone on it. And everybody drove over it, churned it up, children started to get sick, people started to get sick. The Environmental Protection Agency ended up everybody had to leave town. They put a very high cyclone fence around the entire town; that was the end of the town, but the people continued to get sick.

My concern is what's going to be under that ground that will be close to ground water and people will start getting sick if something happens. Industrial A does not provide for a mining operation. Industrial B does. That's the purpose of this whole attempt to have the Town Board make an exception and make this permitted use in the -- in what is really Agricultural A-- I'm sorry, Industrial A area.

Most of which is Agricultural.

Well, I think I made my case and with that I will conclude. If you people want copies of these letters, I'll give copies to Barbara. Thank you."

Supervisor Stark: "Thank you, Bill. Just for a second, I'm going to interrupt. Visiting with us today from Germany, Cologne, Germany is Andrea(inaudible) who about seven or eight or nine years ago was an intern in Pat Moore Town Attorney's office and she's back here visiting, actually spending the time at my house this week with her husband and two children, one who's home with a temperature of 101. So I'd just like to welcome Andrea back, who is now a full time lawyer in Cologne, Germany, and it's nice to have you with us.

Is there anybody else who would like to make comment at this particular time on this particular public hearing? George."

George Schmelzer: "Asphalt is from now on as well as concrete going to be chewed up into small pieces and used (inaudible). I'm familiar with some things in the industry (inaudible). Nobody is going to throw asphalt away in a hole, neither concrete. That's bunk. Of course, the asphalt can't be cooked or it will stink, give off black smoke. It would have to be ground up and then mixed with the hot asphalt. Now, when the feed mill at Agway was taken down, busted up, they wanted to put the concrete in our yard, south of the river. I said, no way. I made phone calls all around if they could take those big pieces of concrete and dump them by the Montauk lighthouse. No way. They are concerned about the lighthouse being eroded away, but nobody can put concrete there. Too much bureaucracy. I was disgusted.

As far as that land, if Partridge, whoever owns the land, it's his land, let him do what he wants with it. He's not bothering anybody else. It's not going to stink. This is bunk about the pesticides dumped in there. You are going to have a (inaudible) 20 feet, or 25 feet below level, so what? That's about it.

Now, it's true, we do need concrete. Suppose nobody could dig any sand on the island. Where would we get sand for concrete? No answer. Gravel, too, same way. You can bring gravel-- "

Supervisor Stark: "I thought you would give us the answer."

George Schmelzer: "I can get you a spot, but not the answer."

Supervisor Stark: "Okay."

George Schmelzer: "The DEC, they kill everything, see. You should know (inaudible) later on, but not right this moment. So I find nothing wrong with the thing."

Supervisor Stark: "Thank you, George."

George Schmelzer: "Okay."

Supervisor Stark: "Ann."

Ann Miloski: "Okay. My name is Ann Miloski."

Supervisor Stark: "Just pull the whole thing right down towards you, Ann. That just bends. Thank you. Turn that microphone toward you a little bit. That's it. Thanks, Ann."

Ann Miloski: "And I live in Calverton, New York. And there's two things I would like to clarify. I happened to be at the Zoning Board of Appeals meeting and listened to the-- they were trying to get an interpretation of whether it was a non-nuisance business or not and also about this being mined previously. And this is what I would like to state.

Before TS Haulers bought the property, the owner had it in a farmland commitment and was supposedly making a track to train horses. There was never supposed to be any mining done and the Town never issued a permit for mining. Number two, this certainly is not a non-nuisance business. The applicant is asking for gravel processing and bringing in construction debris. He has created a nuisance himself by mining without a permit, putting a building up without a permit, bringing in construction debris without a permit, coming in 12-- 12:30, midnight without a permit, and on these grounds alone, I think this permit should be denied. Thank you."

Supervisor Stark: "Thank you, Ann. Is there anybody else that would like to make-- yes, ma'am. Rita."

Rita Hoden: "Rita Hoden, Calverton. Is anybody monitoring or knows what he's bringing in there and dumping? Is the Town going to inspect and give a report of what is brought in there, what kind of stuff? Does anybody know?"

Supervisor Stark: "We believe that the DEC has been up there to investigate that for us. I don't have the reports in front of me."

Rita Hoden: "Are you going to get reports from them?"

Supervisor Stark: "Yes, ma'am."

Rita Hoden: "What's going to be-- what's been dumped there? Thank you."

Supervisor Stark: "Yes. Thank you, Rita. Is there anybody else that would like to make comment at this particular time? Way in the back there, to the right. Yes. Steve, I'll get you next. You're up, sir. I'm just moving Steve into position."

Steven Falango: "My name is Steven Falango and I'm a resident of Wading River. And I support Andy Partridge's application. I'm a businessman and I am not happy about my taxes and I really don't want services cut. So I want people to come into the Town and do things that are environmentally benign and although this gentleman here he has reasonable grounds to be concerned and it's good to be vigilant but he's a little misinformed, I think, and from what I understand about this application, it's essentially to dig a hole in the ground, no more environmentally destructive than digging a hole for the foundation of one of our houses and I think that, in fact, when one mentions pesticides, although I really don't want the farmers to be given a bad time because I like to eat and I believe without pesticides we wouldn't really have very much food at a cost that I could afford, there would be more environmental damage from this site if it were a farm as it relates to pesticides.

So I really think that there's a lot of misunderstanding here and I think that also the issue of recycled materials, and I would like maybe somebody understands this better than I do, but I think that what it means is the chunks of concrete that you are mentioning, these chunks of concrete are taken places and they are crushed up

then they are resold so that this material has value if it can be manipulated in some way to make it more marketable and these things are being done right now in other towns, everybody's happy, and I'm a contractor so I'm taking all over Long Island to many different neighborhoods and there's an area in Northport by the Lilco stacks where precisely what is proposed here to be done was done and it's now-- it's full of houses and they look like houses everywhere else. You have no idea that this used to be a sand mine. So I think that from my understanding of this issue, it really is environmentally benign. If Eddie did anything like brought dioxen to this site, I would be the first person to cheer if he were put in jail but I would be the first person to cheer if anyone in our town were to bring something like dioxen here. And I think that you shouldn't even mention the word dioxen and the name Eddie Partridge, because one has nothing to do with the other. He's not going to do a thing like that and if anyone does, they should go to jail.

Why I'm here is I do not believe that this is environmentally dangerous. I think it's less dangerous than farming and I support farming. My father-in-law is a farmer and I don't want farmers driven crazy but I'm here because I don't like my tax bill. And if we want our taxes to go down we have to find things that produce jobs and this gentleman mentioned he did the math of $40 a yard which I think is nuts, but let's assume it's some number. Whatever the gross amount of money that's generated from this site, I'm mad at Eddie if he has a big-- I'm not made at Splish-Splash. I like Splish-Splash and I'm happy that they bring people here who do something and then they go away and they don't leave any environmental damage and I believe that if there's somebody in the world that wants to buy our sand let's sell our sand. I think Eddie employs-- the last meetings, I think the number came up something like any-- Eddie employs 15 people, with 15 real jobs, and if his payroll is something like $400,000 or $500,000 a year, maybe it will go up. I hope it goes up. I hope that he gets this permit. I think that it will make the land worth more money.

What I would really like to happen is for expenditures to stay the same and for Eddie's taxes to go up and for my taxes to go down a little bit."

<u>Supervisor Stark:</u> "That's a good solution."

Steven Falango: "I support the application."

Supervisor Stark: "Even Eddie would like that one."

Steven Falango: "Okay, thank you."

Supervisor Stark: "Steve."

Steve Haizlip: "Steve Haizlip of Calverton. As Mr. Roberts was reading about these letters of recycling, I had my driveway paved and the guy had a big truck to load of macadam and he wanted to know where he could dump it. So this recycling would probably come into that category. And what's worrying me is when you start dumping stuff into ground water, then this ground water will-- and if you have wood products in there, it possibly could start making this here gas that they-- methane gas. Well, it can't come up through the ground so then it will start a plume going into the water and then it will flow down and since I got a well and I can't get town water right away, I could end up with it. And the second thing is that's bothering me, the road shoulder to the entrance that goes in and out of this place is somewhat getting to become into a safety zone. Six inches from the right hand line of the right lane there, the road is completely shoulder and it's (inaudible) is covered completely with orange size, potato size stones. Now that could possibly cause a problem where some guy might be having a flat and want to pull over or some of these guys passing on the right to get in there and the road should be clean all the way up.

And, now, you know, I think if that would have been me, I would have been crucified, hung, put in jail and everything else. The prior owner, he was hassled, stopped by police and what have you. This gentleman has been operating fine and has violated court orders and what have you. Now there's a rule when you're operating in the town you are supposed to inquire as to what do I need to operate but don't go in and start operating. Thank you very much."

Supervisor Stark: "Thank you, Steve. Is there anybody else that would like to make comment? Yes, sir?"

John Wright: "My name is John Wright. I'm from (inaudible), New Jersey. We are suppliers to Eddie Partridge and I'd like to voice our approval of what he has to do right there. People might

say well, you know, we're a beneficiary which we are but I think it's important to point out that it's very, very easy to come up and say that there are concerns, there are environmental concerns of what's going on but-- "

Supervisor Stark: "Can I clarify, you said you are a supplier of Eddie's?"

John Wright: "Correct."

Supervisor Stark: "A supplier. What do you supply?"

John Wright: "Equipment supplier."

Supervisor Stark: "Oh, equipment supplier. I just wanted to find out if some of the things that Bill was talking about, maybe you were supplying and we could find out what they are."

John Wright: "Well, we do supply him with separating machines for separating sand and gravel and what I know of Eddie over the last several years is he's never done anything that we have seen, he's invested the money to do the thing properly, but I think more importantly somebody has got to recycle concrete, somebody has got to recycle blacktop and they've got to do it properly and they've got to invest the money into it to do it properly. This is again basically a rather clean operation. He has an opportunity to do it and do it properly to create employment, and, you know, with regard to contaminated materials and what's being brought in, it hasn't been done, there's no reason why it should be done, and to bring up those concerns is unfair to somebody who really hasn't had the need to bring those concerns. I think the main concern should be how he's going to do it from now on. He's already got that in place or the plans are going to put them in place. I'm providing the stone structurally and properly, you know, to me it's got to be done and the day of recycling-- if it's being done properly, why inhibit it? That's really all I have to say."

Supervisor Stark: "Sounds like you've got a little Scotch in you."

John Wright: "Irish."

Supervisor Stark: "Irish is it? All right. I knew it was over in that territory somewhere. Is there anybody else who would like to make comment? Yes, sir? I couldn't quite catch the brogue there. I didn't mean Scotch the liquid; I meant Scotch as your parentage."

Eugene Bartow: "My name is Eugene Bartow. I live here on Long Island; I make a living here on Long Island, and I work for a number of contractors. I'm the man who wrote the reclamation bond that that gentleman referred to and I just thought it would be important to (inaudible) so everybody understands what a reclamation bond is."

Supervisor Stark: "Sir, you've got to kind of talk towards us because one of those microphones is recording you and then somebody has to transcribe."

Eugene Bartow: "Okay, all right. As I said, I thought it might just be important for a moment to mention what a reclamation bond is. This is a financial instrument posted by a bonding company that guarantees that in the event that the bond becomes due, the amount is paid. Now the gentleman said the amount of $75,000--$73,000 seemed inconsequential. Actually it's not and that's the amount that was determined by the DEC. So I just thought it was important that everyone knows--"

Supervisor Stark: "That doesn't make the DEC correct."

