

Minutes of a Regular Board Meeting of the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York, on Tuesday, April 4, 1995, at 7:00 p.m.

Present:

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| James Stark, | Deputy Supervisor |
| Victor Prusinowski, | Councilman |
| Frank Creighton, | Councilman |
| Harriet Gilliam, | Councilwoman |

Also Present:

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

Deputy Supervisor called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

Deputy Supervisor Stark: "Is there a motion to approve the Regular Town Board meeting-- minutes of the Regular Town Board Meeting of March 21st?"

Councilwoman Gilliam: "So moved."

Councilman Creighton: "And seconded."

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

The Vote: "Aye"

Deputy Supervisor Stark: "All opposed."

The Vote: "Nay."

Deputy Supervisor Stark: "Is there a motion to approve the minutes of the Community Development meeting of March 27th and 28th?"

Councilwoman Gilliam: "So moved."

Councilman Creighton: "And seconded."

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

The Vote: "Aye".

Deputy Supervisor Stark: "All opposed."

The Vote: Carried.

Deputy Supervisor Stark: "I would ask the Town Board to join me in the front for the Employee of the Year Award. Are the members of the Labor Management Committee here tonight with us?"

On a quarterly basis during the course of the year, we recognize one of our employees as Employee of the Quarter. Then we get to the final one where we take all of our employees and we award one of our employees Employee of the Year. It's not too difficult to award this gentleman this award this year because he is a reflection of the quality of employee that we have in this Town. Not too many people are going to find \$15,000 at the landfill and return it to its rightful owner. The odds are that you probably wouldn't even find \$15,000 but this particular gentleman did. We are very proud to have him as an employee for many years. We're especially proud that he felt the responsibility that typifies again the employee of our Town.

If Sonny O'Kula and his family would come forward, we would like to make this award to him. Diane-- "

Diane Koroleski: "On behalf of the Town of Riverhead Labor Management Committee, it's my pleasure to congratulate you as being named the 1994 Employee of the Year for the Town of Riverhead. From the Labor Management Committee, we'd like to present you with a dinner certificate, compliments of the Birchwood, a 35 millimeter Minolta camera, and there is also a savings bond that's in your name. Congratulations."

(Applause)

Deputy Supervisor Stark: "Thank you, Diane. Also, Sonny, it is our tradition that we give the Employee of the Year traditional Town seal with the proper inscription on it."

Walter Sonny O'Kula, the Town of Riverhead Employee of the Year 1994. On behalf, I would like to present that to you.

Don't go yet gang. Sonny, would you like to introduce your family?"

Sonny O'Kula: "This is my son, Jeffrey, who is handling all my telephone calls for a while; my older boy, CJ; my daughter, Laura, who is quite shy; and my wife, Barbara. I was very well, you know, surprised. The news media, they're a bunch of nice people. You hear a lot of negative about them, but I tell you, they treated me very well. My hats are off to them also. Thank you very much."

(Applause)

Deputy Supervisor Stark: "Thank you, Sonny. Chief? Every now and then we get an opportunity to advance one of our officers in blue and tonight we will take a PO and move him up to sergeant. So with us-- why don't you get over here so Richie-- come on over on this side-- I would ask Councilman Prusinowski to make a motion."

Councilman Prusinowski: "WHEREAS, Richard T. Smith is a certified police officer, Riverhead Police Department, and has been so employed since February 8, 1989; and

WHEREAS, it is the recommendation of the Chief of Police of the Riverhead Police Department that he be promoted to the rank of Sergeant.

SO, NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby appoints Richard T. Smith to the position of Sergeant with the Riverhead Police Department effective April 3, 1995.

So moved."

Councilman Creighton: "Seconded."

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

The Vote: "Aye."

Deputy Supervisor Stark: "Opposed. Nay."

Chief Grattan: (Chief Grattan swore in Richard T. Smith as Sergeant.)

Deputy Supervisor Stark: "I would now ask the Chief if he would present the badge, please."

Chief Grattan: "Richie, congratulations. I would like to thank the Town Board for recognizing-- that I had the vacancy and that they have filled it for me. Richie's been a police officer with me for going on seven years now. He lives in the eastern part of our Township-- I'm not going to tell you where because we're on television. But he lives

out there in the Jamesport area. One of my better police officers and I congratulate him very heartily. Thank you."

(Applause)

Steve Achileck: "Good evening. You don't know me. My name is Steve Achileck. I work for company locally in Baiting Hollow called General Premium Corporation. You'll know me as the magnet man as I'm called now because three years ago I came up with an idea that's on your refrigerator that has a calendar and recycling schedule on it that I presented to Supervisor Janoski and Monique Gablenz.

I also presented it to every Town in Suffolk County. Riverhead was the pioneer. They jumped on the idea. They said for less than one-tenth of a penny a day to get a message like that across, it's a good buy and it's a good idea. So I'm here tonight to tell everybody that not only three years ago did that program work, it worked in '94, it improved it, it worked in '95. Two other towns have also joined us. The Town of Brookhaven is now doing it. The Town of Southampton, the carters jumped on it and they're doing it, and right now I'm in the process of trying to get all of Long Island to do the same recycling calendar.

In February there is a show in Dallas, Texas, it's call promotional products association international of America. That's where they honor the best use of promotional products for companies like myself. I presented that magnet in its price class with the (inaudible) programs and I'm proud to announce that I became a golden pyramid award winner at that show.

Now that's great for me but also the Town of Riverhead became a golden pyramid award winner. It's the equivalent of an Oscar in the promotional products world of marketing and sales. Tonight I would like to present to the Town and all the residents of Riverhead the golden pyramid award that will be displayed I assume somewhere in Town Hall."

Councilman Prusinowski: "And the envelope please."

Steve Achileck: "The envelope please."

Councilman Prusinowski: "Wow, that's nice."

Steve Achileck: "Take a look at it. It says 1995 Golden Pyramid Competition for outstanding use of promotional products presented to the Town of Riverhead, entered by myself. So everyone in the Town of Riverhead and the Town itself should be congratulated. And I thank everyone."

(Applause)

Councilman Prusinowski: "On behalf of the Town, we would like to thank you for this award. I want to say that the magnets, the first year, was financed strictly by a grant from the New York State DEC as part of an east end consortium. So the magnets that you have been seeing on your refrigerator have not come out of the general Town tax fund and has been funded since then through recreational fees and our recycling percentage of the five east end towns is one of the highest and we congratulate the residents for recycling and it's good for the environment and it saves you money. Thank you."

Deputy Supervisor Stark: "Thank you. Vic was the very instrumental in developing our solid waste management plan, so don't be so shy, take some credit for it. Thank you. Let us go on with meeting."

REPORTS:

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|----------------------|----------------------------------------------------------------------|
| Riverhead Town Clerk | Monthly report for the month of March of 1995 - \$10,508.15 |
| Receiver of Taxes | Monthly report for the month of March of 1995 - \$265,783.27 |
| Receiver of Taxes | Report to the County Treasurer 3/27/95 collections - \$26,168,077.88 |
| Building Department | Monthly report for the month of February of 1995 - \$9,072.50 |
| Building Department | Monthly report for the month of March of 1995 - \$9,590.00 |
| Open Bid Reports | Street light and traffic signal maintenance parts |
| | Snack vendors for the Recreation |

Department

Facade and Marquee Restoration
for Suffolk Theatre

Food Supplies

Corrosion Control Chemicals

Percent Off Grainger Industrial
& Commercial Equipment & Supplies

Police Cars

Any information about these bids
may be obtained in the Town
Clerk's Office

APPLICATIONS:

Change of Zone

Revised change of zone applica-
tion for Tanger Factory Outlet
Center II

Parents Against Crime

Application for a parade on April
8, 1995 (rain date: April 15,
1995) from 11:00 a.m. to 2:00 p.m.

Riverhead Little League

Application for a parade on April
27, 1995, from 9:00 a.m. to 10:30
a.m.

The Combined Veterans
Committee of Riverhead

Application for a parade on May
29, 1995, starting at 9:00 a.m.

CORRESPONDENCE:

Steven Berner

Writing regarding his concerns
about the environmental impact
that a golf course can have on a
community and its people

Dean Terchunian

Requesting that Mr. Stark's salary should be brought up to an appropriate level to compensate him for the job he is performing and his responsibility to our community

Lauren Kratoville

Requesting an extension of her parentage leave through mid-September, 1995

Desiree Passantino

Urging the Town Board to vote "No" on the recreational overlay change of zone request made by Sound View Golf

Gregory J. Blass,
Legislator, First
District

Submitting a draft of a proposal to divert traffic away from Route 58

Three letters

Petitioning the Town Board to vote "No" on the Long Island Pine Barrens Comprehensive Land Use Plan

Thomas Reilly

Requesting the Riverhead Water District to supply safe, clean water to the residents on and near Herricks Lane, in Jamesport

Hallockville, Inc.

Requesting the Town Board to direct the Sanitation Department to pick up the garbage at Hallockville Farm and Museum
Opposing the dredging for a boat ramp and installation of jetties at Iron Pier Beach

Anthony and Beverly
Prentice

Landmarks Preservation
Commission

Requesting that Judge Belford's Inn be designated a landmark

Walt Persson

Thanking the Town Board for a

well-run building department

Riverhead Water
District

Notifying the public of the spring flushing of the water mains in the Riverhead Water District beginning Sunday, April 2, 1995, through April 22, 1995

Deputy Supervisor Stark: "Thank you."

Public Hearing Opened: 7:20 p.m.

Deputy Supervisor Stark: "Let the record show that the time of 7:20 has arrived. 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 7:05 p.m. on Tuesday, April 4, 1995, to hear all interested persons who wish to be heard regarding an amendment to Article XI Business C District (Neighborhood Business) Section 108-39 Permitted Uses."

Deputy Supervisor Stark: "Thank you. Bobby, would you comment on this, please?"

Robert Kozakiewicz: "Well I was hoping that Rick Hanley would be here to give a little more insight into the history. The Public Hearing is to consider some deletions into the Business C District. After some consideration, the Board concluded that the uses were inconsistent with those in the Business C. Specifically, we're deleting motor vehicle sales, used motor vehicles and boat sales, vehicle repair from permitted uses and we're also deleting from special exception uses gasoline service station by a special permit of the Town Board, and motels."

As I indicated, it was after some consideration by the Board and we're here to hear any comments by any of the people here with respect to the proposed deletions to the text as it affects the Business C District."

Deputy Supervisor Stark: "Is there anybody in the audience that

would like to make any comment on this particular Public Hearing at this present time? Thus being that, I will declare that the Public Hearing is closed."

Public Hearing closed: 7:22 p.m.

Public Hearing Opened 7:23 p.m.

Deputy Supervisor Stark: "Let the record show that the time of 7:23 has arrived. 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 7:10 p.m., on Tuesday, April 4, 1995, to hear all interested persons who wish to be heard regarding an amendment to Section 108-64.5 Bed and Breakfast Facilities, by adding Subsection L, the addition of a filing fee of \$100 upon the initial application with the Building Department."

Deputy Supervisor Stark: "I'll call on you again, Bobby."

Robert Kozakiewicz: "This particular Public Hearing, unlike the prior one, involves an addition rather than a deletion and it affects the Bed and Breakfast text. In looking through the code, it came upon us that we had forgotten or overlooked the implementation of a fee with respect to the application that would accompany a bed and breakfast facility.

We looked at some of the neighboring jurisdictions. The round about fee was \$100 for a compliance permit or permit in connection with the bed and breakfast application. That is what this proposed revision is to provide for a fee when an applicant comes in to propose a bed and breakfast. The fee would be good for a five year period which would run simultaneous to the special permit time period which is set forth as well in our code under that particular section, in particular Subsection K."

Deputy Supervisor Stark: "Is there anybody in the audience who would like to make a comment on this particular Public Hearing? Bill?"

William Kasperovich: "William Kasperovich from Wading River. As many of you people would remember, I have been opposed to this bed and breakfast facility from the inception. However, since it was resolved and adopted, I look for the controls and the specific requirements for the good and welfare and health of the public, which I had brought up on more than one occasion that the Resolution as it stands today, is

most inadequate. Now, we have for some reason a need for \$100 for the conduct of the Building Department, and since this is such a varied type of installation into varying conditions, it would seem to me that a lesser fee for a preliminary drawing or diagram with a definition, an explanation, of the content and intent such that it might not be feasible at all or it might be requiring a lot of paperwork or this would never get through the Town, why bother? Instead of starting the initial application for \$100.

Granted, if somebody has enough money to start up a major project, a hundred bucks isn't too much money. But at the same time, a hundred bucks and we don't have enough in the Resolutions for the building to put their teeth into to concern themselves with the safety and well-being of the public.

At the last Town meeting, I brought this up that making addition or amendment but in no way is there any change to the requirements, and they are most inadequate. So charging one hundred bucks for the initial application as far as I could see isn't solving anything. Thank you."

Deputy Supervisor Stark: "Thank you. Is there anybody else who would like to make comment on this particular Public Hearing? If not, I declare the Hearing to be closed."

Public Hearing closed: 7:29 p.m.

Deputy Supervisor Stark: "Kenny, I see you are here. If you would like to take a brief moment, I know you had a Calverton Hamlet Study meeting tonight. You might want say a couple of words. If not, I'll let you pass. Okay, you'll pass. I know that you've been meeting for the last two hours. Is there anybody in the audience now that would like to talk to the Town Board or approach the Town Board on any given subject? Yes, sir, way in the back."

Ronald Eck: "Ronald Eck, Riverhead, New York. I come before this Town Board tonight because I've got a little complaint to make. About a week and a half ago on a Saturday night, I've been parking my vehicle right-- for the past three months, on West Main Street, near Griffing Hardware. But I would never park it in the middle of the street because there's a light there. I didn't want the light shining in my vehicle

because I have merchandise in the vehicle. But this Saturday night I had to park there in front of the TV emporium. It was before 5:00 so I put money in the meter. I was there until about midnight, which I'm generally there until about 10:00. In my vehicle when I come out, in my windshield, I found a note, Do not park in front of my store. Well I didn't realize the man was still in the store, but when he come out, I told him. I said look, I put money in that meter. I am entitled to park there. Well, I don't want you parking in front of my store. I said: I am entitled to park there. First of all, you do not have no disability parking there, only one sign which is in Griffing parking lot and it's one hour parking for the disabled. I have a disabled sticker in my car, which Barbara Grattan gave me. I had four heart attacks last year. I had three of them when Joe had his first one. I had three over the Christmas weekend in '93. I didn't know the first two was heart attacks. I am also service connected veteran. We go ahead and we consider the veterans first at the VA hospital where I do some work.

