

Minutes of a Regular Board Meeting held by the Town Board of the Town of Riverhead held at the Wading River Elementary School, Wading River, New York on Tuesday, June 18, 1991 at 7:30 p.m.

Present: Joseph F. Janoski, Supervisor
Victor Prusinowski, Councilman
James Stark, Councilman
Frank Creighton, Councilman

Also Present: Irene J. Pendzick, Town Clerk
Patricia Moore, Town Attorney

Absent: Denise Civiletti, Councilwoman

Supervisor Janoski called the meeting to order at 7:30 p.m. and requested that Ron from the Wading River Boy Scout Troop lead the Pledge of Allegiance.

Supervisor Janoski: "Thank you Ron. It is a pleasure for us to have this Town Board meeting in Wading River. It is more of a pleasure for me because I only live two blocks away. The Town Board and this is the first time in modern history that I can recall that a Town Board meeting has been held in Wading River. We also have one planned for the hamlet of Jamesport which will take place in the month of July. For those of you who are new to the Town Board meetings this will be, I'm sure, entertaining as well as informative. We have on the agenda this evening a public hearing which has attracted some attention and of course the normal course of business. We don't have our name plates with us, I thought that they were on their way up here. So let me introduce the members of the Town Board. To my left is Councilman Vic Prusinowski. To my right Councilman James Stark and on the extreme right Councilman Frank Creighton and I'm Supervisor Joe Janoski.

So we will start the business of this meeting and I hope that you will enjoy and participate. May I have a motion to approve the minutes of a regular Board Meeting held on May 7th and May 21st. 1991."

Councilman Stark: "So moved."

Councilman Creighton: "Seconded."

Supervisor Janoski: "Moved and seconded."

The Vote: Creighton, yes; Stark, yes; Prusinowski, yes;
Janoski, yes. 4 YES 1 ABSENT

Supervisor Janoski: "Reports."

REPORTS:

Police Dept. For month of April, 1991

OPEN BID REPORT - Diesel Fuel & Heating Oil
Bid Date: June 10, 1991

NAME: Agway Energy Products

ADDRESS: Riverhead, NY

BID AMOUNT: .0320¢

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NAME: Quogue Sinclair Fuel

ADDRESS: Hampton Bays, NY

BID AMOUNT: .0724 Exxon Premium Diesel

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NAME: George Rice Fuel Oil Corp.

ADDRESS: Medford, NY

BID AMOUNT: .041

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OPEN BID REPORT - #2 HEATING FUEL OIL
Bid Date: June 10, 1991

NAME: Agway Energy Products

ADDRESS: Riverhead, NY

BID AMOUNT: .0320

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NAME: Riverhead Fuel Oil, Inc.

ADDRESS: Jamesport, NY

BID AMOUNT: 22¢

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NAME: Quogue Sinclair Fuel

ADDRESS: Hampton Bays, NY

BID AMOUNT: .048

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OPEN BID REPORT - HEAVY EQUIPMENT TIRES

Bid Date: June 10, 1991

NAME: Tire Supply Company of Suffolk

ADDRESS: Huntington, NY 11746

BID AMOUNT: Item #1 - \$4,777.00 Item #2 - \$998.90

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NAME: Toce Brothers, Inc.

ADDRESS: Torrington, CT

BID AMOUNT: Item #1 - \$4,100.00 Item # \$1,025.00

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APPLICATIONS:

- Special Permit, Ext. Timothy Hill Children's Ranch
- Special Permit 721 Main Street Corp. (for billiard parlor)
- Special Permit Our Redeemer Lutheran Church for alterations necessary for parochial school
- Site Plan Twomey, Latham, Shea & Kelley (letters in support of their application)

CORRESPONDENCE:

- St. John's School Requesting exemption from Section 62A-9 regarding Bell Jars on Sunday
- Easthampton Town Res. #585 re: L. I. Regional Economic Development Partnership

Supervisor Janoski: "Thank you. The time for the first scheduled public hearing has not yet arrived. I will recognize anyone who wishes to address the Town Board on any subject. Steve."

Steve Haizlip, Calverton: "Age 65 crept up on me so fast that I didn't realize it. Then it came to date and I had to retire. My insurance company found out that I passed age 65 and my wife was coming up on age 65. Darn if they didn't charge me for being aged. I thought age discrimination was against the law. At least it is a federal law. But the State can go ahead and do it. I'd like to read this letter. It's only a couple of little paragraphs."

"This will refer to your previously filed complaint against the Colonial Penn Insurance Company. Please be advised that the five per cent increase in the adult operated classification which is implemented on obtaining age 65 with an annual mileage of six to nine thousand was approved by the Department of Casualty Bureau 6/27/85. So in view of this we are going to retire this case. Thank you. Mr. Lester Bremmer."

It goes to show that the State, which I've always advocated, has their own laws to push onto people and the federal government says no and the EEOC says no, but now the State says yes. So what do you do? You get a lawyer and if you want to fight it, you don't and if you don't you don't and then you are trapped. Thank you for listening to me."

Supervisor Janoski: "Thank you Steve. Is there anyone else? I see a hand. Sherry."

Sherry Johnson, North Fork Environmental Council: "I am representing the North Fork Environmental Council. I have a statement I would like to make. And the subject is on the need for a Calverton Master Plan update. Several years ago Riverhead began a process of updating its twenty year old Master Plan. As a cost saving measure, rather than undertake the process all at once, the update was to be completed piecemeal. Specific areas were to be studied, reviewed and recommendations were to be made, and hopefully adopted regarding future development. As part of this process Riverhead's outlying hamlets were to be studied. With much success Wading River underwent a thorough review and update, the Southwest Quadrant in Jamesport received limited attention. To this date nothing that I'm aware of has ever been done about Aquebogue and Calverton.

Calverton is predominantly zoned for industrial development. Within this classification a wide variety of uses are allowed. This fact, coupled with many regional proposals ---- commercial use of the Navel Weapons Testing Facility, Maglev, electrified train service, a Shoreham high-speed ferry -- being discussed which will, if ever brought to fruition, directly impact Calverton, is of great concern. Concern for the direction that present and future development will take and concern over the earlier failure to adopt recommendations of the Farmland Preservation Plan which called for upzoning and rezoning much of the Calverton hamlet.