Eugene Bartow: "The DEC may not be quite correct there, but I think it's important for everybody to understand that Mr. Partridge has gone forward, trying to comply with those level of financial guarantees to make sure that this operation conforms to what he's being told he needs to do."

Supervisor Stark: "Thank you. Is there anybody else who would like to make comment at this particular time? Rolph?"

Peter Danowski: "I would just ask for permission at the end, after everyone--

Supervisor Stark: "Peter, you certainly will have an opportunity to speak again, Counselor. I doubt if I could ever even deny you."

Rolph Kestling: "Rolph Kestling, Wading River. I just want to ask one question. This recycling what they're going to do. If I'm correct, they put it in big tumblers and they smash it and it's kind of a noisy operation, isn't it?"

Supervisor Stark: "I will be very frank and honest with you. I've never visited a stone crushing or cement recycling area so I couldn't really tell you, but I'm sure somebody here might be able to tell you. It would sound logically that it would be a noisy operation."

Rolph Kestling: "I would feel sorry for the people that would be living around the district. I mean you hear this banging around all the time. You know, it's a big tumbler where they drop the things in and it goes round and around and around and it cracks and it goes constantly. So I think that ought to be considered. Thank you."

Supervisor Stark: "All right. Thank you, Rolph. Is there anybody else that would like to make comment at this-- Bill? Let me just see if there's anybody else first time around. Yes, Bill. Did somebody have their hand up in the back? Why don't you-- you'll be next, sir."

William Kasperovich: "William Kasperovich from Wading River. It's amazing how people will get up here and talk in public for their own interests and the hell with the public. People come up here to say well, they're in business and so this is the business, so this is a good thing. Man took the piece of his life to compile statistical information and I'm referring to Bill who gave us a thorough coverage on this problem and yet somebody else gets up and tries to knock him down, practically insults him. Now, once again, in our lifetime it comes upon the Town Board to do right not only for the people that live in the township, but the people on the east end of Long Island. Everybody seems to be concerned with refilling the hole and this is a very serious matter because in the way we have seen this man get away with ignoring permits, with disregarding all agencies and all people concerned. This to me has got a very dark cloud over it.

The first concern is digging a large hole. This hole is extremely large. This hole brings ground water at certain periods

which also gives relief and affects the flow of ground water. This hole after it's created will be a monster to undo. And since the permit and such have been ignored and operation has been done illegally, it's reasonable to expect that after the hole is there, nobody is going to follow up with the refilling. A big hole in the ground is our concern right now and we should make every effort to make it cease, desist and not permit this kind of business that this man has put on us to continue. Thank you."

Supervisor Stark: "Thank you, Bill. Yes, sir, in the back here."

John Pelis: "My name is John Pelis and I want you to know I was born on that property. My mother, father came there 90 years ago and I know all about it. I just want to ask you what-- how deep does this man want to dig in the ground?"

Supervisor Stark: "All right. I'll have the question answered for you, John, and I know the family history of that farm, and you know I do well."

John Pelis: "I know all of that, all about them things. If you, Mr. Stark, if you want to know what kind of hole in the ground, (inaudible) part of Roanoke Sand & Gravel, just go over there and see the hole in the ground. And it's there for anybody to see and I don't think we should have this mining permit. I think the land should be preserved for other development in this town here because it's all beautiful land out there. They can do a lot of things in there for the people. And it should be taken all into consideration. This machine he's got grinding up the concrete, in our shop you can hear the ground shake and the walls pounding. No matter where you go, it's like the machine is in the building. A lot of people complaining, and he's also got down the road-- he's got these trucks here with no exhaust system on it and he goes right in front of the shop, he (inaudible) and it's not right. He should put exhaust systems on his truck like the other people have. It's not right. I don't think-- he digs a hole and I want to know how deep. If that hole is 90 feet in the ground, that's down through the water table. I know, on the Main Road, the thing is 56 feet to the water (inaudible) and if you go back further the incline of the land rises so there would be roughly around 90 feet to the water table. And if nobody watches him closely and (inaudible) some kind of contaminated

material in there which he had a name for, which he's been doing, I don't know what's going to be."

Supervisor Stark: "Thank you, John. Is there anybody else who would like to comment at this particular time? Yes, Dick-- Bill I mean."

Bill Roberts: "Bill Roberts, Baiting Hollow. Two things I forgot to mention. In filling out the full environmental assessment form which is required for the permit change and also for the DEC, only part one was completed and not part two. But part two has a very significant impact on the property or the change of zone has a significant impact on part two. For example, number one, impact on land. Will the proposed action result in a physical change to the project site? Incidentally, none of these were answered yes or no. Small to moderate (inaudible) can impact be mitigated by (inaudible) change? None of these-- and this is a couple of pages of questions. Actually, the answer there should have been yes. Excavation for mining purposes scheduled to remove more than 1,000 tons of natural materials per year. No answer, but, of course, the answer should be yes. I would imagine if you go (inaudible) becomes a lot more diligent and a lot more questionable or ask questions of what's happening on the property.

And impact on agricultural land resources. On page nine, construction activity would excavate or compact the soil profile of agricultural land. No answer. The proposed action would irrevocably convert more than 10 acres of agriculture land or if located in agriculture district, more than 2.3 acres of agricultural land. No answer.

In closing, I would like to read quickly the letter that the Greater Calverton Civic Association sent to the Town Board on April 7th of this year.

The Greater Calverton Civic Association vehemently opposes the illegal mining operation that's being carried on by TS Haulers on Route 25, County Road, in Calverton. The importance of Calverton to the future growth of the town of Riverhead to help make it become a tourist attraction is obvious. Some of our members have worked diligently and spent countless volunteer hours hammering out the details for the master plan for our area, the Hamlet Study, which

has not yet been finalized.

But the residents of Calverton, our Civic Association and the Hamlet Study all intent to maintain the rural character of this little village (inaudible) from illegal operations.

Our specific complaints are the operation continues despite fines and threats of legal action. What is being trucked in? What is being trucked out? If operation is allowed to continue it sets a precedent for other nuisance operations to locate in the town of Riverhead. Adopt the Calverton Hamlet Study quickly so that reliable businesses will know where they can locate and what types of operations they can lawfully conduct. Apparently (inaudible) of illegal mining by TS Haulers to the DEC.Sighting the trucks leaving the TS Haulers property at dawn, even on Sundays has been reported to the DEC but since the DEC lives by a time clock from 8:30 to 4:30, they said that they could not verify that illegal trucking action was going on.

In closing, the Greater Calverton Civic Association asks you to consider our position and to assume a more active role in investigating and stopping this operation once and for all. It's illegal; it's in violation of zoning regulations; it's contrary to the guidelines contained in the Hamlet Study. It's not good for Calverton and it certainly is not good for the town of Riverhead."

Supervisor Stark: "Thank you, Bill. Is there anybody else who would like-- yes, sir."

Steve Falango: "Steve Falango, again, from Wading River. I'd just like to say I would never intend to insult Bill. In fact, I'm glad Bill is here even though we have a difference of opinion because people like Bill are important and it's important that we all come here and we all get involved. We just have a difference of opinion on this one issue. I think that there are things being said that are not true. This is simply a hole in the ground and it's no different than the sump down the end of my block. There's nothing to be feared. I believe that none of the-- I could be mistaken, but I believe that none of the products that are brought there for re-cycling, remember, this is 1997 and we are all trying to reduce our waste stream. None of the products that are being brought there for recycling are anything other than asphalt and concrete and

bricks and they get crushed and changed in shape and then they leave the site. This hole never gets filled up. I think that to talk about a threat to the ground water doesn't make any sense. It's no more of a threat to the ground water. In fact, it's probably less of a threat to the ground water than a catch basin because a catch basin collects water off the street that has oils and break lining materials and all those materials and puts them into ground.

And I also would like to say that-- a very quick story. My father-in-law-- I built a home, a beautiful home in Wading River and on a beautiful piece of property that was really beautiful and it hurt to rip it apart and put a house on it. But my father-in-law was sitting there when I was building it and he was saying to me, oh, I can't believe you did this. I used to hunt here. So I said to my father-in-law, well how about we rip half the house down because it's only halfway done and we vegetate the site, we give it to the Nature Conservancy and I'll move into your house and every day you'll wake up and I'll be sleeping on your couch. And he said, let's build a house. And the point of that is someone's going to want a piece of property not touched and I don't want any property. I want no property touched; I want everybody to work for a company like Microsoft or the other guy in Islandia where we all work on software and we type on typewriters and nothing changes. That's not reality. And this guy employes 15 people. It has 15 jobs. That's the most important thing for me, jobs, economic activity that will not pollute. I don't know where these notions of pollution come from. I wish somebody would say something objective to me about pollution because I can't figure out how if you dig a hole in the ground and you don't fill the hole up, how that can be pollution."

Councilman Prusinowski: "Sir, one of the things we're all missing the boat here on is that we have a process here in the Town of Riverhead and you're not supposed to start a business like this until these issues-- excuse me, are debated before the Town Board, we have public hearings, we have a process. This business went out and started operating without our permission and that's the bottom line here and it's something we have to take into consideration. A lot of things that you're saying have merit as do the other side, but when you're operating and then we get a court order to stop you and you continue and then we have flyovers and you are still trucking at night, your credibility is a little bit tainted. Okay. So these are some of the things that-- and the reason we have a public hearing

today because it's after the fact."

Steven Falango: "Right. I get a permit to build my house and I wanted to change-- "

Councilman Prusinowski: "You have to get a building permit and-- "

Steven Falango: "Absolutely right. I get a variance; it was a pain in the neck and you're absolutely right, and I think you fine him-- "

Councilman Prusinowski: "So as far as-- well, we haven't fined him anything yet. This is the DEC. But the thing is that there's a process to be filed and that's what we're going through right now. But don't give the interpretation or the illusion that it's the Town of Riverhead that's trying to put these 15 people out of work. That's not the case whatsoever."

Steven Falango: "I don't think the Town of Riverhead is trying to do that at all."

Councilman Prusinowski: "What the Town of Riverhead is trying to do here is to take a look at a piece of property that has a history to it. We do have an area there, we cancelled our garbage contract in Calverton because it was no longer relevant; it wasn't a good thing to build a composting plant there because times change. Okay. We didn't even have time to debate this thing as a Town Board because he's already up and operating. Now-- and if we decide that it's not good to have this business there, we have a hole in the ground."

Steven Falango: "You're absolutely right and a lack of credibility is very important and I think it was stupid what he did and I'm a little insulted. I get a permit to build my house; I go through the variance process to build it a deck. Do I want to? No. But I do it and I think that that was dumb and I'm-- from what everyone has said enormous fines and things have been levied. And fine him again, but the point I'm trying to make, I think it's environmentally benign. I want jobs here. I want jobs that don't pollute the environment. The hole will never be filled up from what I understand and I think it's a good thing. I think that he's a putz because he

did this without permits. I agree with you absolutely. And it's insulting-- it's insulting that he did that. Absolutely. But, and the issue of noise? So, set a noise level. You know, force him to -- if he's going to crush concrete and it makes noise, have him crush it inside the building. You know, do something. There's a way to preserve these 15 jobs, maybe get more jobs. The amount of money that it will pump into the economy, you know, many of us understand the multiplier effect as it relates to economic activity. I think this is good activity. I would like to see more activities like this. But if I insulted Bill, I apologize. I would never wish to insult him. Thank you."

Supervisor Stark: "Thank you. Is there anybody else who would like to make comment at this particular time? Hold on counsel, let's just see if-- all right. Counsel. One, Mr. Pelis wants to know how deep. And that's a very good point. He has a legitimate question."