I also consider veterans first here in the Town of Riverhead. And I know Col. Grattan-- well, I'm thinking of Barbara and Joe there because they come to our 90th anniversary and Barbara turned down the bottle of Absolut for a teddy bear. But, gentlemen, this is my complaint. The man had no right putting anything in my car window when I had put money in there."

Deputy Supervisor Stark: "Is that the video shop?"

Ronald Eck: "The video shop."

Deputy Supervisor Stark: "Okay. Thank you."

Ronald Eck: "It's a little warm in here, gentlemen. And I'm not having a heart attack, but maybe I'll give you one."

Deputy Supervisor Stark: "No, (inaudible) a good friend. That's all right. Is there anybody else who would like to speak? Yes, sir, way in the back."

Gary Gratney: "How are you doing? My name is Gary Gratney, a resident of Riverhead. I've never done this, so I'm a little nervous."

Deputy Supervisor Stark: "No problem, Gary. Gary, if you would

just pull that kind of-- that one up towards you, a little bit. That's it."

Gary Gratney: "How's that?"

Deputy Supervisor Stark: "Yes."

Gary Gratney: "On Friday, March 3rd, at approximately 6:10, the life of my family and myself was changed forever. Our son, Conroy, was shot and killed only after 19 short years with us. He was killed in the neighborhood at the Melbrook Gables, better known around Town as The Greens. Ironically, Conroy died on the streets between the houses where my wife and I grew up and met.

On March 18th, with family and friends and volunteers, the Conroy Gratney Foundation held its first meeting in my house with nothing more than the ideal not to have let Conroy die in vain. My ideal to the group was a march for peace in my son's honor. That was all it took and we were off and running.

So here, on April 4th, I stand in front of this Town to give the purpose and goals of our march.

1. For the memory of Conroy and other children lost or trapped in that neighborhood to bring an awareness to the community of the drugs, late night traffic, prostitution, guns, and needless violence in that neighborhood. Our goals are to make the Melbrook Gables, better known as The Riverhead Greens, a drug and violence free neighborhood. To bring that neighborhood-- to bring about neighborhood and community involvement towards our goal.

I just want to thank you for your time and your attentiveness and I would like to personally invite each and every one of you out to join us in the march for peace and after that we will have a speak out and I would appreciate it if each and every one of you had something to say."

Councilman Prusinowski: "What time does the parade start?"

Gary Gratney: "The parade starts at 11:00."

Councilman Prusinowski: "The march."

Gary Gratney: "The march at 11:00. I have brung fliers pretty much so I'll leave them with you. Hopefully you can attend, you know. It's a Town problem. It's just not a Riverhead Greens problem. I've talked to a lot of merchants, a lot of people. It's going to affect everybody in the long run if we don't nip it in the bud. I've talked to a lot of people in that neighborhood. They are prisoners in their own homes. After a certain hour at night.

And a lot-- what I'm finding out, is a lot of stuff that's going on are from people that are outside the neighborhood. And I guess my question to you is, can I count on the Town for support? Can I-- if we form a task force within that neighborhood, can I depend on the Town to back us? If we're standing out there late nights taking names and license plate numbers and making calls to the police, can we get a heavier patrol in that area? Can we arrest the kid that is standing on the corner at 4:00 in the morning and you know he's 10 miles from home. What is he doing standing there? You know.

Pretty much, we could just shut that neighborhood down. And if you don't live in there, you don't need to be in there. Thank you."

Deputy Supervisor Stark: "Thank you, Gary."

(Applause)

Deputy Supervisor Stark: "Ma'am way in the back. I think you had your hand raised."

Mollie Roach: "Mollie Roach, from Calverton. I had written you a letter and asked you a while ago about doing something about truancy and kids out of school on the streets of Riverhead. That was two weeks ago. I wondered if you had taken any action or if you have any interest in that. Didn't you get the letter? It was in the paper also."

Deputy Supervisor Stark: "I received your letter and I have had meetings with Dr. Holmes on other subjects."

Mollie Roach: "But this was about you and the police and the Town doing it."

Deputy Supervisor Stark: "It really is not in the jurisdiction of the Town or Town police. It's a problem that he was going to address

and get in touch with you."

Mollie Roach: "I asked the members of the Board of Education if truancy was against the law and they said it was against the law, and I would presume if children are breaking the law on the streets of Riverhead, that that is a Riverhead Town concern."

Deputy Supervisor Stark: "Certainly at the same time the school district must notify the Police Department Juvenile Aid Board that that truancy is in existence."

Mollie Roach: "Mr. Stark, I walk down the streets of Riverhead and it's full of kids. And can't a policeman at least go up to a kid and not shoot him, but, you know, ask him why he is not in school and if he has a reason, fine. Can't a Riverhead policeman cite parents who are in the laundromat with all their kids doing laundry? I mean, I don't think that is up to Dr. Holmes to notify you. I think the school does its part, but we have a Town that is filled with children daily. Some of them are suspended, you know. But couldn't the cops check on that? I mean the cops check on drunks and other things."

Deputy Supervisor Stark: "I saw the Chief of Police back there. I really don't know the rules and regulations, but I guess he stepped outside for a minute."

Mollie Roach: "I thought if something was against the law, you know, vagrancy is against the law, and drunkenness is against the law, and prostitution is against the law, and truancy is against the law. I don't think-- I think it's too big a job for the school. The school isn't in the streets, you guys are in the streets. I mean your police department."

Deputy Supervisor Stark: "I did pass it on to Dr. Holmes."

Mollie Roach: "But Dr. Holmes is the school."

Deputy Supervisor Stark: "The school-- "

Mollie Roach: "I'm talking about the Town."

Deputy Supervisor Stark: "The school district does have the rules and regulations. I don't know that a child after 16 is-- "

Mollie Roach: "They're not 16. They're six, some of them. They are all over. Take a look, Mr. Stark."

Deputy Supervisor Stark: "I have seen them around Town, yes."

Mollie Roach: "Well, don't you stop them?"

Deputy Supervisor Stark: "Some of them may not necessarily belong or live in Riverhead or are going to-- I don't-- "

Mollie Roach: "Well, ask them because the school can't teach kids who aren't in school."

Deputy Supervisor Stark: "This is true."

Councilman Prusinowski: "So I guess it's not the parents fault at all. It's always the Town's fault."

Mollie Roach: "Cite the parents. Cite the parents. I mean-- question the parents."

Councilman Prusinowski: "A lot of those kids do not even attend our school system and they're probably part of illegal activity which the Chief will give, you know-- listen, I see the crime reports and unfortunately the tragedy that happened to that gentleman's son, is a product of what's going on in our society today and when you have 14 year old kids selling crack, making two or three hundred dollars a day, they are not interested in going to school and working at McDonalds. It's a problem that we have to solve and I wish it was that easy. You cannot just go around arresting people without cause."

Mollie Roach: "I think that you can question them. I think that when you see a kid on the street, you can question him and perhaps question his parents. I'm not saying arrest him. I'm saying cite them or question them. I wish the Board would take this under consideration. I think it's something we all have to-- "

Councilman Prusinowski: "I agree with Jimmy. I think we have to work with the School Board on this-- with the School Board."

Mollie Roach: "I just-- I wish you would do your part. The School Board is doing its part. Thank you very much."

Deputy Supervisor Stark: "Thank you. Warren?"

Warren McKnight: "Warren McKnight, Wading River. I wish to comment. Gary spoke about the tragedy that happened in Riverhead. I wish to bring up a positive note that happened in 1992, there was a JTPA (phonetic) grant in Riverhead that trained 40 people to help them, Michael Johnson fronted it, Harriet Gilliam was at the Habitat for Humanity where young-- all different ages from 16 up to 40 years of age, persons who were-- didn't have jobs, persons with perhaps police records were trained, through BOCES, through business and through the state. It was a partnership where they received training. And at the end of this training, 12 persons out of 40 people received jobs. Not only that, became volunteers and helped build a beautiful house in Millbrook Gables.

I think what the Town Board should do is-- just a positive suggestion here-- is to when new businesses come to Town, there's a lot of new businesses, that they could help and reach out to the community, say persons who need jobs, whatever race, whatever age, where ever they are from-- to reach out and say they'll train them with skills, not just retail jobs, with skills, and help these individuals obtain employment. It's a lot cheaper. The grant was only for \$30,000; it got 12 people employed. It costs \$40,000 to put somebody in jail for one year.

There have been a number of persons who have been killed in Riverhead. Yes, Mr. McElroy's (phonetic) son, and other-- "

Deputy Supervisor Stark: "I'm chewing on this because I have a sore gum and I just hit it and that's why-- "

Warren McKnight: "Okay. Okay. There's been a number of people over the years and I asked Justice Henry Saxtein what's the problem? You know, crime in Riverhead. And he said if we had more jobs. We need a partnership between industry and businesses that come to Riverhead and developers to reach out to the community. The people are there. They want to work, they need help. It should be a partnership. I think this is very important to bring out that people want to come and invest in Riverhead, they should invest in their people. And I'm not just saying, you know, I'm not talking about race. I'm not talking about religion. I'm not talking about economic background people who want jobs and need skills. This is important, okay? This is one program, JTPA is still on the books in Riverhead. It can help and it can

do things and it has been a positive act.

All right. I think the Town Board can help in this respect and I think positive things can happen in Riverhead. Thank you very much."

Deputy Supervisor Stark: "Thank you, Warren. Is there anybody else? Helga?"

Helga Guthy: "Helga Guthy of Wading River. This is regard to the change of zone for the golf course. In talking to a member of my church group, I found out that she has a degree in archaeology and I asked her to look at the environmental study that was done here. Since her specialty is archaeology, she turned right away to that section and she said there is no history or archaeological information here. She has done environmental studies for other situations and she said that this is a requirement. She said why is there nothing here on the archeology of this particular site. Could I get an answer?"

Deputy Supervisor Stark: "I'm stretching my eyes to the back. Is Rick there or has he gone downstairs? Dial down to 284 and see if Rick is down there. I see the attorney of fact is here. Maybe Allen you would like to come to the podium and answer that question for us, please?"

Helga Guthy: "And also the history-- "

Deputy Supervisor Stark: "Helga, why don't we just let him answer that question and then you can just-- don't go too far."

Allen Smith: "The archaeological review is contained within the Inter-Science report which was the report that was done over the past five or six years and there was no identified archaeological sources on this particular site."

Deputy Supervisor Stark: "Thank you. Thank you, Allen."

Helga Guthy: "Well, I caught that, but that doesn't show me really what they looked at or what, you know, any of the-- "

Deputy Supervisor Stark: "All right."

Helga Guthy: "Is there a copy of that that we could get?"

Deputy Supervisor Stark: "I'm sure that counsel will be coming up again. He'll make notes and he will address any questions that may arise tonight."

Helga Guthy: "And also the history? She said that it should date back to the beginning of recording on the property which would go back to whoever owned it at the time and deeded the land at that time to people. She said the only thing she sees here is the previous owner. Now why doesn't it go back any further than that?"

Deputy Supervisor Stark: "All right."

Helga Guthy: "She said as far as she knows, the studies she's done, they go back as far as there is any records of the property."

Deputy Supervisor Stark: "Well, we certainly-- when Mr. Smith comes up he can answer that question in a little while."

Helga Guthy: "Okay."

Deputy Supervisor Stark: "I don't have them right off the tip of my fingers for you, Helga. I'm sorry. And Rick is-- a group of students."

Helga Guthy: "Well, not having that though, that means you're not going to be voting on anything today, right? Because this should all be looked at."

Deputy Supervisor Stark: "Not necessarily. Not necessarily."

Helga Guthy: "You could vote on that without knowing all the information regarding the site?"

Deputy Supervisor Stark: "Helga, you've asked me questions I do not have the answers right here. The attorney of fact will come up, our Planning Director has just come in."

Helga Guthy: "No. This is a question to you though. If you don't know the answer-- I'm just asking you. You can vote on this without knowing the history of the site?"

Deputy Supervisor Stark: "I don't know that your questions or the

topics that you are bringing up would preclude us having a vote tonight on a Resolution to place an overlay zone in place. I don't know that that would stop that vote. I will ask the questions of our Planning Director. I will let the counsel for the application to address them and this Board will make up their own decision."

Helga Guthy: "And, Vic, have you gotten the information that you promised to get for us from the Cornell and whatever those two other agencies were? Because we haven't gotten any information from you that I know of."

Councilman Prusinowski: "No, I have not received it."

Helga Guthy: "You did say that you would not make any decisions until you looked at those, right?"

Councilman Prusinowski: "Well, that's if I thought that we would have to have a full environmental review and I don't believe that. I think the environmental review was done on this project. What those reports will be helpful is in the site plan process, which is addressed in this Resolution to mitigate the concerns on the type of technology that will be used to fertilize and pest control the site. For example, today in Nassau County, the County Executive just signed an executive order. They're going to use organics and they are going to use a different alternative for pest control. That's certainly within the parameter of site plan review.

What this Resolution addresses tonight is the change of zone."

Helga Guthy: "I don't understand how you can do that if there is-- could be a problem with even, you know, having this on this site. How can you change the zone if you don't know if something like this could be, you know, damaging to what's there? I just don't understand how you are working this. Shouldn't that be done first?"

Deputy Supervisor Stark: "All right. I'm going to let Rick come up and address-- already heard your first question about an archaeology report that was supposed-- Helga was saying is supposed to be done. And I guess in the SEQRA process, Helga?"

Helga Guthy: "Yes."

Deputy Supervisor Stark: "You had a title search that goes back to the King's grant."

Rick Hanley: "The question is whether the Town performed any archaeological studies on the original draft impact statement or on the existing zone change environmental analysis. I'm sorry, I was downstairs when the question was asked."

Deputy Supervisor Stark: "I realize that."

Helga Guthy: "On the property, has there been an archaeological study done on the history?"

Rick Hanley: "I would like to give Mr. Smith an opportunity to respond to that, if that's all right."

Allen Smith: "Mr. Stark and members of the Board. This is why we have hearings, and that's why the hearings are called on notice and why issues such as this are raised in that context. We are well past the hearing. We have been through the entire process with the Planning Board of the Town of Riverhead. You have from them their recommendation with reference to this overlay. And they have addressed as lead agency in this particular instance these environmental concerns and have reached a conclusion that this is consistent with the environmental laws and with the planning documents of the Town of Riverhead."