Past, present and future development proposals in Calverton include Village Square, Omni Technical Services, Splish Splash, the Survival Games, many residential subdivisions and several industrial complexes. Presently development is steering the planning process. That trend must be reversed before it is too late.

We are here tonight to "scope" yet another major proposal for Calverton. I feel that it is entirely appropriate at this time to remind the Board of the promised studies and to urge you to renew your commitment to update land use plans for the Calverton area.

I have included with this statement a copy of "A Strategy for Completing a Comprehensive Master Plan for the Town of Riverhead" which was written in 1986 by Councilman Pike that I would like to enter into the record. It is a fairly well written outline that I hope you will take the time to review, it discusses basic strategy and goals.

We hope that you will consider our request. Thank you."

Supervisor Janoski: Let the record show that the hour of 7:45 P.M. has arrived and the Town Clerk will please read the notice of public hearing."

P U B L I C H E A R I N G 7:40 P.M.

Town Clerk, Irene J. Pendzick: I have affidavits of publishing and posting of a public hearing to be held at Wading River Elementary School at 7:40 P.M. on Tuesday, June 18, 1991 to hear all interested persons who wish to be heard regarding: A PROPOSED AMENDMENT TO ARTICLE V "PARKING, STOPPING & STANDING" OF CHAPTER 101 OF THE TOWN CODE."

Supervisor Janoski: "Those of you who have not been to Town meetings before I would say that copies of the agenda, what we are doing here tonight are available."

Town Attorney, Patricia Moore: "Good evening. The section of the code that we wish to amend is "Parking, Standing and Stopping". We have recently renamed this from South Service Road to Splish Splash Drive. Splish Splash Drive would be prohibited parking from the intersection with the running parallel of New York State 25, Calverton to east to it's terminus at Splish Splash."

Supervisor Janoski: "Thank you. Is there anyone present wishing to address the Town Board on this proposed amendment to Article V, Section 101-10.1, Standing and Stopping. George."

George Schmelzer: "Do I understand you correctly that you are going to prohibit parking on this Splish Splash Road?"

Supervisor Janoski: "Yes."

George Schmelzer: "Suppose someone wants to visit a house for any reason whatever. There's a car in the driveway already. What are you supposed to do? Drive up on the guys grass?"

Supervisor Janoski: "I think that the people who own those three homes are supportive of this measure. Their driveways can accommodate more than one car and if they wish to oppose----this is really done in their interest."

George Schmelzer: "It doesn't make sense. Suppose they have a house party?"

Supervisor Janoski: "George do you live there? We are not permitting it we are prohibiting it."

George Schmelzer: "It doesn't make sense. Why don't you prohibit anybody parking there from going to Splish Splash and walking there? Maybe it would make more sense."

Supervisor Janoski: "George, if the people who live in those three homes, and they are well aware of this, are opposed to it they will be here or they will contact us to let us know their opposition. The Board is actually acting in their behalf so that they don't have cars, who are going to Splish Splash, parking on their street, blocking their houses. That's the intent. In their interest."

George Schmelzer: "Wouldn't it be better to make it that anyone going to Splish Splash must park in the Splish Splash parking lot."

Supervisor Janoski: "I don't know how you do that George."

George Schmelzer: "I think you are going to run into problems in the future. Maybe they don't realize it."

Supervisor Janoski: "Once again, George, all I can say is that we are acting in the interest of the property owners on Splish Splash Drive and if they have any objection, I'm sure we will hear from them."

George Schmelzer: "It doesn't bother me. Thank you."

Supervisor Janoski: "Is there anyone else present wishing to address the proposed amendment? That being the case and without objection-----Steve."

Steve Haizlip: "If I understand it, the meeting is about not having parking on Splish Splash Drive. I would like to size up why I don't think there should be any parking on that stretch of road from 25 all the way down. It's a safety factor. When cars start to load up all the way from the entrance to 25 and all of these people with little children have to walk in there they present a danger, because I was at Mr. Yakaboski's house Saturday and I'm watching some of these cars and they are doing a pretty good clip up and down that road. I believe that the next thing that is going to have to take place is some kind of control on speeds. I don't care if it has to go down to speed bumps, because some of them was doing a good clip. But I feel that the management of this Water Theme Park, when they hired those architects, engineers and draftsmen and all those people to do this job and they drew up those parking lots to maintain and control the number of cars that are coming in there and the personnel that they can handle at one time. I feel that all the cars should be inside of the compound and in the parking field for the safety of the people which will be under the security

that this corporation employs. They cannot control people's security outside. They are on their own. I say there shouldn't be any parking for that reason. Thank you very much."

Supervisor Janoski: "Is there anyone else wishing to address the Town Board on this change in the parking. That being the case and without objections I declare the hearing to be closed."

Let the record show that the hour of 7:55 P.M. has arrived and the Town Clerk will please read the notice of public hearing."

P U B L I C H E A R I N G 7:45 P.M.

Town Clerk, Irene J. Pendzick: "I have affidavits of publishing and posting of a public notice for a scoping hearing to be held at Wading River Elementary School at 7:45 P.M. on Tuesday, June 18, 1991 to hear all interested persons who wish to be heard regarding: THE RELEVANT ENVIRONMENTAL IMPACTS ASSOCIATED WITH THE PROPOSED CALVERTON COMPOST FACILITY LOCATED ON THE WEST SIDE OF EDWARDS AVENUE, CALVERTON."

Supervisor Janoski: "Thank you. Let me before we begin this public hearing state the purpose. This is called a Scoping Hearing. It is part of the requirements as set forth in the New York State Environmental Law. The SEQRA process. State Environmental Quality Review Act. The purpose of this hearing is to give the public the opportunity to identify concerns or issues that they feel should be addressed in the Environmental Impact Statement. The applicant will have to produce a document which is called the Environmental Impact Statement in which they will address the environmental concerns such as traffic, how they are going to mitigate those environmental concerns. We are not yet in the process at the point where this is a public hearing on a Special Permit. That is in the far distant future. This hearing is not for the purpose of expressing your opposition or your support of the proposal. It is a hearing to identify those concerns which you feel should be addressed in the Environmental Impact Statement. And that's the draft form and then there are hearings that have to take place after that concerning the document to make sure that everyone is satisfied that each item has been addressed adequately."