Peter Danowski: "Okay. Some of the reason for-- "

Supervisor Stark: "Proposed. Proposed. If permitted."

Peter Danowski: "-- my wanting to get up her early is to clarify the facts so we don't have conversations that continue on a misstatement of fact. The Young & Young proposal that was prepared, the plant and the reclamation plan and the amendments to them pursuant to comments from the DEC led to a final result where none of the hole is going to be dug revealing ground water. So regardless and Bill was accurate in saying the range of depth to ground water, that this plant as proposed will never touch ground water. No one has suggested in the plan and it is a fact that none of these items of recycled materials are going into the hole. They are being trucked off if, in fact, they even get put onto the site. This is a request for this Town Board to grant a sand and gravel processing yard. You may choose to limit what gets brought on there by way of material.

What I said in the beginning was there is a restoration plan for the hole that requires delivery back of the topsoil that is removed and reseeded. Therefore, leaving at the end of the process as it's done in phases a grassed in area at a depressed area of the site. That depressed area will ultimately in my mind be used for

the nursery business of potted plants and I used the example of Half Hollow Nursery as a good example of something done correctly to the benefit of an agricultural use. So the comments about asphalt and things going into the ground and monitoring are just not true but they can be monitored. You can condition them on grant of a special permit and I would like to see some cooperation from the Board and the public and my client to see if, in fact, you could issue a permit with conditions for a sand and gravel processing yard. And with that said, many of the comments everyone could stipulate to, covenant to, agree to, with consents for the town enforcement officer to come on to the site along with the DEC officer. You may choose to say Industrial B is the area but as I look at the Industrial B map, there are very few sites of Industrial B. The ones that come to mind, one client of mine, Alberta Young, up near the Northville tanks. Do you want this operation next to the Northville tanks? My guess is that the neighbors to that site would come and put pressure on you against that granting of a permit. If you want it back in Calverton at the site of where there was some mention of a composting operation, will the neighbors support the operation there? My guess is you will have people in opposition saying some facts that are not accurate but they're well meaning suggestions. I'm in agreement with 90% of what they say, but they don't apply to my client and they don't apply to the site.

So my request here is to try to get the sides together and try to see if you can condition the granting of the special permit."

Supervisor Stark: "Counsel, before you step down, I would like to (1) make it known that when this operation was brought to our attention by members of the Greater Calverton Civic Association, we did visit and we also asked the DEC to visit the site and I think henceforth came fines totaling upwards to $40,000 or $50,000. And I think you agree with that. I have also asked Counsel to ask you a few questions which ought to be interesting because of the Town Attorney going against former partner in private practice so let's see how it works out. I think you are going to enjoy this, Counsel, because I know you two have fun being adversaries."

Peter Danowski: "Well, that's out of the question. Do I have to go out and get an attorney to counsel me?"

Supervisor Stark: "Yes. I think you need, but Bobby, would

you-- "

Peter Danowski: "Isn't that the obvious question where I say I better not incriminate myself?"

Supervisor Stark: "Yes, something like that."

Peter Danowski: "Well, then maybe I better not respond."

Supervisor Stark: "Well certainly I don't think you would be representing your client."

Peter Danowski: "Well, let me just-- before I forget--

Supervisor Stark: "No, Counsel, you've made a final statement there, now it's our turn to ask you some questions, which we want and expect answers from you on behalf of your client. Thank you."

Robert Kozakiewicz: "Well, the first one is one that already was asked by Mr. Pelis and that was the question of how deep the excavation is as proposed?"

Peter Danowski: "I think Tom Wolpert and Howard Young's office can answer that. As I look over to the one side, I see Tommy here and Kenny here, will have the specific answer to that. The range of depth to ground water is as Bill announced, it's between the upper 20's to the 60's to ground water. The proposal is not to hit the depth of ground water so it's no greater in areas where it's 27. It was led to me to believe that it's five feet above. It's on average 40 feet deep."

Supervisor Stark: "Let me just shoot one in between you here, Bobby. Is there a hole up there now, Counsel?"

Peter Danowski: "Yes. And there was a hole there when it was purchased as well."

Supervisor Stark: "Is there a hole there now that was mined prior to having permits and what have you?"

Peter Danowski: "I believe that's true."

Supervisor Stark: "That is true?"

Peter Danowski: "I believe that is true."

Supervisor Stark: "Okay. Because if you don't believe me, I have videotapes of it by flyovers."

Peter Danowski: "But understand the comments made that this was an agricultural piece of land, although accurate go back in time and your Town itself issued violations against the prior owner, I believe, and so when this land was purchased, I understand it was already disturbed."

Supervisor Stark: "That don't make it right today."

Peter Danowski: "No. No one is questioning that."

Supervisor Stark: "Go ahead, Bobby, I'm sorry."

Robert Kozakiewicz: "One of the things that was offered as a stipulation was having free access to the site in order to confirm the process. Presently I noticed the stockpiling of materials in the front which effectively prevent anyone from seeing what's going on on the property. Would that be removed as part of this approval?"

Peter Danowski: "We would sit down and agree to any conditions that are reasonable. That one seems a reasonable condition. There is a site plan that's on-- has been prepared by Young & Young to put a building and landscaping to the front which would dress up the area. One of the criticisms of the idea was how unsightly it is to see from the road a pile of sand or material. And that will be cured in part through the process of a site plan to put building, landscaping and parking in the front, the purpose for the building to store the trucks that Mr. Partridge has. And as you know there's a trucking-- a trucking operation is a permitted use on the site. So we are trying to get in the process to get permitted to put that building up in the parking lot and the landscaping up.

But certainly we'll take down the mounds of sand or dirt that you complain about."

Robert Kozakiewicz: "Would the process also involve future

stockpiling materials? And if so, where would that be place on the site?"

Peter Danowski: "The DEC requires a perimeter around the excavation site of a 50 foot buffer area. So the buffer area is not including the piling of sand, so the 50 feet along the perimeter that deals with the excavated site would remain as a buffer and then tiny piles of dirt such as the topsoil which the DEC is requiring per the application to stockpile the topsoil and then put it back into the hole, would be put on the site at a location to be determined. We can mark that on the site plan and agree to its location."

Robert Kozakiewicz: "The application refers to processing of sand and soil and gravel. Does that include crushed concrete and crushed asphalt?"

Peter Danowski: "That was not the original thought to the word sand and gravel in my mind. It may have come about as a result of a supporter of Mr. Partridge saying he would like to bring his asphalt there as something else, that is again something that I would ask the Board to consider whether it's a good or bad idea to recycle a particular kind of material. You want to limit recycling that material, you limit it, you chose to include it because you think it's a good idea to recycle it from a garbage wastestream point of view for local merchants who have asphalt and concrete, rather than take it out of town and do it at more cost, then include it. But you certainly can put a condition on it that it never enters the excavation pit which is not our intention anyway and the DEC is not intending to allow us to do that either. So my point really is the condition of the special permit could exclude, include, with or without condition."

Robert Kozakiewicz: "Okay. Now, I also know that there is a quonset hut that's on the rear portion of the premises as well as two mobile home units. Those will be removed as part of this approval?"

Peter Danowski: "That's correct. We would remove anything that's not permitted and we would go through a site plan approval to put anything onto the site. By way if history, I believe when it was back as agricultural use, there was some form probably prior to zoning of modular type of structures. I hate to call them

trailers but they were sitting back there and they would in some form lay in the back part of the property but that would be certainly a condition of the permit to remove any structures on the site that are not permitted by Town permit."

Robert Kozakiewicz: "Okay. The site plan also I think shows an office in the front. Is that a mobile home unit?"

Peter Danowski: "That was originally going to be a small modular unit. We were going to have trucks parked on the outside which is probably more distrubing to the neighbors or neighbor so we've revised-- we're in the process of getting new drawings to go to the Architectural Review Board to put a larger structure in the front to house all vehicles inside, especially during the winter. That would have to go through ARB as you know and then come back before the Town Board as a site plan approval process. So is it modular? It would be modular in the sense that you see many of the structures up whether it's Riverhead Building or somebody else putting buildings up. It would not be a mobile unit. Non-stick building. A small building is being proposed to be eliminated. In its place would be a permanent structure, not stickbuilt. Pole type building."

Robert Kozakiewicz: "Okay. If I understand, the operation is approximately 10 tractor trailer rigs that operate out of the site. Do they fuel on the property and, if so, what type of safety measures are taken to ensure that fuel spill doesn't occur?"

Peter Danowski: "With part of this application, we have a-- we will have to complete a Health Department application. As you know, all applications are pending completion of SEQRA and a final site plan that has to be stamped through the Health Department. So the storage of any gasoline, oil, whatever, will be strictly enforced by the Health Department and whatever conditions they impose."

Robert Kozakiewicz: "Is there a pending application for that?"

Peter Danowski: "There is a pending application that we filed initially with the site plan but we could not go any further because there were further requirements such as SEQRA compliance before they would even process the application."

Robert Kozakiewicz: "So currently there is no storage of gas or petroleum?"

Peter Danowski: "Anything other than it can be grandfathered would not be used on the site for storage of gasoline. If you want to make that a condition that there cannot be any storage of material, gas or oil without Health Department permit or Town permit, make that a condition of the permit."

Robert Kozakiewicz: "Currently if there are trucks going in and out of site which we've received complaints of such activity, would they fuel on the property currently and, if so, how's that done?"

Peter Danowski: "I'll have to verify that one one way or the other. The one thing I do want to know though is there's a difference between trucks coming in and out of the site and trucks coming in and out of the site for the purpose of mining and sand and gravel operation which is proposed. And I've had this discussion where a trucking station is a permitted use on the site. My client owns trucks. I don't want to confuse bringing trucks onto the site, operating a violation."

Robert Kozakiewicz: "There's no argument here. You have-- you're right in arguing that as a permitted use a trucking station is allowed, so, but we'll give that."

Supervisor Stark: "Thank you, Bobby. If you would like to sum up, Counselor, unless there's somebody else-- I thought I saw a hand back there. Let's see what and then you can answer those. Counselor, if you would take a seat for a second, please. I thought I saw one up in the back over here before."

Rolph Kestling: "Rolph Kestling, Wading River. The first time I ever came back for a second crack, but if you drive down the Long Island Expressway, 495, and you get down to Sagtikos Parkway and you turn south, there's a big operation there with this dirt and concrete and they are processing it there. And these hills must be 20, 30 feet high. They were encroaching onto the Sagtikos Parkway and knocking down the fence. Now, the last time I went down there, about two, three weeks ago, I see they're starting to clean it up on the edges. The county or somebody must have got

after them. But as I say, they've got to store that concrete. They don't take it and process it right away. They get these nice big piles there. They are going to be high and they are going to be visible. Thank you."

Supervisor Stark: "Thank you, Rolph. Is there anybody else who would like to make comment? Counsel, if you want to sum up."

Peter Danowski: "Just a couple of-- "

Supervisor Stark: "Annie, I'll-- "

Peter Danowski: "-- bits of information-- "

Supervisor Stark: "Let him sum up, Annie, and if you create something, he can sum up again after that."

Peter Danowski: "I don't think I'll create anything. Bill made mention of part two. I presume he's referring to part two of the Environmental Assessment Form and as you know the fine print in these forms, sometimes you don't pick up on it. The applicant fills out part one and the receiving agency whether it's the DEC or the Town fills out part two. So the applicant leaves part one filled in, part two blank. So if the reference is to part two on the environmental assessment form, it's not the applicant intentionally didn't answer questions. It's that they weren't supposed to fill those in. It would be presumptious of us to rule on our own application and in part that's what part two is about.