As I have said at this microphone on repeated occasions before, I cannot respond to abstractions and hysteria. The archaeological review was done in the context of the approved 218 lot grid residential subdivision. That is over. That's been over for years. It is not a topic that should be raised this evening, and you shouldn't change an opportunity to address the Board this evening into a redress of another hearing by whatever so that we raise again, again, and again, all the matters that are answered in the environmental studies and have been approved by the Planning Board.

You have everything before you that you need to make a decision. You have a recommendation from the Planning Board. There's going to be a lot of (inaudible) it seems this evening. It won't shed any light on what you are about to do. I just ask on behalf of the client that let this voted and we'll go on."

Deputy Supervisor Stark: "In the same instance, Mr. Smith, I will allow everybody in this room to speak on any given topic in front of this Board and if it turns out to be a rehash of a Public Hearing, so be it. The Resolutions will be presented tonight and this Board will have an opportunity, each individual member, to make their vote the way they feel they want to vote. In the meantime, I will run the meeting. There are people who want to come and talk on any subject. I will allow them to talk on any subject. I will limit them to a short period of time because we are going to have a lot of speakers. Rick, please."

Rick Hanley: "When the original impact statement was submitted to the Town on the subdivision, there is required under all impact statements some assessment of the archaeological value of the site. In this particular site, there was a Stage 1 archaeological done in an area where we expected there might be some evidence of indigenous populations that would be in and around a fresh water wetlands system typically. The indigenous population did, in fact, locate around wetland systems."

One of the mitigation measures that was offered in the original draft to ensure that there was no effect of any archaeological resources or values on the site was to protect that wetland area for a certain distance and dedicate that land to the Town. That property happens to be contiguous to Bayberry Park and the original subdivision of the Planning Board recommended that that land be dedicated to the Town. Without any disturbance of that area, there would not then be any damage to any archaeological resources on the site."

Deputy Supervisor Stark: "Thank you, Rick. Helga, do you have-- and I'm going to try and limit tonight. If you would please."

Helga Guthy: "All right. I just wanted to know why when it says here impact on historic and archaeological resources, if he says there was none, why wasn't-- why isn't no marked? Why is neither a yes or no marked? And he can't say this is rehashing because we never brought this up before. And apparently it wasn't even addressed the first time because it's not answered."

Deputy Supervisor Stark: "Okay. If you would show that to Rick maybe he can respond on it. In the meantime, Kathy, would you like to come up, please?"

Kathy Casey: "Kathy Casey, Wading River. To begin with, I would

like to thank you for taking your stand. Apparently, Mr. Smith forgets that there are a lot of us in this community with things at risk and we are entitled to express ourselves. Unfortunately, sometimes we have to repeat ourselves and that we apologize for, but that's (inaudible).

I don't mean to be curt to the Board. I apologize for that.

I have some letters here-- "

Deputy Supervisor Stark: "You have never been and could never be curt."

Kathy Casey: "I try not to be. But I wish some people would remember, you know, this is America. We are all entitled to our opinions. I have some letters here, quite a few as you can see, in objection to the golf course and change of zone and we would like to submit them."

Deputy Supervisor Stark: "Would you like to submit them to the Town Clerk and they will become part of the record, Kathy."

Kathy Casey: "Thank you. In addition, Victor, my friend. Vic-- "

Councilman Prusinowski: "I'm listening."

Kathy Casey: "Oh, I'm sorry. My husband does that to me and that irritates the heck out of me. Sorry about that."

Councilman Prusinowski: "You know I've always listened to you with both ears."

Kathy Casey: "I know, Vic. I love it. Now, without trying to be impossible-- "

Councilman Prusinowski: "Right."

Kathy Casey: "-- in fairness, you told Helga and I you were going to- "

Councilman Prusinowski: "Yes, and-- "

Kathy Casey: "Now hear me out. You said that you were going to

look into these agencies in order to assess the entire situation before you were going to vote."

Councilman Prusinowski: "Right. Yes. And you're absolutely right. We have two votes that we are going to vote on. We are going to vote on the change of zone and the site plan. And I know-- also, I reread this book. You know what this book is?"

Kathy Casey: "No. Tell me."

Councilman Prusinowski: "It's the Wading River Hamlet Study."

Kathy Casey: "Okay."

Councilman Prusinowski: "(inaudible) 1988, and we spent \$40,000 and there's a lot of fine people at the end of this book and I just re-read it again today, asked Rick for it, because I read the goals and objectives and, in fact, one of the goals that this particular project achieves, is that they recommend in this report that Bayberry Park be expanded as well as open space. Now, there's two parts to this process and one part is the change of zone overlay. And that's what we're talking about tonight. The second part is the site plan review and during the site plan the Planning Board, again, has put certain conditions on this project. I've also talked to the Town Attorney, the Planning Director, and I've reviewed the file and I'm satisfied that the Planning Board has followed SEQRA.

Now, of course, its my understanding North Fork Environmental Council doesn't believe so, so I believe we are going to have a Court challenge here and that's the way it is because we've had them before. But in my opinion the information I will get, I already have the Peconic Land Trust, and I'm going to use that in our deliberation if the Resolution passes tonight. It might not pass.

When we talk about the mitigation of the fertilizing and the pesticide control of a golf course."

Kathy Casey: "Well, again, I'm just going to back out and say I'm holding you to your word."

Councilman Prusinowski: "Okay."

Kathy Casey: "Okay. That's what you told Helga and I you would do. I will reiterate again as you well know. I am totally, 100%, opposed to changing under any guise a residentially zoned area. That's -- I've stayed with that, I've been consistent with that, and I won't change that. Okay? In addition, I have a couple of questions. Is this golf course going to be a private golf course? A public golf course? A semi-private, semi-public golf course? Does anybody know what the plans are or what-- actually, I guess what I should say is, is the proposal in writing as to what it will or will not be? And, as a result of that, I understand that if, for example, it is a private golf course, and they go semi-public where one or two days a week they allow the public accessibility to it, I am hearing that they are entitled to very nice tax breaks from the federal and the state government. I am wondering, one, is that correct? Number two, what kind of tax breaks would they get from the county and the state, or the town, excuse me. And, but most importantly, have we gotten clarification on whether this is going to be a public, a fully private-- a fully public, what angle are we going here in the proposal? And is it in writing?"

Councilman Prusinowski: "There-- they'll-- can I just say-- I just want to read something that the Planning Board. The recreation use be limited to the development of a golf course as defined in Section 103-125, a Section i, and that the Town Board require a covenant restricting the use of the real property to golf course related activities by specifically excluding night time golf, night time driving range, non-golf related catering, the development of two family dwellings, tennis clubs, resorts, motels, nursery schools, health spas, taverns, restaurants and retail stores as principal uses. Now as far as the rest of it, they'll have to answer for that."

Kathy Casey: "Okay."

Councilwoman Gilliam: "Kathy, just in responding to what-- the wording that Vic just read, I think it should be important and pointed out that all of those other possible uses, they're cited as not being used as principal uses. It doesn't say anything about them being used as accessory uses and I think the code provision specifically does allow for certain types of accessory uses including taverns and restaurants, and so I think right there there's a problem in terms of the language as to what could be put on that portion of the property as an accessory use and not as a principal use. But, getting back to your original question, I had asked that at our last Board meeting as to

whether or not this was a public or private golf course, because I think that has an impact on the definition of whether this is truly considered to be open space which can then be factored into whether it can be including in counting the acreage in terms of clustering and density issues."

Kathy Casey: "Well, I again, I will simply say-- cut short, please-- "

Deputy Supervisor Stark: "Yes, if your questions are not answered during the course of the evening, I certainly will have them by the time you leave."

Kathy Casey: "Okay. And please vote no on any zoning change."

Deputy Supervisor Stark: "Anybody else in the audience? Yes, Lou."

Lou Passintino: "Lou Passintino, Wading River. My wife could not be here tonight, Desiree, so, yes, again, she-- "

Deputy Supervisor Stark: "High speed ferry?"

Lou Passintino: "No. Something else, some other project. So I have a letter here from her and I'm going to read, and I have a couple of my own thoughts and I'll watch the time."

Deputy Supervisor Stark: "I'm just trying to give everybody an opportunity."

Lou Passintino: "Yes. And I think that's only fair."

Since I cannot attend tonight's Town Board meeting due to a previous commitment, I cannot emphasize enough the magnitude of your consideration to change Wading River zoning in order to enable a developer to sell more homes.

As of today, Nassau County has signed a law to drastically reduce pesticides on County owned parks and golf courses and also on County owned buildings. Nassau County Supervisor Tom Gulotta acknowledges the dangers of pesticides and states that he wants to be on the side of caution with pesticides and certain illnesses such as breast cancer. Gulotta went on to say that he would like to see more stringent

regulations placed on the use of pesticides.

Riverhead Town is the recipient of at least a half a dozen golf courses. To say that this golf course developer or any other golf course developer on the east end with adhere to Suffolk County standards is not simply good enough for the people of Suffolk County, particularly the people of Riverhead Town. We come tonight to urge you to take-- we urge you not to change the zoning on a particular piece of property. We also come to ask your protection from potential impacts of pesticides which would become our neighbor if you vote in favor of this Wading River precedent setting change of zone petition for a recreational overlay.

Many questions still remain. Some are in my letter to Vic which will be read aloud. Two work sessions ago, Vic promised Helga Guthy that he would not act on a Resolution until he contacted the Nature Conservancy, the Peconic Land Trust, and the Cornell Cooperative Extension on the matter of the dedicated open space allowed for in the subdivision of 218 homes, which is the approved subdivision.

At the last Town Board meeting of March 21st, he had contacted-- he hadn't contacted the organizations and promised that he would get back to Helga and myself. At this time, he hasn't.

These organizations claim they have no record of Victor getting in touch with them. I would like you to-- like to know if he has contacted any land preservation agencies in the matter of these dedicated open spaces and if anybody that you could say who you spoke with, please."

Deputy Supervisor Stark: "Would you like to make that part of the record, Lou?"

Lou Passantino: "Absolutely."

Deputy Supervisor Stark: "Would you turn it into the Town Clerk, please, and then you can make your comments?"

Lou Passantino: "Okay."

Deputy Supervisor Stark: "Or you can do it after-- "

Lou Passantino: "Just a little-- . This is the letter to Vic."

I have read the Resolution regarding the change of zone petition for Sound View Golfing and have questions with respect to the last Resolution.

First and most importantly is the open space gained as a result of the previous developer's approved cluster agreement. Contract for Sound View Management, Inc., Mark Colacci (phonetic), has not-- is not responsible for this land. Riverhead Town code, Section 108.90 states that the land under a cluster agreement, in quotes, must be clearly-- must clearly be labeled on the subdivision map as to its use and the rights of the owner in the subdivision as well as whether it is to be dedicated ultimately to the Town or other government body or to an approved private or conservation corporation, or to a property owners association, or to otherwise under conditions meeting with the Planning Board's approval.

Such open space is to be preserved in perpetuity. This covenant is why many of us have serious concerns regarding the change of zone request, the ultimate golf club-- golf course proposal. Not only is the developer requesting change of zone which does not conform with the Hamlet Study, but he also is requesting it for land that technically does not belong to him.

A change of zone of this magnitude negates what many of the Town of Riverhead-- negates what in the Town of Riverhead have worked so hard for. The Hamlets of Aquebogue, Calverton, and Jamesport have used Wading River's Hamlet Study as a model in which to base their own zoning upon. If the developer is granted a change of zone to utilize property that simply is out of his limitations, then the Wading River Hamlet Study and those-- all those who follow it, are simply words on paper.

There are numerous concerns in practically every Resolution from number 116, the latter stating the addition of a 60 plus acres of non-developed area by virtue of a golf course. It is a contradiction of terms. This goes back to the Town code cluster agreement to be preserved in perpetuity.

As per a previous conversation with you, I stated that the community of Wading River did not oppose the previous developer's proposal or cluster agreement because it appeared to be balanced development. Please inform me to what legal basis the attorney, Mr. Smith, would have for his reason that 78 less homes can be compared to a new

land use of a golf course. Other than a comparison to a previously approved SEQRA from another proposal whose statute of limitations has expired we've been told, when the question of DEIS of '87 is being incomplete.

Furthermore, we, the taxpayers do not know how much in dollars and cents 78 homes equates to and how it will be impacted by this amount. Also, is this a private golf club-- golf course-- public golf course? If the public-- if it is public, we, the taxpayers and golfers would like to know what the Sound View Golf's intended hours and days for the public will be.

I would like to discuss the remainder of the Resolutions with you. I cannot as many of the Wading River-- many of us in Wading River understand how a vote to change a zone can be entertained at this time. If the homeowners association wishes to have a golf course, then let it be in their realm to advance this idea to the Town.

Meanwhile, leave the open space undisturbed in its natural state, as it is quoted in the original DEIS of '87, mitigation, page 154. Thank you for your time in this matter, and if you have any questions, please feel free to contact Desiree.

My comments are very brief. Okay. One is that the SEQRA, when that original project happened, it was to take a hard look at what was being proposed. And if they took a hard look at those homes being proposed, right, they never looked at a golf course. And I understand it was not even a considered use at the time. But to compare that SEQRA with this project, it was 60 acres or 65 acres of open space untouched and 78 homes. Now, they are talking about removing 150,000 cubic yards of material and a change of zone, two things which I think are pretty basic to enacting SEQRA, to have them take a hard look at this situation.

And my final point is that, you know, this talk of zoning, land use and-- these things should match the present zoning and the present land use. Right now, we're talking about a community that, right now it's all residential homes all around it. There's one point where you have the commercial use. If the Town really would like to remove some potential homes from the school district which will not produce children to go to the schools, I think that they should look in the appropriate areas. The area that it is now in, that they are looking to reduce these homes, it seems like to me we are going to bear the burden for

what it cost to educate a child. And we think that that's not proper. Thank you."

Deputy Supervisor Stark: "Thank you, Lou. Lou, Lou, you can drop those copies with Barbara and they will become part of the record. Ma'am, there's a seat up front here if you would like a comfortable seat."

Unidentified: "No, that's all right."

Deputy Supervisor Stark: "Okay. Is there anybody else here-- yes, sir? Steve?"