In hearings the Town Board adheres to a rule that each individual has five minutes to speak. In a public hearing format we recognize everyone who wants to speak and who has not yet spoken. After everyone who wishes to speak has spoken then people who wish to return to add something can do so. It is our practice also to allow the applicant to set forth his proposal so that everyone understands what is being proposed and have something on which to base their comments. I will recognize Mr. John McNulty for that purpose."

John McNulty, Attorney for Calverton Compost: "Thank you Mr. Supervisor. Mr. Janoski and Members of the Board. I want to give a thumbnail sketch of Calverton Composting Corporation and its proposal. I have here with me Mr. George Desmaris a professional engineer from H2M group and I have Mr. Terry Williams from engineering department of Bedminster Bio-Conversion Corporation.

Calverton Composting Corporation was formed by several attorneys. We have investigated and contacted some of the leading experts in waste management. We think that we have the best technology in the field. The Bedminster Plant has been operating since 1972. It's the longest running composting plant in the western hemisphere. The technology is insurable by Lloyds of London and the Hartford Steam Boiler Insurance Company which means that the technology will work and they will insure any financial institution that the technology will work. Before we backed this project and invested in this project, we were in our concern that the plant not be a nuisance or an eye sore or emit noxious odors.

The engineers will address the question of odors, because I understand that that happens to be a topic which should be addressed in the Environmental Impact Statement. I have learned from the investigation that in composting odors are produced when anerobic methods are used, such as the use of static piles or towers. If the composting material is in constant motion as in our digesters and in the royal trough system then no odors are produced. Moreover this entire project will be under one roof. The system has been in operation. They have worked out all the problems including odor problems and that's why we selected that system.

There is another reason why we selected the system and that is because it will convert both solid waste or garbage and sludge into compost. In 1991 under the D.E.C. regulations no M.S.W. or municipal solid waste is permitted to be placed in any landfill in the State of New York and the eastern towns are engaged in litigation with the D.E.C. at the present time. In 1992 no sludge from a municipal treatment plant may be placed in any landfill in the State of New York. As a side note I wish to note that the Town of Southold have a viable solution. They have a composting solution which the voters rejected and it's my understanding from the information that I have that just recently the D.E.C. imposed a \$850,000.00 fine on them plus a thousand dollars a day. Apparently the D.E.C. is going to be rough on the people on the East End of the Island. Not that I agree with that, but I point that out as a fact that we do have to attend to the problems of not only the municipal solid waste, but we will have to address the problem of sludge in the foreseeable future; a scant six months away. I learned through my investigation that the sludge is not what I thought it was. That it is a highly liquid product that is 95 or 96% water. We propose to use the waste water from the Riverhead Municipal Treatment Plant in the composting facility. The water will provide the moisture that is necessary and the solids will provide the nitrogen. As far as the type of plant that we have, the engineers will speak to that, but

I attended a meeting with the Department of Environmental Conservation and some of the substance of it was that come 1992 the garbage will not be permitted to be placed in the landfill. The sludge will not be permitted to be placed in the landfill, but the compost which we process from garbage and from sludge will have the pathogens removed and will qualify to be placed in the landfill either dumped in the landfill or as a cap to close off the landfill. We do not propose to place the compost in the landfill. I just point that out that the quality this plant produces will meet the standards for dumping in the landfill. I don't want to go into all the other technical ramifications. I'll leave that to the engineers if I may turn this over to Mr. George Desmaris. Thank you gentlemen."

George Desmaris, H2M: "Mr. Supervisor, Members of the Town Board. I'll try to be brief. I just want to talk on the project site; the specifics of the technology and composting in general.

What this project is proposed to be is a 400 ton per day municipal solid waste and co-composting plan. By co-composting we mean municipal solid waste, not infectious waste, not hazardous waste, not industrial waste. The sewage sludge that we plan to use is from municipal sewage treatment plants which the sewage sludge has already been digested. We have to go through an extensive testing program for this sludge to be accepted first by D.E.C. to be used in our co-composting project. That testing requires over a six month period for heavy metals for p.c.b's, for pesticides. So during the permitting process which our firm has been hired to do for Calverton Composting, we will have to prove to the D.E.C. that the sludge is of good enough quality and to be able to accept into the plant. As John mentioned, the sludge is 95% water and 5% solids that we are going to be using.

The project site itself is a thirty acre site on the west side of Edwards Avenue about halfway between Route 25 and the Long Island Expressway. Of the thirty acres there are nine acres that are wooded, which we plant to leave wooded. There are the other 21 acres which is going to be nine acres of buildings. The other 12 acres will be landscaped and used as buffer between the surrounding areas and would be used as access roads and roadways. The entire composting project will be carried out under roofs and within enclosed buildings to minimize any chance of odors escaping the buildings.

What we will also be doing is in the tipping---I'll go through the process first. We've got a tipping floor will be receiving in the garbage from municipalities. We plan on bidding for contracts for the East End, for Riverhead and all the other East End towns in the Town of Brookhaven to bring in the municipal solid waste into the facility. There will be an excess of garbage on the East End and in Brookhaven. Brookhaven is probably going to have 500 tons a day available that they will be looking for a solution to their disposal problems. The four East End towns, not including Easthampton which seems to be working towards their own solution. The four East End towns of Riverhead, Southold, Shelter Island, Southampton and we anticipate that we will have about 250 tons a day of garbage. So right there you are