And the application when it got filed with the DEC was an original application and a duplication of that was left with the Building Department and then subsequent to that, any amendments or suggestions back and forth with the DEC resulted in further information to the DEC. Certainly the application when filed with the Building Department was the very same that originally went to the DEC. Thank you."

Supervisor Stark: "Ann. Counselor reserves the right to answer."

Ann Miloski: "My name is Ann Miloski, Calverton. I just want to know, isn't this against our zoning code? Isn't this considered

Industrial A property and, if so, all the land from Edwards Avenue to Fresh Pond Road, which is Industrial A, what are we going to do? Is this going to keep going? Are we going to have mining along that whole area? I thought that's why we got the Calverton Hamlet-- "

Supervisor Stark: "This is only an application that has to go through a public-- "

Ann Miloski: "All right. I just wanted to remind the Town Board that we do have a zoning-- "

Supervisor Stark: "Absolutely, absolutely. Is there anybody else that would like to make comment at this particular time? If not, without objection to the Board, I would leave this public hearing open for written comment until close of business at 4:30 this Friday, which would be the 19th."

Public hearing left open until September 19,1997

Supervisor Stark: "Before we get into the next public hearing, Dana's mother has arrived. Would you like to stand up and be recognized? Dana is doing very well up here. I'd like to report that she just beat me in tic-tac-toe. She caught me and caught me good and we'll be taking a break here in a few minutes so you can come and visit with your daughter. We've got a lot of work left to do she says. Also, I'd like to announce at this time that on September 30th, October 1st and October 2nd, September 30th being at the Jamesport Community Center, October 1 at the Riverhead Town Hall and October 2nd at the Wading River St. John the Baptist Parish Hall we will have a Star informational meeting and for those who-- Star means School Tax Relief, I will have the assessors there, Laverne, Leroy and Madeline and this is for those who will be applying for the Star program for the year 1998-99 tax relief. It is not for the 1997-98 but there's been a lot of misinformation out there. There is different information for Nassau versus Suffolk. So we are going to have those informational meetings for those who are 65 and older and whose income falls below $60,000. They're going to have to do some forms with the Assessor's Office so I just want everybody to understand that these will be in your particular areas.

Also, I'd like to announce that Gary Pendzick, our Superintendent of Water, has given to me today a notice that is going to be given to those residents of Wading River who live-- reside in Sound Breeze Trail, Pansy Court, Great Rock Drive and Daisy Court, that as of Wednesday, tomorrow, the 17th, the periods of increased pressure will start in the neighborhood. This increased pressure will be due to the initial start up of the booster system which we addressed at our Wading River Town Board meeting. It's going to take a couple of weeks for it to get fully up to par, but all those people in Wading River who have experienced low water pressure within the next couple of weeks, barring any major breakdowns or what have you, will be right up to par with the average in the Town. So I would like to make that announcement so that those people will understand what's going on. And we'll be giving them a notice this evening so that they understand they don't get washed out of the shower when they get a little more pressure.

With that, we're going to take a 10 minute break and we'll be back at 22, 23 of."

Recess

Meeting reconvened at 3:50

Supervisor Stark: "Let the record show that the time of 3:40-- 3:50 has arrived. We are now back in session-- may I have your attention, please?"

Public hearing opened: 3:50 p.m.

Supervisor Stark: "Would the Clerk please read the notice of public hearing for the 2:10 p.m. 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 2:10 p.m. on September 16, 1997, to hear all interested persons who wish to be heard regarding the proposed Local Law to delete and repeal the existing Chapter 101 Vehicles and Traffic replacing it with a new Chapter 101 of the Riverhead Town Code Vehicles and Traffic."

Supervisor Stark: "Counselor?"

Robert Kozakiewicz: "Good afternoon. This is the second time around. Back in 1996 as a result of the public parking group, we started to investigate the possibility of removing parking meters from Main Street, East and West Main Street. At that time, we contacted the State DOT and we had called for a public hearing which essentially is doing what's proposed today, that is, repealing the existing Town Code Chapter 101 and then replacing that with another version of Chapter 101 which essentially will place those areas which are currently regulated by parking meters and provide for two hour enforcement.

One of the changes that happened as the group was looking at this was a question of whether we limit it to the Main Street corridor. The proposal that's before the Board today, would not only eliminate meters from Main Street, but would also eliminate meters that currently exist on Roanoke Avenue, Griffing Avenue, and Court Street. I hope I have them all.

Also, during the course of looking at-- Second Street, that's-- are there meters on Second? Oh, I don't think so. I think it's two hour-- half-hour parking on Second Street, if my recollection is right. The-- so the biggest change is to remove all of Article VII or the current Article VII Parking Meter Regulations and instead insert in Section 101-13e two hour regulations for the affected streets.

Also, some of the other changes that were being incorporated herein were to add some locations which needed stop signs. I know in going through Chapter 101, there were some that were actually missed that are out there. In fact, there's one at Laurel-- in Laurel which was missed and we'll have a public hearing later in October to address that stop sign location.

I just want to close by obviously deferring any further comments to Pat Frankenbach who was instrumental in helping out with this. She was extremely helpful. We took a ride in to see Mr. O'Connor at DOT in Hauppauge. She then took the project under wing. They was able to muster up a group of people to go out and walk the West and East Main Street corridors, look at all signage, mark it off and measure out the distances, so without further adieu, Pat Frankenbach."

Supervisor Stark: "Do I get a chance to recognize her?"

Robert Kozakiewicz: "Oh, certainly."

Supervisor Stark: "Okay. Pat, you're recognized. I also, too, want to thank you and the committee and Councilman Lull who was liaison from the Town Board to the Parking District. It's not always easy to take on public comment and sometimes I'm sure even within your own structure, that there is a lot of comment. So the buck stops there. I commend you for doing the job for us and I appreciate it."

Pat Frankenbach: "Thank you. I'm going to read this as quickly as possible. These are the comments and recommendations from the public Parking District liaison group for the removal of meters and adoption of time limit parking on Main Street and side streets in the downtown area. I have a copy to leave with you and extra copies if anyone cares for them.

It has been the recommendation of the-- I'm going to call it the PPD because it's too long, that the meters on Main Street be removed and a two hour limit be imposed on parking on Main Street from the intersection of West Main and Osborne to the intersection of East Main and Union. Because of excessive vandalism of meters on the side streets, it is also the recommendation of this committee that time limit parking be imposed on Roanoke Avenue south of the railroad tracks, Griffing Avenue south of the railroad tracks, and Court Street where metered parking has existed in the past. All of this parking should have a two hour limit.

It is the opinion of the group that time limit parking is necessary in these locations to prevent all day parking by employees of businesses located in the District, thus freeing these convenient spaces for patrons and clients of the businesses these areas are designed to serve.

Furthermore, it has been concluded that most businesses can be -- most business can be conducted within that two hour interval. Patrons requiring more time may opt to park in nearby parking fields where such parking is permissible. These regulations will be in effect Monday through Saturday from 9:00 a.m. until 5:00 p.m.

The submittance of this plan for the meter removal on Main Street to the New York State Department of Transportation precipitated a study by them of the present condition of parking in the Main Street corridor and as a result certain changes must occur whether or not the plan is enacted. Setbacks which intend to provide better sight line clearances for intersections and crosswalks are now required. These setbacks will greatly improve the safety of pedestrians and motorists in the corridor. In addition, it is the requirement of the State that parking spaces on State roads be approximately 25 feet in length, which is a significant increase in size from what we presently have.

Unfortunately these requirements will cause a loss of approximately 35% of the presently existing parking spaces on Main Street. This loss, unfortunately, is unavoidable.

For implementation at the present time, we are waiting final go ahead from the DOT. The plan has been approved by their engineers, new orders have been written regarding no parking, stopping or standing hours areas as well as the two hour limit. We are awaiting word that these orders have been signed.

The DOT's part in implementation will include the erection of all signage as would apply to those State orders in the specified areas on Main Street only. Extraneous signage would be removed at that time.

The Parking District's responsibility in implementation of the plan will be as follows:

On Main Street, the stripes that delineate each space must be painted on the street. Although it is not required, we recommend that the no parking areas, especially those new no parking areas caused by sight line clearances, be marked appropriately.

Spaces reserved for those with handicapped parking permits will be indicated by appropriate markings and consistent signage for those spaces. The DOT frowns on painting curbs and requests that markings be limited to the street. The general public should note that these markings are not required for enforcement to be legal. The signage as provided by the State will serve as legally adequate.

On the side streets we also must paint the roadways and install signs to indicate the time limits. We do feel, however, that the 25 foot length of space is excessive and spaces on side streets will have a length of approximately 20 feet.

It is not the intention of this committee to make any changes on West Second Street as that street has had a 30 minute time limit which has been deemed appropriate for the type of usage there.

All enforcement of this time limit will be the responsibility of the Parking District and the Town. The public hearing today concerns the changes that must be made in the town Code to allow this new plan to be enforced. At the present time it is the intention of the Parking District liaison group for the enforcement to be done by Parking District employees. Neighboring communities enforce their time limit parking by chalking tires on timed routes. It is our intention to work with the police department to devise a similar plan.

In addition, our group is looking into a computerized enforcement system which will incorporate both the ticketing and follow up procedures in one system. This system would consist of hand held computers which would take the error out of the hands of the employees.

The implementation of the two hour parking will eliminate a very large number of tickets which are currently being issued--those "I'll only be in for a minute, so I have 15 minutes on the meter, that should be enough" tickets. However, it is the opinion of the group that tickets issued for failing to comply with either the time limit parking or the new no parking zone should be treated more seriously than in the past. Upon a survey of surrounding municipalities including Southampton and Westhampton, parking offenders are charged an average fine of $25 for the first offense. It is our recommendation that the fines for violating these new regulations be raised to $25. Although it seems this would be a deterrent to shoppers, it is our opinion that most time limit violations will not be committed by shoppers. Drivers who park in no parking areas or stopping areas and receive tickets are creating a dangerous condition and should be fined accordingly.

Due to the fact that the Parking District does not presently

receive any part of parking ticket fines, we would like to request that should the fine be increased, perhaps a percentage, like a Court cost from each ticket, could be designated to the District. Revenue generated by the meters have been paying off a bond for the streetlights in the District. There are several years remaining until this bond is repaid and the loss of revenue from the meters may require an increase in taxes in the Parking District in the coming years. This fee allocated to the Parking District would prevent that tax increase as well as help pay for enforcement. The commercial properties within the Parking District are the most heavily taxes properties in the Town and any relief would be welcome.

I would like to just conclude, this is not in the official remarks. Everytime we have had any type of hearing or discussion regarding the removal of the parking meters from Main Street and it has gone in the past, people are under the assumption that because we have discussed it, the parking meters will no longer be enforced. Until the street is painted and the signs are up, parking meters as they exist now will be enforced.

Thank you."

Supervisor Stark: "While you're up there, Pat, Councilman Kwasna brought up a very good point. Maybe you or Jimmy could answer. I see they are taking the crosswalks off. Do we know whether they are taking them off just to redo them or are we relocating crosswalks?"

Pat Frankenbach: "No, we're not relocating any crosswalks."

Supervisor Stark: "It would be a normal-- you say they are just taking off the old one because they are cracked up and put nice brand new ones?"

Pat Frankenbach: "Correct. And that should be done within-- they're done today, taking them up and I believe they start putting them down tomorrow. And their crew has been incredible. The last time it was done, they swept up, no debris, it was dragged into stores on carpets. It was awful. They have done a wonderful job this time."

Supervisor Stark: "Very good. Thank you. I think that's the

new cooperation we're getting out of the new regional director--acting director of the DOT."