Steve Berner: "Hi, Steve Berner from Dogwood Lane in Wading River. I'm starting to feel a little bit like Bill Murray on Ground Hog Day here. I talked to you yesterday and I heard you tonight again say something about you can change the zone and then you can come back to the golf course corporation and require them to do certain things under the site review plan-- site plan review. Okay. I'm not familiar with all these things.

My first question to you would be, what kind of leeway do you have with that? Can you actually restrict them? Can you come right out and say you cannot use pesticides? You cannot use non-organic fertilizers on the golf course? You can require that? Okay."

Councilman Prusinowski: "You can require a lot of conditions prescribed under the Town law."

Steve Berner: "Under the site plan review?"

Councilman Prusinowski: "Uh-huh."

Steve Berner: "Okay. Because it would seem to me that while they are here, hat in hand, although it's kind of questionable asking for a change of zone, it seems like you could ask them for a lot more things, and I've been talking about pesticides now since just about November and I'm not going to rehash all the old things. I know there are some people that don't believe that pesticides are a danger. I think the only thing you would have to look at-- is look at the cancer rate on Long Island and I think that would answer the question. But I think-- "

Councilman Creighton: "May I say something? May I address your question about the pesticide issue? Not only are we requiring a site plan review, but-- and we're requiring it to go back to the Planning Board to make a recommendation to us before we deal with the site plan, which is the whole layout of the course and elevations and so forth, but also we are requiring in this Resolution an integrated golf course measurement plan which specifically deals with the way pesticides and fertilizers will be used on it and will, in fact, lay down specific requirements in that regard and we will expect and require the best current science in that use and that may lead us to organics."

Steve Berner: "Okay. I came to some of the Planning Board open hearings."

Deputy Supervisor Stark: "Steve, Steve, you also may have some questions which I may ask you to just pile them up and I'll refer them to our staff who have probably a little more expertise than we."

Steve Berner: "I don't think I'm going to ask anything too technical here. I just-- my problem is that the Town Planning Board really didn't ask the corporation to change too much especially when it came down to the turf management. I was sitting here when they were discussing it and I don't-- from my point of view-- they didn't ask them to change a thing. And, in today's society where golf courses are now being built-- the county is now, I think, they are under contract, they are going to be building a completely organic golf course. They have four on the Planning Boards. One of them is going to be completely organic. There's one up in New Hampshire that's been organic since about 1962. The technology is there now and I think it's-- I really think it's up to this Town Board to push this issue here because change doesn't come easily, especially to the golfing industry. Because the fear of losing customers and money. I can understand their point of view. All right. They're looking out for the money for their own interests. Okay. But I think you as our elected representatives have to be looking out for our interests."

I just hope you take a real good look at-- I know I dropped an awful lot of things to you the other day. I hope you had a chance to take a look at them. It's a serious issue."

Deputy Supervisor Stark: "Thank you. Anybody else? Yes, sir in the yellow-- "

Walter Hurding: "My name is Walter Hurding, Sound and Creek Road in Wading River. I am in favor of the change in the zoning for the golf course citing the fact that 80 houses less will be built and I just want to make a comment regarding-- some previous comments regarding pesticides. If 210 houses are built, I don't know where you are, last weekend I went to Agway, everybody's picking up their pesticides. Golf courses are regulated, I believe, by the State and houses are not. So they dump all kinds of pesticides. But be that as it may, there will be less traffic through the road on Sound Avenue; it will increase the tax base in the area; many long term jobs will be created as a result of this. It's good for the community; it's a good, clean sport.

We were talking before about kids that are hanging around, doing nothing all the time. If, you know, a lot of times if somebody had the ability or the resources to play a sport or get involved, this is a perfect example of something that's good. It's good for the community. It will increase the property values in the community as it has in various other areas of the Long Island area. Usually you notice if there is a golf course in the area, the homes are kept nicely around the golf course. It's a higher value community rather than a trailer park or something of that nature. And it provides general recreation. And I just want to state I'm in favor of it. Thank you."

Deputy Supervisor Stark: "Thank you. Yes, ma'am?"

Jane Alkin: "My name is Jane Alkin. I'm from Wading River. I understand that Allen Smith's employed by the Town as an attorney and is being paid by the Town regarding Two Bears Estates. And he is now before you supporting and proposing, representing the people who want to build this golf course. And I'd like you to explain how it is not a conflict of interest for him to be paid by the Town and to be before the Town representing another project."

Deputy Supervisor Stark: "Bobby, are you going to comment on that? I'll leave the lawyers handle that one."

Robert Kozakiewicz: "Well, I'm trying to see where the connection would be as far as a conflict of interest. Certainly he has been retained with respect to Two Bears litigation. I don't see an cause or relationship between the two matters."

Jane Alkin: "Except as how he may be influenced or influence those people who are both his employers and the people he's coming before."

Robert Kozakiewicz: "Well, he's not in an employee/employer relationship."

Jane Alkin: "Well, you pay him for his services."

Robert Kozakiewicz: "There's no question-- I just-- I don't know how to respond to the question because I can't see the conflict of interest."

Jane Alkin: "Well, I think for a lot of us we do see a conflict."

Deputy Supervisor Stark: "Okay. Thank you. Is there anybody else who would like to make any comments at this particular moment? George? Charlie, if you would start moving up, you can be right after him."

George Schmelzer: "There has been so much about organic fertilizer on golf course (inaudible) geese. They eat the grass. You get it on your feet and you have guinea hens there, they'll eat all the bugs and if you get too many guinea hens, you can have a guinea hen barbeque. You want something bigger, you can have cows there, but maybe you'll hit the (inaudible) instead of the balls with a golf club. Depends who you are trying to hit. See? That's purely organic. Get rid of the bugs and get the grass. It's cheaper, too. You wouldn't have to hire anybody to mow the grass when those geese are doing it for you. Yeah. Maybe that will keep them happy."

And about the schools, well, they forget that when the Shoreham plant was being taxed at \$60,000,000 a year, the ratepayers off and out of Wading River were paying for that. That was okay. Not a word said. Now they're starting to squeal and complain about school expenses. Good for them.

About Grumman and Calverton. It's an airport and some people want it for an airport, I do. And some don't. I suggest for the Town Board to on next November have another referendum. Shall Grumman be used as a commercial airport? Yes or no. Whatever the people decide, the Board can do. It's simple. Do what the people want.

I notice also the Board is very concerned that the land inside the fence be out of the control of the Pine Barrens. They don't give a damn about anybody on the outside, though, do you? How about the people on River Road from the Ramada Inn almost two miles down to the Navy land, west, on the westerly end of the cranberry marsh? You don't care about that."

Councilman Prusinowski: "George, part of one of our conditions in our Resolution the Town Board unanimously put in, in fact, it was Harriet who reminded us when we were writing it, was the single lot issue which addresses the small property owners who, I believe, have been left out of this process completely because they feel hopeless that the preservation money that's coming down, will be allocated to the big property owners and developers. And we, at the recommendation of the Pine Barrens Commission, they also want this addressed in the legislative change and make part of the final plan. So that's part of our plan, too, is to make sure that if small property owners don't have the option of selling out their property for tax money from the State or the County, that they have an alternative which is they are allowed one development right on the property. So, yes, we do care about the small-- "

George Schemzler: "Well, you don't want any control at all inside the fence. How about the same thing for the outside? Instead of all this mishy-moshy (phonetic) one development right, one this and one that."

Councilman Prusinowski: "George, I can tell you right now-- "

George Schmelzer: "What?"

Councilman Prusinowski: "I can tell you right now, you cannot accuse this Town Board of being soft when it comes to this issue because we're getting slammed pretty hard around. Which is okay, you know, just fine. But we have a Resolution and our Resolution, I think, is fair to the environmental community, the Pine Barrens Commission, and to the taxpayers of the Town of Riverhead, and that's are position."

George Schmelzer: "Yeah, but, I notice inside the fence you want absolutely nothing. I think the people on River Road are entitled to the same thing. Taken out of the core area. Why the hell should that be in the core area? Almost 50 houses. That nutty. And you know it,

too."

Deputy Supervisor Stark: "Thank you, George."

George Schmelzer: "How about it? Huh?"

Deputy Supervisor Stark: "You made your point. Thank you very much."

George Schmelzer: "Well, what are you going to do about it?"

Deputy Supervisor Stark: "We are going to continue our discussions with the Pine Barrens Commission."

George Schmelzer: "Yeah, you'll go weasel around them. Yeah. We want-- the people in River Road want that out. You got it out between the Forge and Riverhead here, they came across the river right at the forge dam. And the river beyond Calverton is all Navy or County or State. And it never will be disturbed. So what the hell they want? Everything? And maybe we need some beavers down there to make some beaver dams. Maybe in the summertime might have some alligators from Florida. That takes-- let the environmentalists go down-- get eaten, then we could get rid of them."

Deputy Supervisor Stark: "On that note, George, I thank you very much. Charlie?"

Charlie Ceates: "Charles Ceates, resident of Riverhead."

Deputy Supervisor Stark: "That's it. There will be no 20 minute dissertation tonight."

Charles Ceates: "No, I don't have (inaudible) of papers with me."

Deputy Supervisor Stark: "Okay. You had a lot the last time."

Charles Ceates: "Okay. I just-- Vic, what section of the law, or Town code, did you refer to to define golf club?"

Councilman Prusinowski: "Charlie, I don't know. And you know what? I'm not going to get pinned down. I want to say something. You know I asked Desiree about her engineers one time. She wouldn't give me the

name, so, you know, you guys have a great time of getting down in details. Listen, I know you are going to take this to Court, and I wish you well."

Charles Ceates: "I'm not talking anybody to Court."

Councilman Prusinowski: "Well, it is my understanding there is going to be a legal challenge."

Charles Ceates: "I'm speaking for myself."

Councilman Prusinowski: "That's fine, that's fine. I want to say I welcome that because when somebody goes out and says we didn't follow the State law, it should be challenged. And what I'm saying is-- "

Charles Ceates: "Vic, Vic. I'm not here for anybody but myself right now."

Councilman Prusinowski: "I understand that. Well, but let me tell you something. The fact of the matter is that-- the fact of the matter is we're not going to do anything that's going to harm the health or welfare of the people of Wading River. In fact, I've been reading the goals of the Wading River Hamlet Study and the goal of the plan is to allow for orderly growth and development while preserving and enhancing the quality of life and physical character of the Hamlet. And that's my goal, too."

Charles Ceates: "But. Yeah, I asked you a question and you wouldn't answer it. I heard you say 103-125."

Councilman Prusinowski: "Oh I mean I read that from the Resolution."

Charles Ceates: "Okay, that's what's in the Resolution, right?"

Councilman Prusinowski: "Right."

Charles Ceates: "Okay. I looked up that-- and the Town Clerk tried to find that section, 103-125. There is no 103-125 and I asked Bob about that and he said no, that section of the Town code doesn't exist-- "

Deputy Supervisor Stark: "Kozakiewicz."

Charles Ceates: "Kozakiwicz, sorry."

Deputy Supervisor Stark: "Or better known as Kozak."

Charles Ceates: "And there is no definition for golf club in the Town code. And what you are referring to there is in the recreation district and only lists golf club. It doesn't define it."

Robert Kozakiewicz: "I'll repeat what I mentioned to you outside this hearing room, that that is a typographical error. 103 is not the correct chapter. We're talking about a zoning issue. The zoning chapter as you probably well know, probably better than myself, is Chapter 108 and it should be 108. We'll correct that."

Charles Ceates: "Okay. Correcting the error."

Robert Kozakiewicz: "That's what we'll do."

Deputy Supervisor Stark: "Thank you, Charlie, for bringing that to our attention."

Councilman Prusinowski: "Okay. I didn't know-- "

Deputy Supervisor Stark: "Don, are you up here to speak, please? I am going to have to go around once and then we'll repeat the second time if we have to."

Donald Fink: "Okay. My name is Donald Fink. I think I live in Jamesport. I probably sleep there, I live in Wading River. I work there and I have my own business for the last seven years. My parents have their business there a lot of years, probably 35 years and I worked at it, too. And I'm in very much favor of this golf course. I'm a small business owner. There is a lot of opportunities for the place and I mean it's a beautiful place to play golf and everything. It's-- I'm in favor of it. It has a lot of-- small businesses that need this type of business there. We lost Grumman's, we lost the power plant. This is my worst year in business since I've been-- in seven years. It maybe looks good, but on paper it doesn't."

If we don't have something to override another occasion to have people to come into this Town, you are going to see a ghost town. Because I'm working hard. I work 15 hours a day. I'm up at 4:00 in the

morning. I'm there 'til seven. And I'm working all my life. And I'm doing a great job. I clean my place up nice and neat but I need this revenue stuff. I have organizations coming to me for donations. Where does the donation money come from? I need the people to patronize my place so I can sponsor a softball team for these kids to keep off the streets. Where else is this money going to come from? I can't depend on local people. It's not there anymore. There's so many competitions. I have Hess on my back. I lost a lot of money there. I'm just telling you the facts. I'm like, you know. I need some sort of business to come into my town to make it go. We need it and that's, you know, I'm very much in favor of it. I think you've got to think about us small business people. My taxes go up, I don't complain. My Lilco rate goes up, I can't complain. I've got to pay it. If I want to stay in business, I've got to, you know, I need this for my business. And I know I have a lot of customers here that come to me but this is my feeling, my gut feeling, and this is, you know, I have a garden center. I sell pesticides. Okay. The homeowner ask me, well, how much should I use? I say, well, read the directions. It says two tablespoons per gallon. And the homeowner says, well, I want to get this done faster. I'm going to use an extra strength because I only got to do this one weekend, that's the only weekend I have. I have to do other projects. And I says, well, just read the label. It's all hazardous material. Of course it is. You know, you've got to use precautions.

The gas station I have, it's hazardous material. I spent a lot of money to upgrade my station. Double wall fiberglass tanks. Leak detections. All kinds of sump pump detections. I mean it's like, you know, it's a never ending thing. And if I don't get some more revenue for my business, later. Thank you."

Deputy Supervisor Stark: "Thank you, Donny. Gordon. Nice to see you in Town."

Gordon Danby: "Gordon Danby. I'll make two brief comments because the Grumman airport was raised. I support what you've been trying to do, if I understand it and I think I do from the papers, and I'm all for the Pine Barrens and we should have them, but I believe the airport is best under control of Riverhead Town and I assume the few hundred acres of pines are going to be voluntarily preserved and-- you don't want to get sued, then, isn't that the issue?"

Councilman Prusinowski: "That's the issue."