looking at about 750 tons a day available on the East End. Our plant will be designed for 400 tons a day of garbage, municipal solid waste to be coming in. We will be receiving the garbage on the tipping floor and in an enclosed building. From there we will be going through a rotating drum which is the basis of our proposal. It is a Uison Technology developed back in the 1970's by Eric Davidson. Bedmister Bio-Conversion out of Hattenfield, New Jersey is marketing the technology in the United States. There are currently ten operating municipal solid waste co-composting projects in the United States right now. Of those ten facilities three utilize this Uison Rotating Drum as their main processing technology. After the Uison Drum that we will be processing the garbage in, we will be going through a series of screens and magnets to remove the ferrous materials. From that point we will be going to an aeration chambers where the composting material will be mechanically turned by agitators. As John mentioned that is the key to the whole process. To make sure that you've got aeration and sufficient oxygen in the project so that the project doesn't go anaerobic. The other two things you have to do is maintain the moisture in the garbage and that is the reason for using the sludge is to monitor and add moisture to the process and the other key ingredient in composting is the temperature factor. You've got to monitor the temperature in there. These are all spelled out in the D.E.C. regulations which we will have to adhere by an operational permit once we get further down on the line by the project. After the aeration channels we will be going out into an aeration building where we will be adding air on a negative and positive basis to make sure that we are still adding air throughout the whole process that will be another 21 days and then we are providing compost storage area within an enclosed building for another 28 days. So the whole process from the tipping floor through the end of the compost storage area will probably take about three months in total. Before we go to the compost storage area we will have a final screening operation to make sure we get out anything else that has been left shards of plastic, metal, any kind of glass from there will be going to a fine screen to make sure that the compost product that is in the storage bins, before it goes out to final market, will be of an acceptable quality to meet the D.E.C. standards that we can produce a Class I compost.

I'm going to unveil the artist sketch over here and it may be a little bit tough for everyone to see out there, but afterwards we are going to leave some brochures up here from the manufacturers of the drum technology that the people can take a look at if they have any specific questions on or the artist rendering itself.

As I mentioned before the site is up on Edwards Avenue, north of the Pine Barrens management zone. So it is outside of the jurisdiction of the Suffolk County Pine Barrens Management Zone. The project itself is located in a deepflow recharge area as identified by the Long Island 201 - 208 programs. The exhaust air from the tipping building which we feel that if there are going to be any odors that's where the odors are going to be emanating from the garbage that is dumped from the carters in the

towns will be dumped in on the tipping building. We will be using that exhaust air to provide aeration to the further processes on down the line in the aeration tunnels. So we will take the air from the tipping building, we will exhaust it and use it as a supply air to processes further down the line so therefore we will be going through compost material there. There are three different processes after the tipping building. Any excess exhaust air will then go to a soil odor compost filter and then it will be exhausted to the atmosphere there. So we really have two sets of odor control that we feel has been used before and will be applicable to this project.

As I mentioned before, the sludge is used as a moisture source so there will be zero discharge to any kind of ground water out in the area itself. We do not anticipate discharging any kind of leechate from the facility. There will be zero discharge to the ground water on the site itself.

As I mentioned too we are going to have 9 acres of wooded property, 9 acres of buildings and the other 12 will be for the landscaped area, the berms and the access roads.

That's about the extent of my talk. I'll leave the information up here for anybody that is interested. I thank you for your attention and I'll turn it over to the Town Board."

Supervisor Janoski: "Thank you. When this public hearing has concluded perhaps you could take the easel and the rendering and put it out in the corridor for those who might want to take a good close look at it.

We will now recognize members of the audience and this gentlemen up front here."

Lou Williamson, Edwards Ave., Calverton: "The engineer answered a lot of my questions. My comments mainly, I think, are to the responsibility of the Board to recognize that these statements must be followed through. There must be no discharge. The Temick that we've been living with and I'm sure that we are all aware of that. Temick which has been a problem to many has just about abated in my area. We don't need a new start on problems, because that water from this facility will be going into the Peconic. You'll be dealing with it downtown eventually if there is any problem. I'm sure you are all aware of the fuel spillage plume over at the Air Base back in the forties and they are still dealing with that in Westhampton and Quogue. It's not cheap. There is no good answer. I don't think you are unaware of the problems. I don't think the engineers are. But the responsibility is one of the highest decisions you can make. If you ruin our water, where do you go from here? You can't drink that salt.

I'll give a copy of my comments to the Clerk."

Supervisor Janoski: "Thank you sir. Yes sir."

Rolph Kessling, No. Wading River Road: "I just want to ask you gentlemen and people in the audience. When I looked at that picture, how many people remember Jamesport. It was sold to us as

a deep water port. The RIVERHEAD NEWS, beautiful pictures, warehouses. A lot of money has to come into Riverhead. And we all know what happened to that. It became a sand and gravel operation and then all of a sudden after that we didn't pay anymore and they abandoned everything, the equipment and walked out. I hope the Town considers s t r o n g safeguards so this does not have to happen again. Thank you."

Supervisor Janoski: "Thank you. I should have mentioned this at the beginning of the hearing. The Town when it receives an application such as this one, no matter what it happens to be, starts a process. It is a process which is set out in law. In this case we are subject to the State Environmental Quality Review Act. So that this scoping hearing takes place. The Town must accept applications and go through this process. And what I wanted to say is the Town is neither for nor against this proposal. They have come forward with an application. We are doing our job by going through a process which is required by law. So please, and a lot of people I think assume this, that when the Town Board is doing something we are in favor of it. We are promoting it. That is not the case. Mr. Amper."

Richard Amper, L.I. Pine Barrens Society: "It is not clear whether or not this facility will meet the solid waste needs of the Town of Riverhead or the East End Towns; it is not yet clear. It would be very, very valuable if the Town Board in the course of the scoping this made certain that they understood exactly what this technology is applied to. This specific location. Our problem is that even when Riverhead undertakes something that is intended to improve our environmental problems and our solid waste management problems here, they sometimes do it in a wrong way. One of the concerns that we have here and it was not actually adequately addressed by the applicant which needs to be addressed in the Final Environmental Impact Statement for certain, is the concern that this particular facility with all of the substances with which it deals and all of the concerns and the testing that will have to be undertaken in order to insure that no contaminants in fact are end resulted into the system. With all of that the applicant has chosen to site this in what is known under State Law as a Special Ground Water Protection Area. They have avoided the Pine Barrens by a little less than a half a mile or there about, but beyond that we have what appears to be proceeding to do and what has to be very, very thoroughly evaluated is the fact that we are putting this in hydrogeologic zone 3 for those of you, or those in the audience that are not familiar with that, that is the area in which the greatest quantities of the purest drinking water left on Long Island are found. It seems to us like a fairly bad place to put any waste disposal system.