Councilman Lull: "I think it's also wise to commend the handicapped committee. Councilman Kwasna's handicapped committee, they have been in conversation with the Parking District and all these plans have been arrived at through working with the handicapped committee."

Supervisor Stark: "Is there anybody else who would like to make comment at this particular time on this particular subject? Certainly, Bill."

William Kasperovich: "William Kasperovich, from Wading River. This is one point that I just can't let go by. Now, using the advanced electronics in the hands of a parking meter individual, that is very little incentive or purpose towards the parking meters. If we go to a point where this sort of electronics surveillance can be done easily, I say the first offense should have no fine. The first offense should just be a warning, not just lip service, but a strong warning. This I think would improve things. Two weeks ago a family I know went to eat in a restaurant I suggested, they had a good meal and forgot-- were yaking-- forgot the time of the meter and went outside and got a ticket for dessert. See. Now, that doesn't improve the situation and that is not for the betterment of Main Street."

Supervisor Stark: "Bill, one of the reasons I think and I have been an advocate of getting rid of the parking meters since my start here eight years ago, is to create a user friendly town. I grew up in this town when we had people that went along and chalked the tires and as they made their route, by the time they got back a couple of hours were gone or an hour at the time and they usually gave a little time and that's it. I think what we're trying to do is create a user friendly town. I mean one only had to drive through town today to see the activity down there. Unless they're all just parking on Main Street, the town was crowded, full of people moving around, there were people down by the waterfront because I made a swing down by McCabe's, they're having lunch. It is starting. We are finally starting to see downtown revitalize with activities, with people coming and people shopping. And what we're trying to do is create a user friendly so that we don't chase them away."

William Kasperovich: "Well, I think this first offense-- "

Supervisor Stark: "But there are some who abuse the system and sometimes-- "

William Kasperovich: "All right. All right, we have-- "

Supervisor Stark: "And sometimes, Bill, those people are some of the merchants themselves or, in fact, may be somebody occupying a second or a third floor who are too lazy to park in the parking lot. I know I visited Manchester, Vermont where they have factory outlets up there and if an employee parks downtown and not in the employee's parking lot, about three-quarters of a mile out of town, they don't have a job. Because really what they're doing is a disservice to themselves and those merchants that are on Main Street, on ground level, but are not allowing the customer to come and park under a user friendly atmosphere, do their business, and then leave and go home. So, to some degree, there has to be some kind of enforcement to protect those ground level merchants or merchants who are on the second and third, but many times is abused by our own. You know, the old story, there's always a few bad apples in every barrel."

Councilman Lull: "Bill, part of the answer to that is and Pat can provide more, she's been doing the research on the electronic handheld calculators that meter maids use in so many different areas. One of the things that would be very positive would be what you suggest, that the first is a warning. But unless you have a tracking system you don't know what's the first. And that's one of the reasons for this to make sure that we do have a tracking system and then it's going to be up to the Parking District liaison group to make the decision and I'm sure that a warning like it is for most violations, if you can do a warning, but you can't do a warning unless you have a tracking system. And that's what it provides for us."

William Kasperovich: "Very true. Very true. And the allowance should be a first concern. There are extenuating circumstances."

Councilman Lull: "Absolutely."

William Kasperovich: "There are honest mistakes. There are

reasonable oversights. These should be on top of the list to create Mr. Stark's comments on a friendly town. A friendly town, when the storekeeper is not doing well in business and he has to-- his lease has got a way to go, they get pretty difficult. I've been in towns in a restaurant where if I got nailed for a parking ticket the diner picked up the ticket. That left a lifelong impression with me as a friendly gesture. And the friendly approach is one of the aspects of the revitalization of Main Street."

Pat Frankenbach: "I just want to add to the comments. Since the meters are gone on Main Street, we have a tremendous problem right now that exists. To give you an example, in front of Woolworth's those spaces are always filled. Well, there's an attorney's office up there and there's the Department of Labor and basically their concern over whether people can get in and out of the bagel shop in a few minutes or they can get in and out of Woolworth's, is of no concern to them. So we do have to have some type of balance. We have in the downtown area approximately 1200 parking spaces. Of those 1200 parking spaces, there's approximately 30% that are two hour and all the rest of them are all day parking. There's a tremendous amount of all day parking throughout the District.

As far as fines are concerned, this is-- the Town Code allows for a fine for the first offense to be anywhere between $1.00 and $100.00, and this is a recommendation possibly for the first offense, a fine of $10 with significant increases. But I can also tell you that we have a more than 50% rate of people not paying their tickets. And, so they're getting basically a free ride anyway. It's sort of -- when I was researching some of this it sort of astounded me that fines haven't been looked at in several years. It costs $10.00 to get a permit to go to the beach for one day, but it also costs $10.00 for the fine and if you don't pay the ticket, it didn't cost you anything. So, the computerized tracking system will allow us to track this on a regular basis. Someone puts in a plate number, if that's a scofflaw, it will come up on her computer. It also takes that error out. People say, well I was only in that space for 35 minutes. If the computer says you went in that space at 10:00, and at 12:30 you're still in that space, that computer puts out a ticket whether or not it doesn't matter who you are; it's according to your plate and according to the time. So, you know, and then it's up to you to talk to the Town Attorney."

Supervisor Stark: "I'll have to be very careful downtown."

Pat Frankenbach: "But these are things that are important right now because should-- if the Town is going to grow, these spaces must be available. I have offices upstairs from me, offices next to me, offices seem to be a good percentage of the usage downtown and if we are going to create a situation where we have a blend of retail, restaurants, entertainment and offices, we need to control the most convenient parking so that it is available for our customers."

Supervisor Stark: "Thank you. Is there anybody else who would like to make comment? Yes, sir? You are getting a full day in here today. You'll become on of our regulars in you go more than three times."

Steve Falango: "Steve Falango, Wading River. I'll be quick. Patchogue, when you use a meter in Patchogue, the meter doesn't take any money. You just rotate the meter and it gives you two hours and you feel welcome in the town and you won't lose 35 spaces and you probably thought of that already but I just thought maybe you hadn't."

Supervisor Stark: "Yes, thank you. Is there anybody else that would like to make comment at this particular time? Larry, Pat, let me just get Larry up-- oh, he hasn't spoken yet. Protocol."

Pat Frankenbach: "Yes, we're speaking about the spaces, same thing."

Supervisor Stark: "Okay."

Pat Frankenbach: "The 35% loss of parking spaces is a loss no matter what at this point. We opened a can of worms going to the DOT and asking them to look at Main Street corridor. Whether we put the meters back in, it wouldn't matter. The parking on Main Street must be reconfigured. That reconfiguration-- "

Supervisor Stark: "In the kind of floor plan that you showed us last week, I think you may lose some parking spaces, but I think you're going to have a better flow of those parking plus the whole congestion."

Pat Frankenbach: "Right now-- "

Supervisor Stark: "And I think that's part of the presentation of our Business District is to present a District that, one, is convenient to park, but is also easy flowing so that you're not like lower Manhattan where you've got to squeeze through. And I think the DOT is right on this particular instance."

Pat Frankenbach: "Unfortunately, yes, most of this is taken up by sight line clearances from crosswalks. We had four major crosswalks in the downtown area. Each crosswalk must have 50 foot sight line clearance into traffic and a 25 foot sight line clearance going out of traffic. The same is for any intersections coming in and off of Main Street. Seventy-five feet of sight line clearance absolutely without a doubt eliminates three parking spaces. In some places, for example in the blocks where we have crosswalks spaced closely, we are losing a tremendous number of parking spaces. However, as I said, unfortunately, we can't turn around to the DOT at this point and say nevermind."

Councilman Lull: "Well, the other thing is, Pat, let me ask you a quick question. What's the percentage of our meters that are irretrievably lost or destroyed?"

Pat Frankenbach: "Eighty percent."

Councilman Lull: "Eighty percent, okay."

Pat Frankenbach: "And the meters are very expensive. We've lost an estimated $50,000 worth of equipment."

Supervisor Stark: "One only has to try and get out of Maple, Union, East End Avenue, try to turn east, and you really almost have to be out in the western lane in order to see whether somebody is coming down. And maybe with that visibility also our crosswalk signs won't be damaged as quickly."

Pat Frankenbach: "Well, to give you an example, on the south side of the street where the crosswalk that's in front of the theatre adjoins-- where it meets the sidewalk, there's a parking space

literally where the end of the car or the front of the car touches the crosswalk. Those spaces on that side of the street in front of Swezeys are between 17 and 20 feet long. So not only are we losing sight line clearance, you cannot step out into that crosswalk without taking your life in your hands."

Supervisor Stark: "And that particular area is also going to be improved by the DOT for the purpose of the marquees so that we don't receive the damage the old marquee had."

Pat Frankenbach: "The other thing is-- the other thing that's been changed is parking-- sorry, fire hydrant clearances have been in the past 15 feet, which meant seven and a half feet on either side. And the new interpretation of that is 15 feet on either side so now we lost an additional 15 feet."

Supervisor Stark: "Because some of them down there, you're like three and a half feet away from."

Pat Frankenbach: "Well, the curbing-- if it-- but."

Supervisor Stark: "Okay, thank you, Pat. Is there anybody else who would like to make comment at this particular time? If not, I will declare the hearing-- oh, I'm sorry, Bill."

Bill Roberts: "Bill Roberts, Baiting Hollow. This has something to do with fines but not downtown. I'm talking about the fines levied against parkers who have no permits at the beaches."

Supervisor Stark: "Bill, could you bring that up in the general session because this is really a public hearing in reference to downtown parking. I don't mean to cut you off, we'll address it in another one-- the rest of it. Is there anybody else who would like to make comment at this particular time on this particular public hearing? If not, I declare the hearing closed."

Public Hearing closed: 4:15 p.m.

Supervisor Stark: "I will defer to Bobby Kozakiewicz for the last public hearing which will be rescheduled, I believe, Bobby, for

September 16th at 2:15 p.m.-- 29th."

Robert Kozakiewicz: "The last public hearing had been scheduled or posted was to consider the designation of an Economic Development Zone at the former Naval Weapons Industrial Reserve Plant. That had been published in the paper, however, after doing so we looked at the text and realized that there was some additional which should have been included within same. There's a resolution which is on today's agenda which will call for a public hearing on September 29, at 1:00. If there is anyone here who wishes to comment on this hearing, the Town apologizes for the inconvenience. If you wish to speak during the open sessions regarding the EDZ, we certainly welcome those comments. The hearing will be September 29th at 1:00 in the afternoon."

Supervisor Stark: "Is there anybody-- being that there are no more public hearings, I will recognize anybody to address the Board on any given subject. George."

George Schmelzer: "I've got to get my machine out here. I have an aerial picture here of the river (inaudible) and for a suggestion if the town needs to put in a well. It would be right next to the pine barrens, right beside the river, and about a two acre (inaudible) east of the Long Island Expressway. And it seems that they shouldn't put wells near the sound nor the farming areas. The farmers need the wells and they got this big pine barren area south of the river, let's tap into it if they need water, this map would show. And it shows somebody-- what I mean maybe Vic or Gary or somebody."

Councilman Prusinowski: "What's your point?"

George Schmelzer: "Which point?"

Councilman Prusinowski: "No, what is your point?"

George Schmelzer: "Well, they talk about needing a well along the River Road area-- "

Councilman Prusinowski: "Oh, you're talking about the public water extension."

George Schmelzer: "Yes, (inaudible) take the water from the pine barrens not from the town itself."

Councilman Prusinowski: "There's two legislators that might want to tax us I read in the paper, so."