Gordon Danby: "I support you on that. I'm very skeptical on this overlay of this golf course. I'm not opposed to golf courses. I haven't been close to this but it sound complicated and if a golf course is a good idea, why doesn't it just stand from scratch on its own feet and stand back and examine our zoning code. I'm worried about precedence. When you start going in and you use the word, overlay, but the fact is when you-- this is-- as was pointed out by Mr. Prusinowski, there was this big Hamlet Study, there are Hamlet Studies all over the Town, we got some of the last land left in Long Island and if it's all built up which it will be progressively, we better be careful because there's no place to escape to. I'd like to live my whole life here, and, so, I'm concerned since this is a big property. If you start improvising and the next guy comes down the road, will hire some big guns and he'll argue with you and if that doesn't work, he'll sue you. And I would like at the minimum be assured that that isn't true and I doubt if anybody can-- "

Councilman Prusinowski: "Gordon, you brought up an excellent point. I want to follow that up. You know, I was-- in 1987, I was on the Board when we voted for this-- the creation of this, we had a moratorium. One of the main goals of the Hamlet Study, which is completely lost here tonight, we are in the middle of the upzoning wars. The build out saturation population-- out of Wading River-- part of the Town, it still is unfortunately 10,828 people. As of '87 it was 4600 people. I would rest assured there is more than that living up there today.

The second problem we had was that the type of commercial business that was being proposed for Route 25A was not appropriate for that area. We had people wanted to put in big strip shopping centers. I remember a guy wanted to put in a big A&T or Pathmark or something. In fact, came back and wanted to change the Hamlet Study again.

One of the things that was never done and we had a public hearing here and Jimmy remembers in 1990, the 80,000 square foot lots were never adopted by any Town Board. Now, I had a public hearing here in 1990 and the only people that showed up was the farm bureau and the Lewin family to lamblast us and not to really support this document. Because one of the goals of this document was to reduce the total population build out of the Hamlet and I'm still in favor of doing that for the entire Town. That's why I really support this because, hey, you know, something has to give around here. And when I see somebody is going to

reduce the lot and that amount of homes for more whether it's open space, whatever you want to define it, to me that's a plus because we have never achieved that goal in this Hamlet Study.

Now Barbara Blass reminded me today the Aquebogue Hamlet Study is going to start up again because we have left the thorny issue of the vast space that's left, the agricultural "A", which is all zoned one acre, Gordon, and in this book it says 80,000 square foot for a big chunk and it's in this map and we had a public hearing here in 1990, because Jimmy and I put in our campaign to do it and, believe me, the only people that showed up here except for Kathy Casey I think was here was the Farm Bureau and the farmers and the Lewin family and they weren't too nice to us.

So that's part-- you have to be fair when you say the Hamlet Study. I don't want to set precedence either, so, you know, I think it's a good deal for the Town but, of course, that's why we have individual votes and we have to judge us on our actions, you know."

Gordon Danby: "You have a hard job, I know. I remember the first zoning hearing-- "

Councilman Prusinowski: "And you know, that was the moratorium dates, too,-- "

Gordon Danby: "We were a bunch of damn Communists-- "

Councilman Prusinowski: "Well, not only that, I voted-- "

Gordon Danby: "And a lot of our finest old families called us that."

Councilman Prusinowski: "I know. And I was- we voted for moratorium."

Deputy Supervisor Stark: "Thank you, Gordon."

Councilman Prusinowski: "We had a moratorium for two years until the book was done."

Deputy Supervisor Stark: "I don't think you beat us up, Dean, so you did well."

Gordon Danby: "Do I have to defend myself?"

Deputy Supervisor Stark: "No."

Councilman Prusinowski: "I made it as an example because, you know, you have to be fair in these arguments, too."

Philip Markaro: "My name is Philip Markaro. I own Phil's Restaurant in Wading River. I'm here to say that I am in favor of the proposed golf course. I'm a 12 year resident of Wading River. I live actually live very close to where they're proposing to do this work. I've been in business for five years and I recently drove through where they cut the roads in for where they are going to do the housing. The same organization is going to do the housing and I thought that was really done in very good taste. They's cobblestone curbing in there. Based on the grading and everything that was done in there, it looks like they did the best they possible could to preserve what, you know, the natural vegetation and so on.

So with that, I'm confident that they would continue to do the same thing in their golf course project. I would also like to mention in a prior business than the restaurant business, I had a maintenance contract at the Lesiure Village communities in Ridge. With that, we maintained the entire grounds in that community. It also had a small nine hole golf course. In the same community, they had their own water system, there was well water in the community, one big well that fed the entire community.

We were required by New York State to have either a licensed pesticide applicator employed by us at all times or hire a subcontractor that was licensed. We had to send reports into the State based on what we applied in those grounds to avoid any problems with groundwater and things like that. So, I'm-- this organization that's proposing this golf course is definitely going to have to do the same thing. And they are very, very strict.

Also, I'm basically in the same boat as Donald Fink. I run a small business in Town. We completely lost Grummans, you know, almost lost Grummans all the way. We lost the power plant and the businesses in Town are hurting because of that. For us to stay in a competitive market, keep our pricing down so that the local residents can come and stay in the community and shop and go out within the community and not

go to other area gas stations or restaurants or delis or cleaners or whatever. We need to have new business that's going to be performed in good taste and I'm very confident, I mean, golf course I think is a great thing. And we need to have new business like that come into our area. It will bring people into our area and, of course, it will help us out with taxes and God knows, we really need that.

So, I just want to express again that I am totally in favor of the golf course and I hope you folks vote that way tonight. Thank you."

Deputy Supervisor Stark: "Thank you, Phil. Mrs. Hagermiller, why don't you start that way."

Bobby Palmer: "Good evening. My name is Bobby Palmer. My family owns four acres of property definitely adjacent to where this project is supposed to take place. I've been personally involved in my business for 18 years on that piece of property. I'm not longer in business there, but my family does own the property and that's why I'm here tonight.

The people that you're dealing with here, the Colacci (phonetic) family has had a lot of experience in this business. They're not just fly by night people just going in to make a dollar and get out of our area. They've been involved in golf course business for many years and they have a track record, you know, a really great track record in this industry.

As far as the Town is concerned, the Town definitely needs an infusion of a new type of business in here. It's a hurting community. That's why I'm no longer actively in the retail business in Wading River.

The last point I'd like to bring out here is that the last time I was before this Town Board was just 22 years ago. Milton Warner was my next door neighbor on the west side of our property, came before this Board and asked permission to have a riding stable for the community, the children and there were people opposed in the Town to that. I was totally in favor of it and what they did at the time, was they granted Mr. Warner a 60 day permit to operate this riding stable right next to my property. Well, that 60 day thing came and gone and he had that horse stable on for 12 years. Okay. Without any permit, without anything. A lot of happy kids in that community. And not too many people objecting to this. I wish this could take place with this golf course.

And I'm totally for it."

Deputy Supervisor Stark: "Donny and Helga, can you just-- no, that's all right. Just step outside. I'm sorry, sir. You don't have to leave. They were-- people back there were starting to-- "

Bobby Palmer: "I just to close in saying that myself and my family are totally for this golf course and totally behind Mr. Colacci and other people from the Sound View project. Thank you."

Deputy Supervisor Stark: "Yes, ma'am."

Cheryl Hegermiller: "Hi. I'm Cheryl Hegermiller, Dogwood Lane, Wading River. I understand the concerns of the businesses in Wading River. Family-- some of them are family, friends that I've known for a long time. And also being a resident that is directly affected by this golf course. Our back property will be adjacent to the fairway.

As I pointed out I think at probably the first meeting, I've missed a couple of the Public Hearings so I haven't been able to follow through so much, but I'm very concerned because it appears to me that concerns of the residents that were addressed from the very start are still left unanswered, even when different people from the Town have posed these questions to the Town Board members and asked them for answers to research it to different organizations for these answers. Still these questions are unanswered.

If they can't give us the answers-- we are looking to you for answers. I mean, the company wants a decision, the residents want a decision. But how can a decision be made if these questions are still underlying and not answered?

Here we're coming for a vote tonight. How can that vote possibly happen when still these same questions are left unanswered? I don't see how that can happen. You could say, you know, you weren't able to reach them or this and that but this has been going on for a long time and I think the community deserves these questions to be answered."

Deputy Supervisor Stark: "Thank you. Anybody else that would like to be heard at this particular moment? If not, Dean?"

Dean Lewin: "Dean Lewin, Wading River. As probably the individual

with the largest common border with this proposed project, we view it as a trade off and we certainly would like to see the golf course over a lot of individual homes because in our business we do have a problem existing alongside of those homes once they back up against the farm. We can go back, I guess we were the last ones to farm that eastern portion of that (inaudible) farm and that goes back about 30 years ago and-- when the Keys (phonetic) bought it from the (inaudible) family, and we thought it was going to be developed then so we have watched that farm go back nature for 30 years, and it's been an interesting sight, to start with the cedar trees and the white birch and finally now the hardwoods are taking over.

But we feel we've had a 30 year time when there's been no development there and now this trade off has come and we knew it was coming eventually and we stand with a project such as this because it will eliminate the number of homeowners because we have no (inaudible) with anybody that builds next to the farm, they have the (inaudible) with us. And we've been there for many years and I'll have to answer your question there, Vic. We didn't beat up on anybody. We were going to two acre zoning. That was a decision that was made by the Town Board and-- "

Councilman Prusinowski: "Actually we never had a vote. What my point was that the-- you were the property owners, that one of the property owner was directly affected naturally, but the Farm Bureau was here in full force and what my point was that this book that I keep hearing, let's make sure we follow the goals of the Wading River-- and one of the key components of the purpose of the study, and to put a painful moratorium on a lot of businesses who are very upset because people who own properties really made their property valueless, and I voted for a moratorium three different times and I know I went through a lot of pain and suffering. But that key component was left out, and I know when Jimmy and I first got elected, we had that Public Hearing in 1990, we didn't have the overwhelming support from the community and say, hey, please, we had people from the area. Don't get me wrong. I remember Kathy Casey and a few people from the Hamlet Study group came forward, but the Farm Bureau came out in force and naturally you were involved-- because you're property owners, but that's okay."

Dean Lewin: "Actually it was somebody that owned it-- if they owned 20% of the land that was affected and we happened to be that."

Councilman Prusinowski: "Yes, I understand that."

Dean Lewin: "And that's why we filed that petition and the-- being in the community as long as anyone, we resent when these studies are made and we are never asked. And our family has been here as long as anybody, and we've been keeping that space open as long as anybody, and, you know, we could have developed many, many years ago. But we've continued in business, rightly or wrongly, as far as many people in the community are concerned. Because we have people now that built up close to the lines and now we're the bad guys."

Councilman Prusinowski: "Well, that's why we drafted the Farmer's Bill of Rights. That-- we never adopted, but the County has one. All the subsequent Hamlet Studies that are in progress now, do have representation from the Farm Bureau."

Dean Lewin: "We feel we can live with the golf course a lot easier and continue on with our operation longer if that property is developed as a golf course rather than going into individual lots. Thank you."

Deputy Supervisor Stark: "Thank you. No, George."

George Schmelzer: "I thought you said me."

Deputy Supervisor Stark: "George, no, I'm pointing to the gentleman way in the back there."

George Schmelzer: "Sorry. Went over my head, see, should have gone a little lower."

Deputy Supervisor Stark: "I know."

John Cantalmo: "John Cantalmo, Wading River. At the last meeting I asked about the 65 acres that were clearly-- it was clearly indicated that it was to come out of the builder's control and you were to look into that and let me know. It said right in the Resolution that the land would either go to the Town, if the Town didn't want it, it would go to a homeowner's association, period. That was in exchange for the cluster zoning. Rick Hanley said the down-zoning was done. It's part of that cluster zoning, it was already done, it's finished. But with the cluster zoning came the stipulation that 65 acres came out the

builder's control. How do we stand on that right now?"

Deputy Supervisor Stark: "Rick, would you like to answer that question?"

Rick Hanley: "I don't think I ever said that there was a down-zoning on the property. There was a cluster map that was approved by the Planning Board on the property which resulted in an open space area which, the speaker is correct, the Planning Board Resolution that approved that map did refer to that open space area as an area to either be held by a homeowner's association or to be dedicated to the Town Board.

That map was never filed. That map-- the owner of that map never submitted a petition to the Town for accepting the open space. The Town Board has never made a decision on accepting that open space. I think I made the point that a homeowner's association if that map was filed and a HOA was created and they held the property, they could also make a petition for an overlay zone on that property for open space within the forested area.

I think it is important to understand in terms of the Planning Board's Resolution recommending this change of zone, there is a condition and that condition talks about 35% or requires that 35% of the site shall remain undisturbed vegetation. My math tells me that if one were to take 35% of the total site, it would result-- or that area would result in an area greater than the 65 acres of undisturbed open space on the original map.

I think that's the appropriate response to the question and this Board went over that in the work session when we were doing the Resolution."

Deputy Supervisor Stark: "Thank you, Rick."

John Cantalmo: "It's kind of confusing because at the last meeting I was told a cluster development was granted in, I think, 1987 or 1988, to Bill Hines of Miller Bluffs (phonetic). He was the original developer. And they said that's why they could build on less than one acre. So I went to the Planning Department; I looked at all the papers and there's a Resolution by the Town that says the cluster was granted but he did lose control of the 65 acres and that was a Resolution made

by the Town. Can you just take that and throw it away? If he didn't plan to file his maps-- if he never filed his map, then there is no map; then there is no cluster; then it's one acre residential that we're talking about.

So now, the issue before the Town, is the issue before the Town to change the one acre residential to less than one acre? Is that a new proposition? Rick Hanley said at the last meeting no, that was resolved in 1987. Everytime I ask they jump from 1987 to 1995. You can't really pin them down. What is the issue here? Is there a cluster zoning with an agreement to lose 65 acres or is there no zoning? If there's no zoning, what's going on over there? It is still one acre residential then. And if you're going to throw away that whole agreement, then this is a whole new agreement, then there is no question that there should be a new environmental study. Thank you."

Deputy Supervisor Stark: "Thank you. I'm going to take a 10 minute recess and we'll start back up again at 9:00."

Recess

Deputy Supervisor Stark: "All right. Where are we? Sir, do you want to have something to say? Let the record show that the time of 9:03 and the regular Town Board meeting is in session again."