So the fact that it is in hydrogeologic zone 3 and the fact that this is situated in one of nine special ground water protection areas designated for no industrial or heavy commercial use even to be considered. It seems that we might very, very well might want to consider other alternative locations to be outside

the zone.

Our concern is for public health. Our concern is for drinking water. One of the gentlemen that spoke tonight said that it is not something that we can easily fix. The applicant explained the effectiveness of the technology, that the technology works is in fact guaranteed and insurable by the Lloyds of London. I'd be interested to know if the Lloyd's of London is prepared to underwrite the special ground water protection area or the quality of our drinking water in the aquifer and insure that. I think they might have a hard time getting that type of insurance. We are very concerned about the ground water situation and we think that with there locations in Riverhead that the Town work well with the applicant to determine where that should be situated.

One of the problems that we routinely face and I really would love to get passed it and we seem not to be able to do that. What we find regularly is that neither the public nor the applicant is served when we mis-site projects. Our concern here is that if this cannot be built because it is in a special groundwater protection area then the future capacity of Riverhead and the other East End Towns to resolve the solid waste problem is being compromised. The way to solve this, we believe, in addition to considering an alternative site, is to in fact do what we have been asking the Town to do for sometime and that is to conduct a Generic Environmental Impact Statement. A cumulative assessment of all that is going on in this special groundwater protection area. The planning that Sherry Johnson talked about in the earlier portion is exactly what is needed here. We can't look at this one project in isolation as though we were building just one compost facility. In fact if that compost facility and another compost facility in the same special groundwater protection area and 236 other projects currently proposed before Riverhead, Brookhaven and Southampton Towns would do very, very serious damage to the special groundwater protection area. All of those projects situated in S.T.P.A.'s and none of them currently moving forward. So before this one does we would ask you to consider possibly relocating this in the interest of time and public safety and even the applicants future. Consider putting it in a different location and also consider moving ahead so that Riverhead can have the plan that will allow them to know precisely what we can afford to put and precisely what area. Thank you."

Supervisor Janoski: "Thank you. Once again it was not the Town Board or the Town Government of the Town of Riverhead which selected the site. That was the applicant's decision and at no time did they invite the Town Government to be involved in that site selection. Mr. Schulman."

William Schulman: "I hope, Mr. Janoski, that I'm in order with the comments that I'm going to make. I never met Mr. Amper before in my life. But I would like to glean things that I believe are legitimate.

I own a 82 1/2 acre piece which is contiguous to and just

south of the piece of Calverton Composting Corporation is attempting to make into a garbage composting operation. It is an amazing thing to me that on that line that separates our two pieces of property is probably a fraction of an inch. And the piece of property that I have, as Mr. Amper pointed out, and I'm not sure of the technical terms, that there is a difference in the type of water recharge or discharge or whatever it is that has some direct bearing on what would happen if this operation would be put in my piece of property as against this piece of property which is a fraction of an inch north of my property line. I really can't see that either God or whoever it was was responsible for saying here's where this stops and here's where this stops.

But I would like to bring to the attention of the Board several facts and I'll try to be brief. Approximately four years ago a group came to me and decided that they would like to build a Lifecare Center in Riverhead. At that time there were various studies that were made. The studies were made and brought out the fact that it would be a very, very desirable operation in a desirable area as far as they were concerned. For approximately three years they went through many procedures. This group and myself spent hundreds of thousands of dollars in trying to get this operation off the ground. As a matter of fact, there were various members of the Board and there were various staff people who wanted to know what a Lifecare Center consisted of. These people moved out to an installation in Pennsylvania, just outside of Philadelphia and were amazed of what good this operation or a set up of this type was doing regarding the senior citizens not only of the Town of Riverhead, but the neighboring communities. They encouraged that we proceed with this very expensive situation. Several things happened during this period. There were various environmental problems that were established and it was necessary to undertake that these environmental problems would be solved. The people who sponsored it, including myself, recognized that these problems would have to be overcome and they were overcome. The area in the southern portion came under the Wild and Scenic Rivers in the recreation zone. Finally after several years some of them due to various areas which were controlled, which were attacked by certain people, by certain organizations, these people who had developed and spent huge amounts of money, hundreds upon hundreds of thousands of dollars in addition to my money, of hundreds, and hundreds of thousands of dollars; they finally became wary. In 1987 we selected and developed and presented to the Town Board a plan which showed that that southern area which was a critical environmental area would not be used for the building of any of the houses or the waste treatment plant and we proposed and submitted a plan which showed that half of the property 40 acres below this in the half mile zone, half mile limit from the Peconic River that this would have a nine hole small golf course. The people that we spoke to at the Town, both on the Board and on the staff all thought this was a great idea. The people who had received this information at the D.E.C. expressed themselves as thinking this was a great idea. They researched the fact that there were no grasses that

were out and that in fact the property which is now being farmed for many, many years, that the chemicals and the water and the pollution, everything would be aided by the fact that a golf course would now be done. When we saw that this was over, I as owner of the property, decided what could be peruse to do with this property. We went to the Town, we went to the D.E.C., we went to the staff people and in all cases we received encouragement and I will even say to the degree that they were willing to advise us we received assistance. They told us that if you do it this way it's going to be great. On that basis we proceeded and I engaged landplanners, engineers, attorneys and we have a gone a great deal of the way in getting this golf course to be built. This golf course was to be built for the fact that this would offer an additional area of recreation to the people in the Town of Riverhead and the people in the neighboring communities.

Now I contend, I've looked into it and I've asked questions. Can a golf course contiguous with a garbage composting operation be compatible? Everybody has said to me that I've asked, there is no way and I am a golfer who has been playing for forty years and be it I'm still a hacker, I can tell you that nobody, but nobody would be willing to play golf on a golf course where a contiguous piece of property and the amount of traffic that will be built on Edwards Avenue where we have frontage of approximate 1500 feet on Edwards Avenue. This property is right at the norther tip of our property. Nobody will be able to play, nobody will be able to stand whatever the odors are. I don't care what these gentlemen say about containing these odors indoors. I'm not unfamiliar with this type, I've investigated it. There are odors. Even is there aren't many odors indoors there are odors outdoors when these huge garbage trucks roll off the L.I.E., come on Exit 71 and go approximately a mile. If they come up there, there is going to be dripping, there is going to be all kinds of smells. There is going to be a lot of noise. And when you play golf gentlemen, if you have noise you can't get good balls. So this is going to be a disaster.