George Schmelzer: "Might want to tax it?"

Councilman Prusinowski: "Well, apparently."

George Schmelzer: "Tax what? The water?"

Councilman Prusinowski: "Bottle of water-- Pepsi-Cola guy."

George Schmelzer: "(inaudible) bottle themselves."

Councilman Prusinowski: "When we voted for the pine barrens act, the concern was the quality-- the protection of the quality of the water underneath the pine barrens, not the quantity was never an issue. So there's two west end legislators are trying to put a tax on Mr. Tuttle here in Riverhead and I guess the Pepsi-Cola guy in Patchogue employs like 40, 50 people, and that was never our intent. The purpose of the pine barrens plan was to-- "

George Schmelzer: "To protect the water but not use it."

Councilman Prusinowski: "Well, right. To protect the quality of the water to keep it pure, and-- but it was certainly never to restrict the use of the water because that's never even ever been a question, even with the geologist."

George Schmelzer: "Well, this is on the Riverhead side."

Councilman Prusinowski: "Oh, I know that."

George Schmelzer: "And technically it's not in the pine barrens land that was taken by the county or the state."

Councilman Prusinowski: "It probably isn't. You're right."

George Schmelzer: "It isn't. It's still private. I got the tax map number written down. Do you want me to show you what it is?"

Councilman Prusinowski: "You can give it to the Clerk and we will make it part of the record."

George Schmelzer: "I mean this spot that I mean, maybe Gary is here, I can show him."

Supervisor Stark: "No, Gary has to be in Wading River."

George Schmelzer: "I'll go up there and show it to you."

Supervisor Stark: "Well, why don't you show it to us after the meeting, George."

George Schmelzer: "I got more stuff."

Supervisor Stark: "No, because I've got more people out here. Well, then go on to the next. We'll see it in a second."

George Schmelzer: "Don't lose this like you did that other map."

Supervisor Stark: "I knew that was coming. Are you going back to the podium? George, George, please."

George Schmelzer: "A couple of meetings back, you said you were going to get some news from Ken LaValle about the school taxes disparity. Have you gotten anything from him or nothing?"

Supervisor Stark: "I have got nothing on the school tax disparity other than my latest conversation with him that we have got the control signal light at Edgar Avenue and Route 25 approved by the DOT and will be in operation by February. They are not in session now as you well know. They don't go back to session until oh, sometime in October and we will continue our fight, not only myself, but the school districts. I see we have a new ally over in Eastport who are suffering the same problem. A gentleman came to the podium on two or three different occasions to talk about high taxes. Again, I remind you that the school taxes are 58% of your total tax commitment and the town is about 22, 23%."

George Schmelzer: "Yeah, why don't you remind the people again that-- I need to put my glasses on now."

Supervisor Stark: "I can lend you mine, George."

George Schmelzer: "I might see it in an inflated way."

Supervisor Stark: "Okay."

George Schmelzer: "Like you said you've been in-- "

Supervisor Stark: "I can see your inflation right now."

George Schmelzer: "You've been here eight years does that mean the start of historical has been eight years, see."

Supervisor Stark: "Okay, what do you want then?"

George Schmelzer: "Damn thing fall off of me, I know I can read it. In Riverhead residents here, they pay 81% of the taxes, almost 82 and they have 72% of the students. Brookhaven has about seven and a half percent of the students and they pay a little over two percent of the taxes. They pay about 30% of the cost of the student and Riverhead taxpayers pay almost 114% and across the river they pay 78%. These are rounded figures. So, no matter who talks to LaValle, nothing ever gets done. And so what does the town suggest? This goes on endlessly, nobody ever does anything. We're suffering year after year. I dug up something here from south side of the river. About 10 years ago, I went to Suprina with a map. I said it looks to me you're talking students from Eastport and don't know it. He gave me a blank look just like you're giving me now."

Supervisor Stark: "I'm not giving you a blank look; I'm giving you a very interested look because I've known you for many years, George, and you come up with some very unique ideas and conclusions. And I'm not about to challenge you on your research. I don't challenge you on your research because I know you're correct."

George Schmelzer: "So, he did give me a blank look, never said anything, never got back to me."

Supervisor Stark: "How does that look? A little better?"

George Schmelzer: "Oh yeah, you look better now, thanks."

Supervisor Stark: "Okay, thank you. You didn't get that, did you Rich?"

George Schmelzer: "So a couple of years ago, I happen to see a new tax map, I see (inaudible) Blvd., 40 houses, only (inaudible) Blvd., no vacant land around it to make up for it in the school district. I went to the School Board, nobody knows anything. New Board. So I went to Mr. Carlson, nice fellow, freedom of information, I got the file on that thing. So after I saw Suprina that time, apparently they started discussions on it. Look over this, if you would like me to leave it with you, I will. They took on these 40 houses, I think about 21 students, the students were going there for years and years free from Eastport, we were paying for it. So, I think that Brookhaven was collecting $21,000 school taxes-- $20,000, and they dumped, Riverhead took on the 21 students. Isn't that smart?"

Councilman Lull: "Not too smart."

George Schmelzer: "Yeah, so it's building an empire. I think-- "

Supervisor Stark: "Where is Star Blvd., George?"

George Schmelzer: "You don't know where Star Blvd. is?"

Supervisor Stark: "Off of Nugent Drive, between let's say the jail and your shooting range."

George Schmelzer: "It's a little-- about three-quarters of a mile east of the shooting range and there's a crossroad there, then it goes to two streets and it goes back to one again far south. That was Eastport. So Riverhead took it on, got a dead loss. They didn't do anything else to take advantage like west of the Navy land there's another street there, I can't think-- Primrose Path, I went down there and asked the people, seven buses come from there. A total of seven for Riverhead and Eastport. I don't know if it was 403 or 304. One part of the street, they come from Riverhead; the other part of the street, they go to Eastport. Now we can compromise. Hey, Eastport, you take all of that."

Supervisor Stark: "According to Channel 12 last week, Eastport has got a great deal of complaint right now, too, on school

taxes. So they may be complaining about it. Have you brought this to the attention of the Riverhead School District-- School Board?"

George Schmelzer: "Yeah, I'm needling them now. They like me there as well as you like me here."

Supervisor Stark: "Oh I love you here, George. I love you."

George Schmelzer: "They give me a different impression. Want me to leave these papers with you?"

Supervisor Stark: "Sure."

Councilman Lull: "George, you know we had a discussion about that-- about Nugent Drive, I mean about the Star Blvd., and-- "

George Schmelzer: "That's a Star case."

Councilman Lull: "Yes, I'm not sure exactly when that change was made, that they began coming to this district. But I did point out to you that the grandchildren of one of the members of the School Board many years-- quite a few years ago, were on that boulevard. And that was this School District and there's a very good chance that had something to do with it."

George Schmelzer: "Yeah, so we've been suckered for 20 years before that. Don't lose these now, please. I got these by freedom of information."

Supervisor Stark: "Okay, thank you, George."

George Schmelzer: "You don't have to give me freedom of information."

Supervisor Stark: "No, I don't."

George Schmelzer: "Hang on."

Supervisor Stark: "You've got more records than the Town Clerk does."

Councilman Lull: "Before anybody else gets called upon, a

couple of the Councilmen up here are wearing buttons and I would like to ask Vickie Stachio when George is finished, if she would come up and explain what the buttons are and what your program is. Okay."

Supervisor Stark: "Thank you, George."

George Schmelzer: "I'm not done yet. I didn't say I was done."

Supervisor Stark: "George, you've been up there 15 minutes now. I'll bring you up again, but I've got to give some people."

George Schmelzer: "Other guys have been here longer. You know that."

Supervisor Stark: "No, they have not. In the public-- you've got, when that clock hits 4:30, you're off."

Councilman Lull: "Save it for next time."

George Schmelzer: "What about this park that you snuck over on us between the (inaudible) and the library? Destroying people's private property."

Councilman Prusinowski: "What park? What are you talking about?"

George Schmelzer: "Don't know about it?"

Supervisor Stark: "Oh, the greenbelt?"

George Schmelzer: "Yes. Greenbelt, not what they call a grainbelt, greenbelt. You've got the park south of the river now, you can't even run that right. A kid got drowned there a couple of years ago. Never repaired it. But somebody is talking about putting a new earth dam there. It's been there for 200 years because it seeped some water. So what? This dangerous (inaudible) I said at the time you could put in smooth rocks, coconut size, not your head I mean, but real small coconut, or your fist size. Fill that right up to low tide and be perfectly safe and the rest of the water there fill it up to low tide with egg size stones, smooth. You did nothing. Can't even run that park. (inaudible) think you

know it and thanks to federal law, the owner of land (inaudible) federal government could seize the park and auction it off. Maybe they should. And the park is being used by-- mostly by people from Southampton side. I don't see any purpose in creating this other greenbelt, for what? Why take land off the tax roll? You don't seem to care at all about taking land off the tax roll. You let the DEC kill that proposed golf course by the turnpike. There was a piece of land could be developed. Off the tax roll. Somebody said it's wet, probably wet in the head. So why didn't we have a public hearing on this? Why was it such a secret?"

Supervisor Stark: "On the greenbelt?"

George Schmelzer: "Yeah."

Supervisor Stark: "It's not been activated. It's being talked about right now."

George Schmelzer: "Well, they passed it."

Supervisor Stark: "Only the Senate passed it. Not the Assembly."

George Schmelzer: "Of course, the Town will have to pay for it, the state isn't going to be obligated. If you do something useful, you want to get rid of this damn scenic river nonsense. As it was, Ken Lavalle and Joe went down the river in a boat. Is he here?"

Supervisor Stark: "I believe he's out in the hallway if you want to go see him."

George Schmelzer: "Too bad the riverboat didn't turn over. There wouldn't be no conclusion."

Supervisor Stark: "Okay, thank you, George. It's 4:30 now. I'm going to recognize somebody else. Thank you. You can come back."

George Schmelzer: "I've got to leave. I can't-- "

Supervisor Stark: "Well, there are other people here. Is there

anybody else who would like to address the Board at this particular time? Steve, do you want to get in line?"

Vickie Stachio: "My name is Vickie Stachio. I'm Director of the Riverhead Business Improvement District. The Business Improvement District has implemented a jury program-- that's what the buttons that the Councilmen are wearing say, Downtown Riverhead Where Jury Duty is Fun. Starting this week, Monday through Thursday, I go over to the courthouse and take the jurors out for a tour of the downtown. On Mondays we go on a historic walking tour, Tuesdays we visit the Vail Leavitt Theatre and the East End Arts Council Gallery, Wednesday we go to the Aquarium Preview Center and the Farmer's Market, and Thursdays we go to the Suffolk County Historical Society. We started yesterday with a dozen jurors on our tour. Today we had 15. It's been very well received by the Commissioner of Jurors and the jurors themselves and feel free to join us at 12:15 by the courthouse and come along."

Supervisor Stark: "Do we walk? I've got bad knees."

Vickie Stachio: "We walk. It's about a mile long each one."

Supervisor Stark: "I'll meet you at-- when you work your way around there."

Vickie Stachio: "All of the jurors, too, as well as receiving the buttons, they receive a little shopping bag that says Downtown Riverhead Where Jury Duty is Fun. And it has coupons and tourism information."

Supervisor Stark: "Yes, I saw your pamphlet and I think it's very well done. That's what it takes, Vickie, is not sitting and complaining but getting out and being pro-active in doing these things."

Vickie Stachio: "It's fun and they really-- "

Supervisor Stark: "It's very easy to sit as you well know and not you, but you've heard them complain. I think through things that you're doing, the BID and what have you, promoting like this and let's take the, you know, there's an old saying, you can't take -- you can lead the horse to water but you can't make him drink.