Pete Schemper: "How are you doing? My name is Pete Schemper. I've been a builder in the Town of Riverhead for about five years now and I'd just like to say that I'm all for the golf course. I don't think the People in the Town realize how important it is for something like this to come into the Town, just as far as property values. The people that do golf are a certain class of people that intend to bring a community up instead of down.

As a builder, the biggest thing I find is when I'm selling a home to somebody is the-- the real estate will say to me if they're from another Town, Rocky Point, Miller Place, Shoreham, where in Wading River? Well, it's in Riverhead. Well, no, they don't want that, you know, and I'd say one out of every 10 people will want to be in Riverhead. The other nine don't want to be a part of Riverhead. Me and my brother have talked many times about pulling out of Riverhead saying that, let's move on. Let's get out of there. You know, maybe it's not the Town to make money in. People don't want to be there. Every call

you seem to get, they've just-- the only thing they hear is bad things, nothing seems to be good. I don't think the people in that whole community down in that area realize how something like this could increase the value of their properties. When they go to a real estate and the real estate tells them the property is worth "x" amount of dollars, and they say why, and there's just nothing happening in that whole Township. It's basically dead wood.

Something like this-- I went to the real estate just the past couple of days and said we might have something coming up in Town. Do you know they are building a golf course? I've never seen a real estate, all the agents, be so excited about seeing something happening in this Town. They've always heard negative; nothing's ever positive. All they hear about is shootings and muggings and killings and the school district. They never hear nothing positive. Finally something positive -- you know, people want to do-- these guys want to invest their money in a Town that seems to be nothing but on its way down, and people that live maybe right next to it don't want to see this, but for the Town as a whole, it's the only way that things like this could make it progress to a better place to live. That's all I've got to say. Thanks."

Deputy Supervisor Stark: "Thank you. Carol? Carol, if you would just do me a favor and just flip that thing up and let the door close? Thank you. Appreciate it."

Carol Kemperman: "You're welcome. Hi, my name is Carol Kemperman. I own the Village Crossroads Restaurant in Calverton and I'd just like to go on record saying that I'm for the golf course. I think it's a great idea. I think it will bring taxes, revenue into the area that a lot of business people need as well as homeowners, and I think that it will bring money into the area that's not going to per se live here. And I think the housing is good also for older people and younger people that can't afford homes on their own. So I think it has a lot of good prospects. Thank you."

Deputy Supervisor Stark: "Thank you, Carol. Yes, sir? Steve, why don't you start wandering up next, please?"

Rolph Kestling: "My name is Rolph Kestling. I live at Wading River. First I want to disagree with Mr. Stark about that meeting in 1990 about the upzoning. There were quite a few of us here. And, in fact, I spoke for the two acre zoning. Enough of that."

I notice all the people that are speaking-- "

Deputy Supervisor Stark: "I didn't say anything about the-- "

Councilman Prusinowski: "I did."

Deputy Supervisor Stark: "Mr. Prusinowski did."

Councilman Prusinowski: "No, I did. And you're right, I said there were people."

Rolph Kestling: "Lost my trend."

Deputy Supervisor Stark: "I'm sorry."

Rolph Kestling: "Okay. I notice all the people that speak in favor of the golf course all have vested interests. So it should be. When a golf course was first proposed, I was for it 100%, I thought it was great, everything was fine. And coming to these meetings, another thing comes up, another thing comes up that wasn't discussed, questions are being evaded, I just leave you with one comment. Something is not kosher here. Thank you."

Deputy Supervisor Stark: "Thank you. Steve?"

Steve Haizlip: "Steve Haizlip of Calverton. The first thing I want to discuss here, this Landmark Preservation Commission. They want the Judge Belford Inn to be designated as a landmark. Are they going to pay for the restoration or would it come out of the Town's-- the taxpayers funds? I thought this here property was bought to provide parking and Town rehabilitation for Okeanos, for bigger and better things coming to the Town. Not to have a house sitting there, just look at it and say, that was the Judge Belford Inn. I'm not in favor of that."

I want to bring up quickly the subject of these three hospitals. I heard on the news talking about they want to coordinate. You've got to be aware of the wording."

Councilman Prusinowski: "They want to network."

Steve Haizlip: "Yeah, you've got to be aware of the wording. Because there's one case as of right now that's happening in Calverton"

where the wording that was presented to this Town Board is not working out to what they put here and doing something else. Now this hospital deal, I-- this is just wording to keep fear down among all the people of the three Towns. And, Frank over there knows as well as I do when you take three hospitals, it's like three battalions in the Army and they become a regiment. And then when you make a regiment, you get a director. And then the hospital costs and the services go up to support that guy. So I say be aware of all of this because they are just painting the (inaudible) right now pretty, but they're not giving you the full thing.

This was very commendable tonight with Sonny O'Kula. Now, everybody that I know of that works at that dump I think is decent, good people, honest. But yesterday afternoon, I had to go there to drop some yard waste off, some grass that I thatched up, set my three garbage cans down, went around the corner to drop off some metal waste, come back, they were gone. So I'm going to do a little (inaudible) work here tonight. I'm going to appeal through television for the gentleman who took my three garbage cans, they belong to Steve Haizlip, and I'm the owner to them so, please, bring them back and I hope to have as honest citizens in this Town as you've got honest workers over there at that dump."

Councilman Prusinowski: "That's the second time this has happened. Did our workers take them?"

Steve Haizlip: "No. I said they're honest. I will tell you there was a landscape truck parked there but I (inaudible) its name on it and that gentleman here is (inaudible) in the paper. They're my garbage cans, I'm the owner. And I thank you."

Deputy Supervisor Stark: "Thank you. Bill?"

Bill Roberts: "Bill Roberts, Baiting Hollow. I have here a copy of a report published by the Attorney General of New York."

Councilman Prusinowski: "We have it."

Bill Roberts: "You've got it?"

Councilman Prusinowski: "We all have it."

Bill Roberts: "I know. Some of the people here are not aware of it. Could I just mention-- "

Councilman Prusinowski: "Sure. Sure."

Bill Roberts: "This was issued in 1991, revised in 1994. A total of 107 private and public golf courses in Nassau and Suffolk Counties were surveyed as to how much they use in pesticides per year. This was -- and these were figures for 1987 and those figures naturally are higher than they are now because there's been greater stress put upon protecting groundwater although right now there is no problem with groundwater at this time.

Let's take a-- Hempstead Golf Course, 120 acres, dumped 1400 pounds of pesticides on that 120 acres. Nassau Golf Club, 180 acres, dumped 2400 pounds of pesticide on 180 acres. Eisenhower Park, 300 acres, 1500 pounds of pesticide. And then we come-- I'll mention now the ones in eastern Suffolk. Indian Island, 157 acres, 472 pounds. Sandy Pond, 75 acres, 177 pounds. Sag Harbor-- no, Cedars Golf Club, 27 acres, 15 pounds. Swan Lake, 144 acres, 293 pounds. This would tend to refute some of the alarm stated that the pesticides are contaminating the groundwater. Here it is.

I've been a property owner and resident, I live in Baiting Hollow, for about 30 years, more than 30 years. And during that time, I've got the impression, I'm sure a lot of people have, too, that Wading River seems to be isolated against change and isolated from the real world. It's like they built a Kremlin wall or a Great Wall of China around it to protect it from outsiders and to protect it from progress. Keep everything the way it is. No progress, no change. We have nimbys, not in my back yard. Nimsy's, not in my side yard. Nimfy's, not in my front yard. Opposition has been documented. (inaudible) were applied for and there was a great deal of difficulty in getting them to fruition or some of the projects were abandoned completely because of the opposition.

Warner Adell's (phonetic) shopping center, Parvis Farahzad's coop apartments. The 7-11. The design and the location of the Post Office. The Hess gas station. The high speed ferry and now the Sound View Golf Course. It's been facetiously said, make Wading River a separate village apart from Riverhead, or have it secede and make it part of Brookhaven Town.

I live in Baiting Hollow does not have it's own post office so it uses Calverton. I'm a member of the Calverton Civic Association and I'm a trustee of that association. And if Wading River doesn't want the golf course, we'll swap you one for one. We'll give you the east end recycling, OMNI, and we'll take the golf course."

Deputy Supervisor Stark: "Thank you."

Dean Terchunian: "Good evening. I'm Dean Terchunian of Bear Estates. I'm going to change the subject here for a moment. I'd like to ask the Town Board if any members of the Town Board in the last year have been through Millbrook Gables, the Greens?"

Deputy Supervisor Stark: "Yes."

Dean Terchunian: "Yes. That's nice to hear, Jim. I went through there last Friday. I was a little concerned of going through there, so I didn't take my wife and child. But it was Friday afternoon, about 1:30 and I drove through the place and I started to realize what people were really talking about when they are talking about the Greens and Millbrook Gables.

What's happened to that community is an atrocity to this Town of Riverhead. And things that happen to Gary's son are going to happen again in that place unless we take major corrective action as a community. There are funds available from the federal government called Bloc Grants, through our Community Development Department that we can make changes there. We can clean up that neighborhood. It looks like the dump. Garbage is all over the place. The houses are in disrepair, most of them. There are a few that looked very good. And I feel sorry for those people living there that are trying to keep up their houses.

What I suggest to the Town Board-- what I'd like to suggest tonight is that you have our Community Development Department look into some type of funding where this neighborhood can be cleaned up and make a respectable neighborhood. That the childrens' needs in that neighborhood can be addressed, such as taking that old Ricky's hamburger stand and making a community center so that these kids are not hanging out in that same corner dealing crack. You can do this and I strongly urge you to look down this path. There is a march on April 8th. It would really show the community that you're behind this if we see Board members in that march and maybe one of the speakers at it. Because we need to make

changes. We can't sit back and allow this to continue to happen. Thank you."

Deputy Supervisor Stark: "Thank you. Sid?"

Sid Bail: "Sid Bail, beautiful Wading River, with a very large wall around it. Before-- "

Deputy Supervisor Stark: "Which side?"

Sid Bail: "Excuse me?"

Deputy Supervisor Stark: "Which side of Wading River?"

Sid Bail: "You know which side I'm on, Jim. My heart though is right in the middle. Okay. One concern that I had before you make a vote, this is coming from a Brookhaven Town resident, is whether or not the issue of the intersection of Sound Avenue and 25A in relationship to the golf course, has been clarified. It isn't clear to me whether it has and I think that's a rather relevant issue before you take a vote tonight. Does anyone know whether that's been clarified?"

Deputy Supervisor Stark: "It hasn't been clarified to the extent that the DOT would like to have had the developers bring their road directly north of where they would like to come up from 25. They don't own that property. The DOT is now-- there is a paper road, I guess they refer to, that they are now trying to connect what would be the southerly entrance to the housing-- that clustered area. We just got some correspondence on it. They have basically-- did a design but I think it's basically the same design which you may have seen several years ago. I don't know. I wasn't here so I don't know whether it's the same design or not. I don't know whether Rick could add anything to that, but what they were trying to do was to bring the road from 25A up to and be in continuity with the road going into the development."

Rick Hanley: "When the change of zone environmentals were submitted to the Planning Board, there was an attestation to the impact on traffic that the golf course would have and the conclusion was that the golf course would not have any increased traffic-- motor vehicle traffic on the site than what had originally been proposed with the subdivision. That coming from analysis of the golf course as well as a reduction due to the fact that we have 80 less lots. In terms of the actual inter-

section on the original Draft Impact Statement there was a concern about the intersection of Parker Road and Sound Avenue and 25A. And there was a statement made by the Planning Board that that intersection needed to be realigned or dealt with as a signalized intersection.

Since the Town received the change of zone application, the DOT has gone ahead and begun, as Jim said, a realignment design of that intersection. It will not function as a traditional intersection or signalized intersection but, in fact, will be thru traffic with a turn around to the east. That will allow for traffic not to connect to one another essentially.

I think what's happening in terms of the DOT is that they've submitted a letter to the Town suggesting that they would like the Town to reconsider the location of the driveway or the roadway serving the subdivision to make further to the west in order to align with where they believe is the most appropriate place for an intersection, or the cheapest in terms of their cost for land acquisition. Unfortunately, by the time they got to us, the Town had already accepted a bond and a map roadway layout from the owners of Sound Breeze and that roadway, I believe, maybe Allen could give us a little more information on it, but I believe that roadbed has, in fact, been excavated, the bond has been accepted by this Town Board, and I don't know how much movement there really is in terms of relocating that.

I think it will result in additional costs to the DOT for property acquisition essentially to go ahead with the same design."

Deputy Supervisor Stark: "Thank you."

Councilwoman Gilliam: "Jim, I'd like to add something. Sid, I'd just like to add, in going through the files on this matter, I came across a letter that was dated March 12, 1992, a little over two years ago, from James (inaudible), the Regional Traffic Engineer of New York State DOT.

First paragraph says: We agree, and it's addressed to the Planning Board, Miles Farley (phonetic). We agree that the subject subdivision will have an impact on Route 25A, Sound Avenue intersection. State policy mandates that developers provide mitigating improvements for any decreases in level of service resulting from their traffic. For us to assess this impact, we require six copies of the developer's traffic

impact study for review, and it goes on to say that they want to work in cooperation with the Planning Board.

And then on March 28th, 1995, a letter addressed to James Stark and which I received a copy from the Regional Design Engineer, New York State DOT, that says in essence that: In order to meet our project schedule and provide a timely, safety improvement, we must proceed with our design. In analyzing the cost, environmental impacts, ease of construction, optimum land utilization, and comments received at our meetings, the preferred alternate is to align the connector road along the property dedicated as Fairview Avenue.

This will require the developer to provide compatible alignment for his road. Therefore, since there is no approved permit, we request that you require the developer to accommodate our preferred alignment.

And in terms of the statement about the bond being posted, I had asked about that and I was given a copy of a September 29, 1994, letter from Suffolk County National Bank which indicates that there is a letter of credit that has been provided which expires September 29, 1995, with regard to that roadway."

Sid Bail: "Thank you."

Deputy Supervisor Stark: "Thank you, Sid. Yes, sir?"

Dave Macknee: "Yes, Dave Macknee, I live in Calverton. I wasn't going to speak about the bed and breakfast issue tonight, but Bill brought up a situation about the health and safety. When I put my plans into the Building Department, they were scrupulously gone through. I mean, you know, really they did the right job. They picked out windows that weren't right, anything for the safety and the wellbeing of the people that would stay at the B&B. At that time, I wasn't sure whether it was going to worth my while to financially to make this thing set and then I went to the Health Department and they just put the icing on the cake. The Health Department was like 10 times as stringent as the Town of Hempstead Building Department. They knocked my socks off. So, that should end Bill's worry about any problems because once you get done with the Health Department, you are, you know, it's like over with. Unless you were going to stay like one or two, then they don't get in any problems, you know."