And I have to say to the Town Board and I recognize, Mr. Janoski, what you said is one hundred percent correct. That if an application is made it is within your requirements that you accept the application and permit it to go through a normal process. But I am what they call between a rock and a hard place. Because I've put a fortune of money into this property, in the securing of this property and in trying to get a recreational facility. And I remember saying to you, Mr. Janoski, would you be in favor of an additional recreational facility for the good of the people, the citizens of Riverhead? And you said to me, Mr. Schulman, I certainly think it would be a great benefit. On that basis recognizing you as a Supervisor, recognizing you as a person that has a degree of authority in this Town, I've gone through with it. I've got a landplanner in here and I've just signed a contract with him. Where there are hundreds of thousands of dollars I paid. These plans are four years old. These plans just didn't come about when Calverton Composting decided to do this job.

And I say to you that it will be a disaster if this approval is made. We substitute a garbage facility, especially in view of the fact that there already is a garbage facility that this Board has approved, and it is not garbage from Riverhead. It is garbage from all over. Some comments were made which I take from verbatim in the papers, "that there is plenty of garbage around there that we can handle". There is no problem with Omni. There is no problem with Calverton. And maybe there can be other garbage facilities. I say to you gentlemen you have to tell it to me and I don't know whether it is legal or moral or whatever. But before I continue to spend another hundreds of thousands of dollars and to build a small course. We will be starting with nine holes and eventually have eighteen holes which will be a fine course for the people in this area. You've got to tell it to me. I don't want to spend two million dollars and a year or two later after this course is open find out that now we've got garbage trucks running up and down the road and Bill Schulman has buried four to five million dollars. I think I'm entitled to that. Thank you very much."

Supervisor Janoski: "Thank you."

George Berloddi, Beach Road, W. River: "A big problem here is the matter of transportation. The many trucks that are going to be going back and forth are definitely going to be a big problem. And particularly now, which I never knew before, they are going to use sludge from the waste from the Sewage Disposal Plant in Riverhead."

Supervisor Janoski: "That is their proposal. The Town of Riverhead is not suggesting-----"

George Berloddi: "I know, I know. I'm not-----" (not distinguishable)

Supervisor Janoski: "We have not agreed to give them our sludge."

George Berloddi: "You want to give it to them because you don't know what to do with it now, do you?"

Supervisor Janoski: "Well it seems to be disappearing."

George Berloddi: "They are offering you an alternative to get rid of it. But the problem is how are they going to transport it? By pipeline or is it going to be by trucks. You know as well as I do they're heavy trucks with that water. They are going to destroy 25 and Edwards Avenue and the roads that lead to it and that's a big problem. Thank you."

Supervisor Janoski: "Thank you. Yes, sir."

Leonard DeLalio, President of DeLalio Sod Farms: "I want to tell you a little bit about us. We converted to sod production in

Western Suffolk about thirty two years ago and then moved eastward into the Riverhead area. Since then our farm has grown to over 450 acres of the land that we own in Riverhead, 125 of which is on Edwards Avenue. We rent an additional 750 acres in the Riverhead area. With all this land we have a tremendous investment of millions of dollars of land and buildings and machinery. Some of the best land we own is on Edwards Avenue. We purchased land on Edwards Avenue for two reasons. One was because it was zoned light industrial which we need for our farm operation and the second was that it was close to the Expressway. We have spent lots of money in this whole operation. We have almost 50,000 feet of buildings located on the Edwards Avenue facility and it has become our prime location for the distribution of sod and the future growth of our farms.

We employ over sixty people of which thirty five are from the Riverhead area. The activity of our workers and our business contributes immensely to the local economy. This investment in Riverhead that is made by our farms remains in Riverhead. Between taxes and rent, payroll and goods purchased it runs into millions of dollars per year. Maybe don't know the extent of the twelve, fourteen, fifteen, sixteen hundred acres of grass and the amount of dollars that flows into the area because of this and the amount of money that remains here in Riverhead.

Edwards Avenue, I believe, is the gateway to the Riverhead industrial future. It should be guarded very carefully. The immediate gains for tax revenues will look very small compared to the damage this proposed compost facility will create down the road ten to twenty years from now. It is almost impossible and it seldom happens when areas such as Edwards Avenue have been brought back to A1 industrial commercial area after it has been marred in the mud by probably the most obnoxious and I would say the most poorly conceived use of land. We have beautiful agricultural land all around us. We hope to maintain that atmosphere as long as we can. We've spent a lot of money doing this. We hope it works forever.

As for the product, so called fertilizer, that will be developed from this compost. DeLalio Sod Farms has been approached many times by outside processing companies as well as by cities on the Eastern Seaboard and they would all like to dispose of their so called fertilizers. Now some of these people come from Washington, Maryland, recently the City of New York, there is a company in, I think, Garden City that would be happy to bring in tons and tons of this stuff to anyplace on Long Island. They don't know what to do with it. It would have to be trucked away in my judgement. We don't want it. We don't want it. We were contacted because we were a producer of nonfood agriculture product and we just had to say no, no, no, please we do not want this product here. It may be contaminated with heavy metals, viruses or whatever. We can't afford to take this chance. Perhaps we would want to go back to food production someday. You know I can remember, quite a few years ago WWII, all sod farms were converted back into food production. We hope we don't have to see such a thing again. But these are all possibilities that we would in no way be tried and would we allow these products to

be used on our farms. No way. I don't know how it could be approached down the road fifteen, twenty years from now, they find some new kind of a virus or something. You know heavy metal affects plants as well as people and I think that this composting plant would be manufacturing a product that cannot be used. I don't know what they are going to do with this product after it is built. Perhaps they will tell us where it is going to go. I don't know who wants it. It has no purpose. It would have to be trucked away. I think we ought not start something that we don't know how to finish. What we have is a manufacturing plant of some product that has no use in this area.