We're leading him to water and we're going to help him drink and that's how I think we are going to survive downtown."

Vickie Stachio: "And they really did find our town to be very attractive and had a good time."

Supervisor Stark: "Without a doubt."

Vickie Stachio: "And most of them said that they would not have gone out; they would have you know just sat in the courtroom or gone to their cars. They had their books with them, so-- "

Supervisor Stark: "Or playing-- "

Vickie Stachio: "Yes. Thank you."

Supervisor Stark: "Thank you, Vickie. Steve?"

Steve Haizlip: "Steve Haizlip of Calverton. Mr. Supervisor and Madam Supervisor-- she's gone?"

Supervisor Stark: "Yes, she's gone. She had a couple of resolutions and one of them was that this meeting should be over at 4:35, but we didn't get to vote on it. Ma'am, what are you doing, please?"

Steve Haizlip: "She's helping me."

Supervisor Stark: "Oh, okay. I didn't know that she was helping you. I didn't want anybody to detract from Steve's-- that's all right, fine."

Steve Haizlip: "I have several other items that I would like to cover, but I'm not going to cover, I'll conserve it-- conserve time. Right now the main thing is I spoke up in the auditorium over at St. John's School and I said a lot of recreation fees have been taken from Calverton but we haven't got anything back and Vic said you put in for it, and I'm putting in for it. At the corner of Edwards Avenue and Riley Avenue where the drainage project is going on right now, when that's completed and another thing to conserve time, I won't read the letter, I will turn it over to the Clerk and she will give it to Russ Kratoville, I guess. He's sort of acting

as Commissioner or Superintendent now since-- "

Supervisor Stark: "He's in charge of the Recreation Department, the senior citizens and certainly what happens after this, Steve, is it goes to a Recreation Advisory Committee and we have representatives from all over town, from Wading River all the way out to Laurel, the Riverhead side of Laurel. And they really go out and look at the areas. They'd be more than happy to meet with you and then they send a recommendation back to the Town Board as to whether they feel a project is worthwhile and warrants spending the money."

Steve Haizlip: "Well, I think-- we-- the Greater Calverton Civic Association and Dee Kasper and I have worked on this project and we feel that it would the only park that would be in Calverton. And this would be an ideal spot for it at that point. And we have drawn up a poster here to give you an idea and I've got a sketch attached here and so with that, to conserve time, we'll turn this in to the Town Clerk and unless Dee has something she wants to add to it, I'm finished up."

Supervisor Stark: "Okay, thank you, Steve. There is a-- when we take over Grummans, let's see, it would be the northeast corner which is almost directly across from Miloski's in around that area. There is some consideration to having a park very similar to Stotsky Park."

Dee Kasper: "Very nice. I just-- "

Steve Haizlip: "This would be a mini-park."

Dee Kasper: "Yes, it's real mini. It's-- "

Supervisor Stark: "The one on the Grumman facility would be a major park."

Dee Kasper: "This is 150 by 120 on a triangle which makes it a quarter of an acre, which I worked out with Mr. Testa prior to the meeting. So, it's not big but it's there and you're going to mow it anyway and we have the tree and we'd like a park bench. Thank you."

Supervisor Stark: "Sure. Thank you. Thank you, Steve. Is

there anybody else who would like to address-- Barry?"

Barry Barth: "Barry Barth, President of the Business Improvement District Management Association. I first would like to thank Councilman Lull about having Vickie up to explain the juror program. The BID did support it; we think it was a great idea and it really brings people to town that might not have found downtown otherwise. They would have just eaten their sandwich in the juror room so it is proven to be successful.

What I'd like to do this afternoon is bring to the Town Clerk the petitions that we had put together. We have 1,778 respondents. We had mail in coupons and petitions with signatures on. Of those 1,778 signatures, 1,294 almost 1,300, were from Riverhead Town residents and what these folks signed is: We the undersigned therefore request that the Town Board not approve any applications for a multiplex theater outside of the downtown area, urban renewal area of Riverhead, and (2) the Town Board change the zoning so multiplex theaters are only permitted in the downtown area, urban renewal area of Riverhead.

This is to say that these people and the Business Improvement District Management Association feel very strongly that if there is a multiplex theater built in this town it should be built in downtown Riverhead. So I would like to turn this over to the Town Clerk."

Supervisor Stark: "Thank you. Is there anybody else who would like to-- are you finished, Barry?"

Barry Barth: "I have one other thing."

Supervisor Stark: "Okay. Barry has one other thing."

Barry Barth: "We had received the list of resolutions about an hour into the meeting and I was wondering if there was any other resolutions on the agenda that don't appear on this list."

Supervisor Stark: "There is one resolution that I will bring off the floor. It's to authorize-- and I got it here-- authorize the Town Clerk to publish and post advertisement for the Star Program. That's the school tax relief and that will be the only resolution that I will be bringing off the floor."

Barry Barth: "Okay, thank you."

Supervisor Stark: "The resolution covering the EDZ is already in the packet. Am I not correct?"

Barbara Grattan: "Yes."

Supervisor Stark: "That anybody has the right to bring a resolution off the floor?"

Councilman Lull: "There may be other resolutions."

Barry Barth: "Well, in all fairness to us as the audience, shouldn't we be made aware of those resolutions so that we have the opportunity to comment on those?"

Supervisor Stark: "I have, as the kind of administrator of this, have no resolutions in front of me now other than that one to be brought off the floor. We will be taking a break here right after comment-- public comment, where I think a Councilman wants to present a resolution to possibly be brought off the floor. The Board has not seen that resolution, at least I have not seen that resolution as of now."

Barry Barth: "So there may be a resolution or there may not be a resolution. As far as you are concerned, as Supervisor, you don't have any resolution."

Supervisor Stark: "I don't have the resolution in front of me now, if it comes off the floor."

Barry Barth: "Okay. Thank you."

Supervisor Stark: "Thank you. Is there anybody else who would like to make comment? Bill? Close to dinnertime here. Go back to evening meetings, they're shorter."

William Kasperovich: "William Kasperovich from Wading River. I don't know if this even warrants taking the time-- "

Supervisor Stark: "I don't think it does. I'm only kidding."

William Kasperovich: "I was studying the exterior walls of this building last Sunday for something I was doing that motivated me to be here on Sunday. This place is contagious. You even have to come on Sundays. This is a building maintenance thing."

Supervisor Stark: "I didn't see you, but I was here also."

William Kasperovich: "In the-- this time of year, this temperature, you have to catch a dry spell. There is an important and necessary caulking job that has to be done. (inaudible) the joint and have to caulk it and caulk it better than it has in the past. You can see where even now the rust is coming through. That means that this has got to be filled and this you can't overlook because otherwise tremendous damage can be done inside."

Supervisor Stark: "I don't see him in the Boardroom right now, but I do know that we have directed Kenny Testa to-- we started with the roof to fix that. We also doing our-- "

William Kasperovich: "Well, this is on the face of the wall."

Supervisor Stark: "Yeah, but we've asked Kenny to appraise it for us and give us a cost analysis on it or what his recommendation would be to do to the exterior walls."

William Kasperovich: "My appraisal is regardless of the cost, it has to be done. All right."

Supervisor Stark: "Well, I wish I had you the last couple of weeks because I've been going over the budget, you might reserve that decision."

William Kasperovich: "All right. The thing I want to get and pardon me if I'm taking advantage of the fact that the TV is working. This is in regards to the Pft. Garfield M. Langhorne memorial. The late Joe Fisher started this or was active in it, Councilman Creighton was involved but he is no longer with us. It seems that activity has dropped between the chairs. The account maintained by the Town is still open. Donations are still acceptable. The monument requires some base at the foot level. I'm proposing and I'll go into detail afterwards a 12 by 12 stone faced pavement around this monument to give it a better setting. I can't-- I

couldn't get to say how much money you have in hand but I got an interest from the different organizations in town and the military organizations in town. I think this monument should be finished with an appropriate base at the bottom of the monument. Anybody that's interested can make their check out to PFC Garfield M. Langhorne Memorial and the town is keeping the account for it, which is still open I'm told via the Tax Receiver's office. Thank you very much."

Supervisor Stark: "Thank you, Bill. Bill?"

Bill Roberts: "Bill Roberts, Baiting Hollow. Reference the $25 fine that has been proposed for the overtime parkers on Main Street and others when the meters are removed. I also suggest that we impose that fine on people who park at the foot of roads where our beaches are even those places where the beaches are unattended. For example, I live very close to the Edwards Avenue ramp. People many times disregard those tickets for which they're charged $10 and I've seen cars there, Arizona, New Mexico, I know damn well they're never going to come back here, that's logical. But I talked to Jim Divan who was down there one Sunday and he was writing out tickets. The ticket had on it only the license plate number of the offending vehicle. They did not have the beach parking permit which is required that costs a resident only $5 a year. And I said that-- we lose money and he says, boy, don't we though because we have about four different people that have to process this before we receive the $10 if it's ever paid. And I propose that we have a uniform fine system then and charge the people who do not have beach parking permit and park in areas designated for beach parking, making that fine $25 also so it's consistent. Thank you."

Supervisor Stark: "Thank you, Bill. Is there anybody else? If not, we're going to take a short 10 minute break and we'll be back at 5:00."

Recess

Meeting recommenced: 4:47 p.m.

Resolution #750

Councilman Prusinowski: "Authorizes the Town Clerk to publish

and post a notice to change the location of the Town Board meeting. It will be held at the Jamesport Community Center on October 7, 1997. So moved."

Councilman Lull: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? Again the discussion will be if the press is here, Ruthie and everybody would please make a little notation in next week's paper for us. I would appreciate it very much. The next regular meeting will be in Jamesport Community Center at 7:00, Vic?"

Councilman Prusinowski: "Exactly."

Supervisor Stark: "7:00 p.m. Any other discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #751

Councilman Lull: "Authorizes the Supervisor to execute an application. A project financing and loan agreements and any other agreements or amendments thereto, and any instruments in connection with the proposed issuance of serial bonds or notes to the New York State Environmental Facilities Corporation for the increase and improvement of facilities of the Riverhead Water District. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #752

Councilman Kwasna: "Resolution authorizing the issuance of

$75,000 in serial bonds to pay for the cost of the acquisition and installation of new water mains for Extension No. 49 Middle Road and Harrison Avenue to the Riverhead Water District. So moved."

Councilman Wittmeier: "And seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #753

Councilman Wittmeier: "753 is a resolution authorizing Supervisor to execute an application, a project financing and loan agreements and any other agreements or amendments thereto, and any instruments in connection with the proposed issuance of serial bonds or notes to be issued to the New York State Environmental Facilities Corporation and the facilities of Extension No. 47 to the Riverhead Water District. So moved."

Councilman Kwasna: "And seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #754

Councilman Prusinowski: "Authorizes the Town Clerk to publish and post notice to consider demolition of buildings owned by the County of Suffolk pursuant to Chapter 54 of the Code of the Town of Riverhead. I believe this is the buildings that are on South Railroad Avenue in Jamesport. So moved."

Councilman Lull: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #755

Councilman Lull: "Declares lead agency and determines significance of action Jean Ozol, special permit and site plan. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #756

Counciman Kwasna: "Releases the performance bond of Ceaus, Inc. which is Clete Galasso's performance bond. So moved."

Councilman Wittmeier: "And seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #757

Councilman Wittmeier: "757 grants leave of absence to Glen McGee. So moved."

Councilman Kwasna: "Seconded."

Supervisor Stark: "Seconded. Any discussion?