What I came tonight to speak about was not that, but I figured I'd answer Bill because he still has his thing in his head that the people that are coming-- that will come to any bed and breakfast aren't going to be treated properly healthwise and they are not going to be treated properly safety wise. And if anybody knows about, I'll answer his question and I'll tell him that they are going to be treated properly if the people do this thing.

The reason I came here was I'm a little irate about the way the Town handles its business people. I wanted to do a-- not in conjunction -- four or five years ago I wanted to do a-- I'm a farmer, all right. I have a horse farm. Okay. And people admitted that I have a horse riding academy which would be a farm. I would assume. All right. You said I couldn't have a dance because that would be a third issue. Okay. I'm allowed two, I'm not allowed three. Okay. So I took the bed and breakfast and I took what I already have is the riding academy. Okay. Now, you say that the first thing is that everything that's done to the businessman here, the businessman is like, you know, you might as well go, beat your head against that wall over there because you're going to get more sense out of it than it is to come down here. Okay.

Now, I'll tell you what makes me say that. I called up and I really at this point I talked to the Town Attorney and he ensured me that if I was going to do this that I would have to have the State give me a variance to do this. All right. And then I called, yes, don't shake your head yet, I remember, you know, and then I called up the State and I said will you please send me some of the things I need, and we got talking about it and I said, you know, you guys will drive business out of New York. I said you guys are insane. I says, I have a building that I want to reconstruct and make into a nice pretty little building, flower boxes and everything else, and you guys want me to get a variance and put a masonry building up and he said, how big is it? And I said it will be one, maybe two people living it, they work on the farm. They're farm workers. So, he said, well, if that's the case, then you don't need anything from us. So at that point, yes, yes, it has to be over 20 people to be masonry or it has to be three stories high. So I said well, look, I'll call back the Town Attorney. And I called back again and he says no, this is what you have to have. So I called back Ron Pfeister (inaudible), that was the guy's name. So Ron Pfeister, at that point, tells me, look, I'm telling you we don't need this. So I said, well, could I have the Town Attorney call you and you

could talk to him about it. So he says, no. He said, I'll call the Town Attorney. So he calls the Town Attorney and then the Town Attorney called me and said, put my papers in on this thing. So I put my papers back in and meanwhile the drawings, you know, they're not nickel and dime things, you are paying \$1200 bucks, Bill, you know, I mean, I paid \$2400 for these drawings, okay, for the house and inadvertently, more for this-- the other thing that I wanted to do. All right. You can't (inaudible) I understand, until you have plans.

So, what happens with the whole thing, is that now they're telling me I'm not a farm."

Councilman Prusinowski: "Who's they?"

Dave Macknee: "Huh?"

Councilman Prusinowski: "Who's they? The people from the Building Department?"

Dave Macknee: "The people from the Building Department. Am I a farm or am I not a farm? Do you guys want business here? Or you want business here. You seem to be doing a hell of a job with Okeanos. You seem to be doing a real good job with all-- trying to pull all other businesses in here and tourism business because I tell you, you're not going to get any other business but tourism here."

Councilman Prusinowski: "So, she's interpreting your use as not agricultural? Right? The Building Department?"

Dave Macknee: "I don't know how-- "

Councilman Prusinowski: "That's why you called me that one day. I'm sorry I didn't get back to you."

Dave Macknee: "That was my next issue was that I call people and you never get anybody to call you back."

Councilman Prusinowski: "Well, I always try to call you back. I've called you back."

Deputy Supervisor Stark: "Well, I called Jim Stark also. He was on the phone and he was going to be tied up for a while."

Councilman Prusinowski: "I had you on the list to call you back."

Dave Macknee: "And, you know, you have to understand that, you know, without business, you talk about the Green, you know, or the Gables, whatever you want to call, without business in this place, you're not going to have any people to work. There's no work here, all right. What are you going to tell a kid for the summertime, you know, so let's start thinking a little bit about business. Let's start thinking about people like helping business people out and helping them come in here no matter how small they are, without one last thing, I know you have to give me a little more time.

One last thing, is that small business was the engine that drove this economy up this last time, not big business but little business. You better think about your little guys and not so much about your big guys. Thank you."

Deputy Supervisor Stark: "Thank you. Eileen, and then we're going to the Resolutions."

Eileen Drower: "Eileen Drower, Wading River. Several things. First of all, suddenly around the ponds in Wading River two signs have appeared. There's an arrow on it and it says duck crossing. So we're not sure where they came from but if it came from the Town of Riverhead, we thank you. We are also waiting for our benches and our-- "

Deputy Supervisor Stark: "We'll take credit for it."

Eileen Drower: "Yes, I don't know. I don't know if you deserve it but they're certainly there."

Councilman Prusinowski: "Specifically, after the last meeting, I called Charlie Bloss and he did them."

Eileen Drower: "Thank you very much, Vic, and thank Charlie. And Duck Pond Day is coming up, by the way, May 7th. On a more serious note, I'm along with one or two other speakers here tonight, have commented on the Greens, Millbrook Gables, oh dear, what is it? Almost 14 years ago. I had done a lot of work in there when I worked with the Town under the home improvement program through Economic Development, and things were really looking up. We put a lot of dollars in there. People, if we worked on one house and then perhaps the person next door

would apply, and we would help them or at least they would try on their own to fix things up and I made a number of friends in there. I still keep in touch with a few of them. And I'm really appalled at what's happening there, so I, along with the others, urge the Town to do whatever and what everything it can to help in there.

I understand the march is this coming Saturday. I'm sorry to say I cannot be there in person, but I will be there in spirit.

On to another issue. Our dear change of zone. I have several questions on there. Vic, you kept referring to the Hamlet Study thing that it recommends recreational areas and that sort of thing. Why doesn't-- or isn't a golf course built in another one of the three areas that evidently are available in Wading River for this type of thing? I sympathize with-- we have Mr. Lewin, Mr. Fink and Mr. Markaro here still. I sympathize with our businessmen but, of course, too, the Town did pass or approve-- Hess and approve what is it? Reliable or whatever the new garden center which affects the already established businesses there. I know Hess especially has affected Donald Fink."

Councilman Prusinowski: "But they were approved according to the site plan conditions that came about out of the study, like no 24 hour operations."

Eileen Drower: "Yes, I know, but we were against-- we were nimby's again, but we were against Hess from the beginning and, you know, we were thinking about, you know, people like Donald and the other-- "

Councilman Prusinowski: "Well, then that's a good point. I'm glad you said that. Then that means this book has to be changed because if you're against something after the zoning is in place, that means it wasn't properly addressed."

Eileen Drower: "No, we-- "

Councilman Prusinowski: "Because you have to change the zone to change the use."

Eileen Drower: "Well, one of-- "

Councilman Prusinowski: "Like we did tonight."

Eileen Drower: "Vic, one of our concerns is, you're saying change of zone, this overlay. If you give an overlay to one developer, what assurance do we have that you're not going to give an overlay to another developer?"

Councilman Prusinowski: "I guess the disagreement that I have with you on this particular, specifically, I believe it's a better improvement in zoning-- "

Eileen Drower: "Thank the open space than it was originally?"

Councilman Prusinowski: "Well, I don't like residential development and, again, one of the main reasons we did this thing was residential development. I guess that's something that we have a genuine disagreement on."

Eileen Drower: "Yeah, I mean I'm not against a golf course per se. I'm against it in that location."

Councilman Prusinowski: "Okay."

Eileen Drower: "Okay. So I don't know. There's a lot of questions there. I urge you to vote against it until a lot of these questions are answered. And then, with Councilwoman Gilliam, I wanted to clarify on this issue with the DOT. Are you saying the DOT is now in favor of their paper road? I wasn't clear on that."

Councilwoman Gilliam: "That seems to be the gist of the most recent correspondence we received last week and, in fact, they're asking us on the Town Board to require the developer to accommodate that alignment."

Eileen Drower: "Well, good, because the way it was at our meeting with the DOT, we were using our state tax dollars, more of them, for a road that lined up with the entrance to the golf course. And that just didn't seem quite right. And they were saying then they had a paper road. Of course, let me go on record, too, that we would prefer to see lights at that intersection and there are ways of doing it that would be permanent and not swing and would take care of the situation. But now the DOT is saying they are going for the paper road as opposed to the road that they-- the cut through that would be more expensive."

Councilwoman Gilliam: "Right."

Eileen Drower: "Right?"

Councilwoman Gilliam: "I believe that at the meeting we had they indicated they had to do further analysis and in this letter it indicates that in analyzing the cost and the environmental factors and the construction that they've opted for this, the paper road location."

Eileen Drower: "Okay. May we have a copy of that letter?"

Councilwoman Gilliam: "Certainly."

Eileen Drower: "Thank you."

Deputy Supervisor Stark: "Thank you. Let us take up the Resolutions."

Resolution #209

Deputy Supervisor Stark: "Yes."

William Kasperovich: "I've had my hand up all evening. Are you going to ignore me?"

Deputy Supervisor Stark: "I will recognize you right after the Resolutions."

William Kasperovich: "No. I want to talk before the Resolutions."

Deputy Supervisor Stark: "Let us take up the Resolutions."

Deputy Supervisor Stark: "209. Exempt employee salary increase. So moved."

Councilwoman Gilliam: "Chairman Stark. We did have a request. Mr. Kasperovich had raised his hand to address the Board prior to us going into the Resolutions."

Deputy Supervisor Stark: "I didn't see his hand raised. All right. Come on. Bring your tape recorder, too."

William Kasperovich: "The tape recorder is to assure me that I remember what I said and nobody could tell me that I said something different. For the record, William Kasperovich from Wading River.

At the last meeting, Resolution 198 was tabled. This evening you are getting to a Resolution 236 which is a petition from an attorney on behalf of the Sound View Golf, Inc. This is not the same corporation that got the approvals or the many big subdivision. Businesses cannot act one for the other when they are incorporated. They are separate entities. And here in addition to the approval of the zoning overlay also getting Mr. Young to correct the zoning map. All in one fell swoop. The-- in this Township the way the history indicates, zoning is one thing, site plan review is something entirely different. People come to the Town Hall with entirely different mentality. And I say, again, you don't have a proper legal Resolution. The way it's written up, you get into umpity, 16 paragraphs, and then you go further for another nine paragraphs, all of which any law student could tear apart in Court. And I don't know who prepares these and in what manner, but when we are going to destroy our pattern of Hamlet Studies with an overlay that this golf course requires, this is a very serious matter in this Township.

This-- excuse me, I get carried away emotionally because, you know, people come up here and they talk about businesses. People come up here and they talk about recreation and what have you, all in a sense of a good legal mind looking for sympathy. Well, Kasperovich can give you a good sympathy situation. Putting the pin back on the ninth hole in the methpage course, I got seven stitches on the top of my skull. So golfers to me fall in a different category. This-- leaning on other bureaus and agencies for monitoring or investigating or studying is just an easy cop out. It's an easy way out. We cannot tell anybody-- whoever cannot tell any other agency what to do or what not to do. After you permit an installation and to me this Sound View Golf Inc. is a business, it's a business unto itself. The kind of business it's in and what it's doing in their business is not what I'm addressing. It's an incorporated independent entity. And you people are not treating it as a business.

We went into time, effort and money into the Wading River Hamlet study and we are now in time, effort and money in other Hamlet Studies, and this overlay is absolutely wrong. The Hamlet Study was to better the zoning arrangement as it was initially instigated and then revised

and this was to put the Township-- the Board and the Township into a direction that they could say why they're doing this or they're not excluding the residents. So here in Wading River you are excluding the residents because the character of a neighborhood that has homes on one acre lots is different than the character of neighborhoods that houses are on half acre lots. If we make agreements and arrangements, we do set a precedent. An approval of an overlay for this golf course would set a precedent that we can never back out of, certainly in our lifetime and probably for centuries. Thank you."

Deputy Supervisor Stark: "Thank you. Let us take up the resolutions."

Resolution #209

Deputy Supervisor Stark: "Exempt employee salary increase. So moved."

Councilman Prusinowski: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Prusinowski, yes; Stark, yes. Resolution is adopted.

Resolution #210

Councilman Creighton: "This supports the pending Resolution of the Suffolk County Legislature notifying the State of the County's intention to implement a County-Wide E-911 program and Riverhead's participation in it. So moved."

Councilwoman Gilliam: "And seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Prusinowski, yes; Stark, yes. The Resolution is adopted.

Resolution #211

Councilwoman Gilliam: "Accepts the DEIS of Stanley Tanger and

associates. So moved."

Councilman Creighton: "And seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Prusinowski, yes; Stark, yes. The Resolution is adopted.

Resolution #212

Councilman Prusinowski: "Releases bond of Kenneth B. Zahler deposited pursuant to site plan approval. So moved."

Deputy Supervisor Stark: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Prusinowski, yes; Stark, yes. The Resolution is adopted.

Resolution #213

Deputy Supervisor Stark: "Corrects appointment term for Board of Assessment Review member. So moved."

Councilman Prusinowski: "So moved."

Deputy Supervisor Stark: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam?

Councilwoman Gilliam: "In light of my previous vote as to the manner in which the individual was appointed, I continue with a vote of no."

The Vote (Cont'd.): Creighton, yes; Stark, yes; Prusinowski, yes. The Resolution is adopted.

Resolution #214

Councilman Creighton: "This appoints a 90 day temporary stenographer to Police Juvenile Aid Bureau, Patricia Raynor. So moved."

Councilwoman Gilliam: "And seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Prusinowski, yes; Stark, yes. The Resolution is adopted.

Resolution #215

Councilwoman Gilliam: "Approves special permit petition of Harmon Auto Glass. So moved."

Councilman Creighton: "And seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Prusinowski, yes; Stark, yes. The Resolution is adopted.

Resolution #216

Councilman Prusinowski: "Authorizes the Town Clerk to publish notice of Public Hearing regarding special permit - Helen Dris. So moved."

Deputy Supervisor Stark: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Prusinowski, yes; Stark, yes. Resolution is adopted.

Resolution #217

Deputy Supervisor Stark: "Without objection of the Board, we have 217 through 234 which is appointing lifeguards, summer attendants to the summer programs. I would move 217 through 234 with no objection."