I would hope that the Board would look negatively upon this kind of use of land. And with that I want to thank you for your time and Mr. Allen Smith is my attorney and he would answer any of the technical issues that come up. Thank you again."

Supervisor Janoski: "Thank you. The statement of Mr. DeLalio certainly provides some information for the representatives of the applicant to take out and to identify as issues that should be addressed in the environmental impact statement. We are not at a point where the Town Board is considering yes or no on this project. This is not a public hearing on a special permit. It is a scoping hearing. What issues you feel those professional people over there should in the preparation of their environmental impact statement address and explain as to how they are going to mitigate or control. Mr. DeLalio I think identified an number of issues. The traffic, the impact on ground water from heavy metals. How will they contain heavy metals? Is there going to be a way of testing the product to determine if heavy metals are present? But his concluding statement was asking us to find negatively on this and we are not even considering that. I saw a number of hands. Yes sir."

Ted Stone, River Road, east of Edwards Ave.: "I am downhill, downstream and downwind of this location. There are some aspects that were not addressed, at least I do not know if they have been addressed. First is that all transport in and out of this location will most likely involve coming down the Expressway, crossing the Peconic River and traveling up to the plant. Any spills will go directly into the Peconic River unless extraordinary precautions are taken.

Secondly, as it was mentioned before, there is a good possibility of spills especially the liquid waste on the facility. What precautions are being taken to prevent these spills from either entering the ground water or traveling as surface water along the road?

Thirdly, we are using the sewage sludge. This highly liquid material which is biologically active. Since it has passed through the human system, it contains human bacteria, human viruses, disease viruses. What precautions are being taken to prevent the release of aerosols or particulate matter into the air?

The building is there and we are told it is a containment building. Is there what is called a negative pressure system on

that building to prevent any accidental leakage of inside air to the outside air and is that necessary?

The traffic is obviously going to be a problem. I would state this. We have a problem. We have to solve it. We all produce it everyday. Our garbage and our waste products. We've got a real problem and we've got to solve it in some useful way. It is not going to go away because we don't want it. But I don't want to get us hurt by the attempts to do it. Thank you."

Supervisor Janoski: "Thank you."

Cole Hayes, President of Design Properties: "I represent Mr. Bill Schulman on his property. I think many of the issues have been addressed already specifically. However, there are a few that haven't been touched on.

In particular I feel that the economic impact of this development has to be thoroughly analyzed as to how it relates to the surrounding land, the devaluation of the land, the land values, the taxes. This facility will generate, obviously, a lot of taxes, but the impact on the surrounding land use may reduce those taxes by tenfold.

More importantly I think there are such significant issues that affect not just Riverhead, but all the surrounding towns, because supposedly they are going to be contributing and trucking garbage to this town. I think it is imperative that the Town or D.E.C. require that a generic impact statement be compared as well to address all these surrounding issues.

Archeology is another issue that is very important. This is a sensitive area. We've had to do it on our site and archeological finds do extend up that swale on the western portion of the property. Thank you very much."

Supervisor Janoski: "Thank you. Mr. Kasperovich."

William Kasperovich, Wading River: "I don't think you gentlemen fully appreciate the severity of the decision that confronts you. Not too many months ago I followed a garbage truck for the length of half of Main Street all the way down Roanoke Avenue past several police cars, past several cars with Town emblems and they went all the way to the dump. No, backtracking I found that this was not clear water, it had a fish smell. And that's a long way. Now where is the surveillance? Where's the care? Where's the concern? It just wasn't there. I came to the Town Hall and the only person I found here was our esteemed passed Councilman Lombardi and he sent out a warning letter to the people. All of the carters that use the Riverhead township.

We all lean on the D.E.C. We all lean on other agencies to see that this plant might be built properly. But they are not that knowledgeable nor are they that concerned that this should protect the future.

I heard the word odor used many times. But my main concern for a project of this sort is airborne bacteria and viruses. And I haven't seen any indication on the buildings or the equipment to show that this will be a sealed process or that this will be a

blanketed process. This will emit airborne matter. It not only concerns Riverhead township, but an area miles around it. Having had the experience of seeing what airborne chemical fumes can cover and in what period of time and how it can linger, I'm concerned more than the people that live in this general area. I think that should be one of the two major concerns.

Now the contamination of the water I feel has been adequately covered. I'll go on record to say that I do not believe this to be a good location for this type of installation. There are areas that are less threatening that could be used. All the money in the world, and all the businesses and all the material concerns won't make a tinkers dam if we bring in a disease from this installation. Riverhead will just go down the sewer drain. This is how serious this project is. I was serious the concern is. I think you people that you people that are going to be faced with decisions have to reach out for your own choice of consultants, bacteriologists and people in the medical world that think beyond our lifetime. Thank you."

Supervisor Janoski: "Thank you Bill."

Carol Kemperman, Riley Ave., Calverton: "Good evening Joe and Members of the Town Board. I would like to just say that I understand that Edwards Avenue is zoned light industry and a special permit is needed for this use. I also understand that the Omni project which has already received an approval for a Special Permit has entered into a contract with the three eastern towns and Brookhaven Town to accept 500 tons of garbage per day from those towns."

Supervisor Janoski: "That's news to me."

Carol Kemperman: "Okay. I was just looking at this resolution. I don't know where it came from, but from the Town of Riverhead. Resolution #295."

Supervisor Janoski: "Is that a request for proposals?"

Carol Kemperman: "Yes."

Supervisor Janoski: "That is a request exactly for proposals to suggest as to how garbage might be handled. And as a result of that Riverhead might enter into a contract with someone. I can't speak for the other eastern towns, but we have not entered into any contract."

Carol Kemperman: "But if Omni does, that's 500 tons of garbage and if Calverton Compost comes into the picture that's another 750 tons of garbage per day that they propose to accept."

Supervisor Janoski: "Carol I picked that up in other testimony and I think that I can say on behalf of the Town Board there will not be more than one facility and that facility will address the needs of the Town of Riverhead."