Jack, on this leave of absence, would you approach the Board, please? Approach the bench. Is this the one for sick leave? Okay. All right. Any other discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #758

Councilman Prusinowski: "Authorize the Supervisor to execute a Stop contract and authorize the Town Clerk to publish and post advertisements. The Stop program will be Saturday, October 18th from 8:00 a.m. to 4:00 p.m. There some notices around the Town Hall and I know people have called up to the switchboard. We were going to have it on October 4th, but the contractor has made a previous commitment. It will be October 18th, 1997, on a Saturday. I also want to change the resolution, which I have copies here for the Clerk and the Board members, that it would be authorizing the Clerk in addition to the regular notice, two quarter page ads in the Suffolk Life and the other in the News Review. So moved.

Which we get reimbursed 50% from the state grant on the advertising."

Supervisor Stark: "Is there a second?

Councilman Lull: "I second it."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #759

Councilman Lull: "Authorizes an extension of time to remit real property taxes for senior citizens receiving an exemption pursuant to Section 467 of the Real Property Tax Law. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #760

Councilman Kwasna: "Authorize the Town Clerk to publish and post public notice to consider demolition of buildings owned by the County of Suffolk pursuant to Chapter 54 of the Code of the Town of Riverhead entitled Unsafe Buildings and Collapsed Structures. This is the structure at #317 South Railroad Avenue, which is a parcel next to the parcel that Vic just read before on Resolution 754. They're on two separate parcels of land and that's why we have two separate resolutions on it. So moved."

Councilman Wittmeier: "And seconded."

Supervisor Stark: "Moved and seconded. Any discussion? I have notified our county legislature that we would be taking this action and he will probably be in contact with us and their DPW. So we may not have to but we will go forward with the public hearing. Any other discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #761

Councilman Wittmeier: "Ratifies Town Clerk to post and publish public notice on public hearing of Local Law regarding the destination of an economic development zone at the former Naval Weapons Reserve Plant. So moved."

Councilman Kwasna: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All

in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #762

Councilman Prusinowski: "Waives use permit application fee for the East End Disability Associates, Inc. So moved."

Councilman Lull: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #763

Councilman Lull: "Authorizes the Town Clerk to publish and post public notice to consider a local law amending Chapter 101 entitled Vehicles and Traffic of the Riverhead Town Code. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #764

Councilman Kwasna: "Authorizes the Town Clerk to publish and post public notice to consider the demolition of buildings owned by Vincenzo Naso pursuant to Chapter 54 of the Code of the Town of Riverhead entitled Unsafe and Collapsed Structures. This is a building at 328 Riley Avenue in Riverhead. So moved."

Councilman Wittmeier: "And seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #765

Councilman Wittmeier: "765 is appointment of Recreational aides to the Riverhead Rec Department. They are Stephanie Lojko. Elizabeth Antanatis, Lindsay Kasmarcik, Gregory Sanders, Christina Janecek, Ed Meier and Cheryl Walsh-Edwards. So moved."

Councilman Kwasna: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #766

Councilman Prusinowski: "Authorizes the Town of Riverhead to remove rubbish and debris and the cutting of grass and weeds from property owner pursuant to Section 96-2b of the Riverhead Town Code and this property is located-- Mohring Enterprises. It's in Mesta Vista. So moved."

Councilman Lull: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion?"

Councilman Prusinowski: "I do want to say that we're doing a lot of these now and Mark has showed me a copy of a notice that they put up in papers up in Massachusetts somewhere where the town got after landlords who were delinquent and who have run down properties and things like that. You are going to see more and more of this

because we're not going to tolerate these landlords ruining the neighborhoods and walking away from their problems, leaving it on the taxpayers. So and as we go through these resolutions, we're going to weed out the property owners, who they are and where these locations are. So that when you see them around town you can ask them how come you're leaving this property like that?"

Councilman Lull: "You're seeing six resolutions of these tonight."

Councilman Prusinowski: "Enough is enough."

Supervisor Stark: "Any other discussion?"

Councilman Lull: "I believe it wasn't in the resolution but the property owner in question in Jamesport was Sal DiBenardo (phonetic)."

Supervisor Stark: "Any other discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #767

Councilman Lull: "Authorizes the Town Clerk to publish and post a help wanted ad for a part time weekend dog control officer I. We did that two weeks ago, interviewed; we're unsuccessful with out interviews; we're posting again. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #768

Councilman Kwasna: "Authorize the Town Clerk to publish and post a public notice of public hearing of Local Law regarding the designation of an Economic Development Zone at the former Naval Weapons Industrial Reserve Plant with the inclusion of real property taxes incentives pursuant to Real Property Tax Law Section No. 4850e. So moved."

Councilman Wittmeier: "And seconded."

Supervisor Stark: "Moved and seconded. When is that, Mark, do you have it? The 29th. At 2:15 in the afternoon? 1:00. It will be on September 29th-- Monday, September 29th at 1:00. Any other discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #769

Councilman Wittmeier: "Authorizes Town Clerk to publish and post a help wanted ad for part time assistant teen center manager in the Recreation Department. So moved."

Councilman Kwasna: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #770

Counciman Prusinowski: "Approves special permit of the Riverhead Revitalization Corp. So moved."

Counciman Lull: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #771

Councilman Lull: "Approves the application of Helen's Greenhouse and Flower Farm (Helen McKay) for about 10 days of hayrides for the months of September and October. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #772

Councilman Kwasna: "Ratifies the appointment of Nicole Montalbano as a recreation aide to the Riverhead Recreation Department. So moved."

Councilman Wittmeier: "And seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #773

Councilman Wittmeier: "Authorizes Town Clerk to publish and post public notice to consider the demolition of buildings owned by Roger Zeh pursuant to Chapter 54 of the Code of the Town of Riverhead entitled Unsafe Buildings and Collapsed Structures. This is located up on Route 25 and Middle County Road, Calverton. So moved."

Councilman Kwasna: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #774

Councilman Prusinowski: "Authorizes the Town Clerk to publish and post notice of public hearing calling from our Community Block Grant hearing which gives the opportunity for groups in the town to come to the Town Board and present their request for federal funding on some projects. Is that right? Yes. Okay. So moved."

Councilman Lull: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #775

Councilman Lull: "Adopts an amendment to Chapter 58 entitled Dogs of the Riverhead Town Code. There is a change in what's on the copies that you have. The final paragraph should read, $25 for the first offense not less than $50 for the second or any subsequent offense. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #776

Councilman Kwasna: "Ratifies appointment of Recreation aide to the Riverhead Recreation Department, Jennifer Lynch. So moved."

Councilman Wittmeier: "And seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #777

Councilman Wittmeier: "Appoints new petty cash officer for the Riverhead Town Police Department. It will be Sgt. Patrick Mulcahy. So moved."

Councilman Kwansa: "Seconded?"

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #778

Councilman Prusinowski: "Accepts resignation of Chairwoman of the Conservation Advisory Council with regrets, Betty Brown. So moved."

Councilman Lull: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? Betty and her husband have decided to-- they sold their house and they're going to be moving to Virginia and, regretfully, I am sad to see her go. She's done a fine job for us over the years on the Conservation Advisory Council and good luck to them down in Virginia

-- eastern shore of Virginia. Any other discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #779

Councilman Lull: "Authorizes the Town Clerk to publish and post public notice to consider the demolition of buildings owned by AAA Buffalo Development Corporation pursuant to Chapter 54 of the Code of the Town of Riverhead entitled Unsafe Buildings and Collapsed Structures. This is a property, a house on the north side of Main Road in Aquebogue, directly across from Washington Avenue-- Edgar Avenue, sorry about that. The one that was destroyed in the fire. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #780

Councilman Kwasna: "I'll take 780, 781, 782, 783, appoints Penny Carter, Byron Dickerson, Sam Carter and Olga Turner to be aides to the Riverhead Recreation Department. So moved."

Councilman Wittmeier: "And seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #784

Councilman Kwasna: "Authorize attendance at a conference in Manhattan for the financial administrator and the town attorney. So moved."

Councilman Wittmeier: "And seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #785

Councilman Wittmeier: "Authorization to publish bid for supplies, furniture and equipment. So moved."

Councilman Kwasna: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #786

Councilman Prusinowski: "Increases the veterans exemption benefit as provided by Real Property Tax Law. So moved."

Councilman Lull: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #787

Councilman Lull: "Authorizes the retention of Young & Young in connection with the condemnation proceedings at Edwards Avenue and Riley Avenue, Calverton. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #788

Councilman Kwasna: "Authorize the Town Clerk to publish and post public notice to consider the demolition of buildings owned by Joseph and Doris Spence pursuant to Chapter 54 of the Town Code of the Town of Riverhead entitled Unsafe Buildings and Collapsed Structures. This is a structure at 57 West Street in South Jamesport. So moved."

Councilman Wittmeier: "And seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #789

Councilman Wittmeier: "Appoints Fred Edel Chairman to the Conservation Advisory Council. So moved."

Councilman Kwasna: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor."

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #790

Councilman Prusinowski: "Authorizes promotion of water treatment plant operator in the Riverhead Water District. So moved."

Councilman Lull: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #791

Councilman Lull: "Approves an application of Mary Anne Trent. An application for the purpose of conducting a birthday party. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #792

Councilman Kwasna: "Approves site plan of Riverhead Enterprises for The Bookshelf store on Main Street. So moved."

Councilman Wittmeier: "And seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #793

Councilman Wittmeier: "Adopts an amendment to Chapter 48 entitled Beaches and Recreation Centers of the Riverhead Town Code. So moved."

Councilman Kwasna: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #794

Councilman Prusinowski: "Approves site plan of John Wesley Village II. So moved."

Councilman Lull: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #795

Councilman Lull: "General fund budget adjustment. So moved."

Councilman Prusinowski: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #796

Councilman Kwasna: "Approves the grading plan of the Long Island National Golf Course which is located along the east side of Northville Turnpike and the south side of Sound Avenue, Riverhead. So moved."

Councilman Wittmeier: "And seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Let's have a roll call vote on that."

The Vote: "Councilman Kwasna, yes; Councilman Wittmeier, yes; Councilman Lull, yes; Councilman Prusinowski, for; Supervisor Stark, for."

Supervisor Stark: "Motion carried."

Barbara Grattan: "The motion is adopted."

Resolution #797

Councilman Wittmeier: "Directs Planning Board to advertise request for proposals for the Town of Riverhead Comprehensive Master Plan revision. So moved."

Councilman Kwasna: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor? This resolution now puts our request for proposalfor the updating of our master plan out to the consultants. This is the step three of what this Board has been trying to do through the up-zoning plan, the GEIS and then the comprehensive plan that we are developing with the Long Island Farm Bureau and our agricultural industry to preserve farming in this town which is our town heritage and this will bring our master plan up to date which has not been

updated since 1973. So is there any other discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #798

Councilman Prusinowski: "798 and 799, these are both budget adjustments, children's playground at Stotzky Park and Police Athletic League. So moved."

Councilman Lull: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Resolution #800

Councilman Prusinowski: "I make a motion to pay the bills."

Councilman Lull: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried."

Supervisor Stark: "I'd like to bring 801 off the floor which authorizes the Town Clerk to publish and post advertisement reference the Star program and our informational meetings we'll have out there. I move that 801."

Councilman Lull: "Seconded."

Supervisor Stark: "Moved and seconded. Any discussion? All in favor?"

The Vote (Collective response): "Aye."

Supervisor Stark: "Opposed? Motion carried.

Being no further business, this meeting is adjourned."

Meeting adjourned:

Barbara Gratton
Town Clerk