Councilman Prusinowski: "I'll second that."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Prusinowski, yes; Stark, yes. The Resolutions are adopted.

Resolution #235

Councilwoman Gilliam: "Appoints summer interns to the Accounting Department. So moved."

Councilman Creighton: "And seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Prusinowski, yes; Stark, yes. The Resolution is adopted.

Resolution #236

Councilman Prusinowski: "Approves change of zone petition of 1994 Sound View Golf, Inc. So moved."

Deputy Supervisor Stark: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam?

Councilwoman Gilliam: "I-- amendment I would like to make-- a motion rather. I'd like to place a motion on the table to table this Resolution. I believe that there are still a number of outstanding issues and questions that have not been resolved and before we go forward on a vote that could change the very fabric and fiber of the Wading River Hamlet and the legal significance of hamlet studies, I would ask the Board to reconsider and address the issues that have been raised tonight and on previous occasions and table the Resolution at this point."

Deputy Supervisor Stark: "Is there a second to table? The motion then fails. Take the motion as moved and seconded."

The Vote: Gilliam?

Councilwoman Gilliam: "I have some very deep concerns about this Resolution and the fact that it is even being acted upon tonight. I think a lot of people have a tendency to leap to the end result in terms of wanting something that's good or wanting something-- a golf course-- or wanting something to help the tax base. But there is a process and procedure that must be adhered to in order to ensure that all issues raised are properly addressed. That all factors are considered, and as stated in the words of the EIS requirements, that there is a hard look at all of the environmental concerns and issues and I am not convinced that the Planning Board has done that.

I don't see from the Planning Board's reasoning as required under statutory law and case law that there's been a reasoned elaboration of why they recommend this change of zone and furthermore, going through the Resolution itself, I-- as Mr. Kasperovich was saying-- a law student could pick out problems with the paragraphs. For the sake of time, I won't go through all the concerns I have with these numbered paragraphs but I think a few of them are important in support of my vote.

Starting off with the very first paragraph it says that by inference the change of zone conforms with the goals of the Hamlet Study. Either it does or it doesn't. Not by inference.

Secondly, there's the issue in the second Resolved clause about the Section 278 of the Town law with regard to the definition of open space. Again, we have no written opinion as to whether this golf course is actually open space. We have a verbal opinion from the Attorney for the Planning Board, but I do not believe that suffices in terms of whether it's open space. If it's going to be a public golf course, then it should be stated in the Resolution that it's a public golf course. And it's not stated as such.

With regard to the third paragraph, it says that the application of the recreational overlay zone will result in a reduction of the total number of residential lots. It's not the application of the recreational zone that's going to reduce the number of homes. It's the clustering and, again, you're mixing land use with density. You're trying to justify a reduction in homes under the guise of a change of zone when, in fact, you're talking about clustering issues.

The fourth paragraph talks about the environmental impacts of the proposed zone change have been identified and that mitigation measures have been identified by the Planning Board. Well, I think with regard to the traffic issue alone, we see that that's still an open issue with the DOT which must be addressed. And that is a mitigation effort as are other environmental issues that have not been addressed in terms of the other studies that are out there and other uses of organic golf courses that are being proposed and other location throughout the state.

The ninth paragraph talks about an integrated golf course management plan. Well, I say where's the specificity as to what is this plan? Who's going to monitor it? These are things that should not be addressed in the site plan after the horse has already gotten out of the barn and we try to push the horse back in. It doesn't make sense to try to come along and try to correct something while we're still in the planning stage. The Planning Board has ample opportunity to make their Resolution as specific and detailed as necessary to ensure that all of the issues are addressed, and they failed to do so.

The eleventh paragraph talks about the intersection of North Country Road and Sound Avenue. Again, based on the most recent letter I've received from the DOT last week, that's still an open issue and actually the State is requiring-- is asking the Town to require that the roadway be aligned with what the DOT is proposing to do.

Now, with regard to the second set of Resolve clauses, the third paragraph states that the recreational use will be limited to development of a golf club as defined, we've now corrected it, I guess, to 108-125. Again, there is no definition of golf course in the Town code. More importantly, it lists a number of uses that can not be used as principal uses. It says nothing about these uses being used as accessory uses. In fact, Section 108-125 of the code states: The following accessory uses shall be allowed by special permit as uses customarily incident to the permitted uses. Health spas, taverns, restaurants and retail stores. There's nothing in this Resolution that precludes any of these uses as being used as an accessory use pursuant to the special permit process.

Lastly, the-- this whole change of zone project is being raised under the guise of a clustering as a justification for doing this. And the section of the Town law that addresses clustering, specifically says in paragraph g, the provisions of this section shall not be deemed

to authorize a change in the permissible use of such lands as provided in the zoning ordinance applicable to such lands. What this is saying is that you can't use a clustering statute to justify a change of zone and that's precisely what's happening here, so I cast my vote of no and I cast it proudly."

The Vote (Cont'd.): Councilman Creighton?

Councilman Creighton: "The Resolution has been around in various forms for well over a month now. We've had a number of different opportunities to (inaudible) it and go from paragraph to paragraph and change it and I'm surprised at this date, that we're still doing it. It's my understanding that this is a change of use application that we are asked to approve tonight, the change of use on the property.

Yet to be considered by the Planning Board and the Town Board is the site plan, which will require extensive detailed review and many of the questions that are being asked actually relate to that. It-- yet to be reviewed and considered is the integrated golf course management plan which I don't think can be criticized because it hasn't been submitted yet. What this Resolution does is require it so that we will have the opportunity to go over in great detail the-- what pesticides will be permitted, what kind of fertilizer program would be allowed, and that sort of thing. And I believe that many of the concerns expressed also directly relate to that which we are not considering tonight or reviewing tonight.

We are merely considering a change of use on this property. With respect to the concern about the Wading River Hamlet Study which I have great respect for and I think everybody on this Board has shown respect for it by being consistent with it for years now. I think the fact is that the recreational overlay district predates in our code the Wading River Hamlet Study and it was understood at that time that it is properly applied to property that meets certain criteria as this property does.

So to say that this is inconsistent violates the Wading River Hamlet Study, simply is not accurate in my judgment. We should remember that the Planning Board, in fact, was the lead agency on this for environmental review and has, I know many of you have seen the exhaustive discussions that we have had over, I believe, three Board meetings now. The agency that did the environmental review on the zone change, the

lead agency, and made the recommendation to approve this, is the Planning Board and they have had similar kinds of extensive discussions and detailed reviews again on whether or not we should change the use on this property.

I also note that the use of nitrogen in this kind of a development has been found and this is documented here to be less than that which would be used in a pure residential layout as was previously approved and this is consistent with both the County and State standards in this respect.

I have mentioned the integrated golf course management plan and I believe that would be a significant document to protect the interests of many of those who have spoken to us about concerns over groundwater and pesticides and that sort of thing.

The studies have also shown that the vehicle load on the highways will, in fact, be equal to or less than was expected if this place was built out in the residential map that was originally approved. Also, with respect to the open space issue, I note that the law as we are interpreting it in this Resolution does define golf course as open space and that, in fact, we are by this change we go from the original 65 acres of non-contiguous open space to 127 acres of contiguous open space. For those who like open space, I think that that's an excellent trade off.

With respect to the concern about accessory use versus primary use, I think it is very significant that we preclude these uses from being principal uses because the accessory use limits dramatically the extent to which these uses can exist on the property. In other words, if there's a golf course, you should have a pro shop that does retail sales of golf equipment and you're not going to have a K-Mart, for example. And there is a clear distinction that is meaningful, at least to me.

It should also be noted that this overlay district is being applied in conjunction with the existing underlying residential zoning. In other words, it doesn't mean that it may be this way forever, in fact, could go back to residential use at some point in time in the future.

Again, we are requiring that the site plan which normally would just go before the Town Board for review, will go back to the Planning

Board for their recommendation to us, the Planning Board having done the extensive-- the environmental review to this point so that what they've learned in their expertise will be used in its review and recommendation to us.

For those reasons, I vote yes."

The Vote (Cont'd.): Councilman Prusinowski?

Councilman Prusinowski: "Yes. I think Frank brought up a lot of the points that need to be addressed. The goal of the plan is to allow -- is to allow for orderly growth and development while preserving and enhancing the quality of life and physical character of the Hamlet. In order to protect the Hamlet, prior to the completion of the study, a moratorium on all development within a designated study area was established in the summer of 1987. The moratorium was re-established in December and ended in June 1988.

There was a price to be paid for this Hamlet Study and the price was that a lot of people's property values were put on hold. But the good things that came out of this study was a plan for Wading River. The question is before me, does this plan conform-- does this project improve and meet the goal that I remember that we wanted to achieve in 1987? And I say it does because the overriding factor if we can go back to 1987, was that we were concerned about the overdevelopment of the Town from residential housing standpoint and the type of business-- commercial business that was threatening us. There were some big shopping center projects that were about to be proposed for Wading River. That was the purpose of the moratorium. A very controversial vote, by the way. Because a lot of people-- because the civic associations liked that vote. I voted for the moratorium, but the business community was horrified by it because it sent out a negative message to the rest of Long Island.

the former Supervisor, Allen Smith, used to say that sometimes in this Town we miss the boat, and timing is everything. And 13 years or 12 years, we're missing the boat. The last two years, we've been doing some extraordinary things and we have not been ruining the environment of this Town. The tax base is the number one issue in this Town. My opinion, based on what I've read and seen here, we'll have the controls in the site plan review. I agree with the gentleman on the pesticides. I saw what Nassau County did today, and I think we can achieve the

integrated plan.

By the way, accessory uses are by special permit of the Town Board which means more public hearings. But based on the fact that since we never did the two acre upzoning and I believe the number one threat to the community is not a golf course, it's the uncontrolled growth of residential housing in this Town which will bankrupt us, unless we balance it off with some commercial base. Nobody wants a jetport, but there has to be some concessions. Even Reverend Coverdale one time, I saw him at a seminar, he told me, he says, in order to achieve something good, we have to compromise sometimes.

The people who live next to the golf course, the Town Board and the Planning Board are going to review the site plan. We're going to take your concerns and make sure that you are fully satisfied. And I know that we can achieve that goal. By reducing the number of homes and increasing the commercial tax base, that's really some of the goals that we had in this study. I vote yes."

The Vote (Cont'd.): Deputy Supervisor Stark, yes. The Resolution is adopted.

Resolution #237

Deputy Supervisor Stark: "Awards bid for the facade and marquee restoration of Suffolk Theatre. So moved."

Councilman Prusinowski: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Prusinowski, yes; Stark, yes. Resolution is adopted.

Resolution #238

Councilman Creighton: "This declares the lead agency and determines significance of action of the Boston Chicken Rotisserie application. So moved."

Councilwoman Gilliam: "And seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Prusinowski, yes; Stark, yes. The Resolution is adopted.

Resolution #239

Councilwoman Gilliam: "Determines environmental significance of special permit petition of Riverhead Oil Products. So moved."

Councilman Creighton: "And seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Prusinowski, yes; Stark, yes. The Resolution is adopted.

Resolution #240

Councilman Prusinowski: "Determines environmental significance of special permit petition of Riverhead Oil Products. So moved."

Deputy Supervisor Stark: "I think we just did that one."

Barbara Grattan: "No, 240 is Recreation, snack vendor."

Councilman Prusinowski: "I'm sorry. Awards bid to snack vendor. So moved."

Deputy Supervisor Stark: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Prusinowski, yes; Stark, yes. Resolution is adopted.

Resolution #241

Deputy Supervisor Stark: "Grants extension of parentage leave of absence to Lauren Kratoville. So moved."

Councilman Prusinowski: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Prusinowski, yes; Stark,
yes. The Resolution is adopted.

Resolution #242

Councilman Creighton: "This releases the 5% bond of Blackman
Plumbing Supply, Inc. for construction of a loading ramp, platform and
canopy. So moved."

Councilwoman Gilliam: "And seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam, yes, Creighton, yes; Prusinowski, yes; Stark,
yes. The Resolution is adopted.

Resolution #243

Councilwoman Gilliam: "General fund budget adjustment. So moved."

Councilman Creighton: "And seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Prusinowski, yes; Stark,
yes. The Resolution is adopted.

Resolution #244

Councilman Prusinowski: "Ambulance equipment fund, budget adjust-
ment. So moved."

Deputy Supervisor Stark: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Prusinowski, yes; Stark,
yes. The Resolution is adopted.

Resolution #245

Deputy Supervisor Stark: "Budget adjustment in the '95 Park Equipment. So moved."

Councilman Prusinowski: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Prusinowski, yes; Stark, yes. The Resolution is adopted.

Resolution #246

Councilman Creighton: "This is a Street Lighting budget adjustment of \$300. So moved."

Councilwoman Gilliam: "And seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Prusinowski, yes; Stark, yes. The Resolution is adopted.

Resolution #246 to pay bills.

Councilman Prusinowski: "What's this one here of authorize Town Clerk to publish and post public notice to consider the-- "

Barbara Grattan: "Well, that's up for you guys to decide."

Councilman Prusinowski: "Oh, that was just-- there's no number on it?"

Barbara Grattan: "No."

Councilman Prusinowski: "Who put this on there?"

Councilman Creighton: "-- for public hearing."

Deputy Supervisor Stark: "That will be Resolution #247?"

Councilman Prusinowski: "Okay."

Barbara Grattan: "Which one is this?"

Councilman Creighton: "This is just a public notice. No it's not public-- it's just a notice, not a hearing."

Deputy Supervisor Stark: "Is there a hearing, Bobby?"

Robert Kozakiewicz: "Public hearing to be held on the 18th of April."

Councilman Creighton: "Okay, sorry."

Barbara Grattan: "Okay?"

Councilman Prusinowski: "I'll move #247."

Deputy Supervisor Stark: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Prusinowski, yes; Stark, Resolution is adopted.

Deputy Supervisor Stark: "Motion to pay the bills?"

Councilman Prusinowski: "Seconded."

Deputy Supervisor Stark: "Moved and seconded."

The Vote: Gilliam, yes; Creighton, yes; Prusinowski, yes; Stark, The Resolution is adopted.

Deputy Supervisor Stark: "Without objection, yes, Dean."

Dean (unidentified): "237. Did the low bid get that? It didn't mention who got it."

Deputy Supervisor Stark: "Yes. Low bid did get it. Without objection, this meeting is adjourned."

Meeting adjourned: 10:12 p.m.

Barbara Grattan
Town Clerk