Carol Kemperman: "So then we can be assured that if this facility or any facility goes on line it won't accept western garbage? Because if we are accepting over 500 or plus another 750 tons of garbage per day we are talking about traffic with garbage trucks that would, if my math is correct, one garbage truck every four minutes to bring that amount of garbage into the town. And even if the facility doesn't smell, the garbage trucks will. And from 8 to 5, or however long they are going to stay open passing my business they won't be able to sit outside and eat or maybe we will have to airsail it and sit inside to eat. But even I don't object that people should have the right to do what they want with their land, but I think it should compliment the other businesses in the area also. So as much as I feel for these people having a right to do what they want I think they should also be made to comply with the area the way the other businesses that are there and in the past we have had to comply with the area. And also that, I don't know if the environmental impact statement addresses economic or generic."

Councilman Vic Prusinowski: "That's why we are here tonight."

Carol Kemperman: "Okay. So then if it does that answers my question. Even though Lloyds of London is going to insure them it doesn't take away the cancer once it's there so a million dollars isn't worth somebody's health."

Councilman Prusinowski: "Carol we are here tonight to get that type of testimony so that they can prepare a report that addresses your concerns. So when you are for the record what you are saying is you would like them to investigate whether or not the trucks driving by Edwards Avenue are going to affect your other businesses in the area and if it is going to be compatible. Riverhead has made no commitment to anybody."

Carol Kemperman: "I realize that, but if I don't say that I don't know if you are going to ask them to do that. So that's why I'm bringing it up."

That's really all I have to say. I think the area is beautiful and it should stay that way."

Supervisor Janoski: "Thank you Carol. Henry."

Henry Pfeiffer, Wading River: "I think in the scoping process one of the things that you will be addressing or it may have been addressed----"

Supervisor Janoski: "Nothing has been addressed yet. We are here to identify those issues which should be addressed. Nothing has been written. Nothing has been prepared. We will of course suggest many of the things that you are suggesting such as traffic, such as odors, etc. But this is your opportunity to say they had better write and address this issue which I'm raising because I'm concerned about it. Nothing has been done thus far."

Henry Pfeiffer: "That is the point I want to make. The issue that I would like to have addressed is how many days a week are they going to operate? How many hours a day are they going to operate? How long does it take to process a truck? At what time must they end if they are going to cease operation at 5 p.m.? Do they have to knock off at 3 p.m. in order to take care of the last truck etc.? This is the issue that I think has not been touched upon here yet and I hope that you will."

Supervisor Janoski: "Good stuff Henry. Good stuff. Yes sir."

Andy McDowell, President of McDowell Electric Corp., Calverton: "I've been in business on Edwards Avenue for 23 years and I'm in the electrical construction business. I want to go on record here tonight objecting to this project do to the fact that the area is finally beginning to take shape and there are some very nice businesses coming into the area. I think they are going to be a tremendous problem. The traffic with the odors, the water pollution and I totally object to this whole project."

Supervisor Janoski: "Thank you. Yes sir."

Burton Hygom, Baiting Hollow: "I have a couple of questions that I would like answered. Number one. Is he is talking about taking in 400 tons of garbage a day, storing it for three months? That's some 360,000 tons of garbage. That's a lot of garbage to store. I think that should be addressed.

The second thing that should be addressed is where is it coming from? Omni has a permit. Whether they go ahead or not, I don't know. But they have a permit. They are going to be taking in 500 tons a day. Brookhaven right now is in contract with Hempstead to take 500 tons a day. They have an excess of two. Riverhead has approximately 100 ton. Southold, we'll say has 100 ton, Shelter Island maybe ten. Easthampton is going on their own. Southampton has its own landfill okay for the next two or three years. Where's this garbage coming from? I think that should be addressed. Thank you."

Supervisor Janoski: "Thank you. Sherry."

Sherry Johnson, North Fork Environmental Council: "I am going to read into the record the entire statement that I have because these are the issues that we are concerned about and we would like them addressed.

First we have PROJECT PURPOSE, NEED AND BENEFITS. The D.E.I.S. should include a discussion of the public need for this action and the benefits that it will provide. The objectives of the applicant should be detailed. Riverhead's Solid Waste Management Plan should be discussed.

Design, layout and methods of operation, including hours of operation, detailed description of the process to be used and proposed sources of raw (garbage and sludge) materials should be described. The D.E.I.S. should indicate where all the resulting

components, the compost itself, any recyclables and non-recyclables will end up. The D.E.I.S. should discuss ALL proposed composting facilities including those planned by East End towns, Brookhaven Town and by private corporations.

GROUNDWATER - The D.E.I.S. should fully discuss existing water quality on-site, the depth to groundwater contours on-site as measured, not estimated, direction of groundwater flow and the proximity of the groundwater divide to this site. The D.E.I.S. should include a general discussion on the actions, previously taken or being taken, by all governmental agencies in regard to protecting groundwater. This should include a discussion of the special Groundwater Protection Area study and its proposed recommendations for non-degradation and land use and the Department of Environmental Conservation's Long Island Groundwater Management Program recommendations for this site. The discussion should also include a list of actions taken by Riverhead to rezone or upzone for groundwater protection. Point and non-point sources of pollution and their control should be discussed. All consumptive uses of water should be discussed. Federal designation of Long Island's aquifer system as a sole source aquifer should be discussed. Suffolk County Sanitary Health Code Article 7, and all other Sanitary Health Codes that apply to this project should be discussed and compliance with them should be described.

The E.A.F. indicated that the site was served by public utilities. This, in fact, is not true. The D.E.I.S. should fully discuss the area's dependence on private wells. This should include an analysis of the cost of bringing down public water should contamination occur.

Additionally, the D.E.I.S. should discuss the cumulative impacts on groundwater that this project would have with any and all proposed development in the area.

SURFACE WATER - The D.E.I.S. should fully discuss the wetlands on-site. They should be delineated by the D.E.C. The hydrological connection relating to these wetlands and groundwater should be discussed as well as their hydrological connection to other wetlands and Canoe Lake to the south of this site. The connection of this wetland system to the Peconic River and Peconic Estuary should be fully discussed. The watershed of the Peconic River should be outlined and all efforts focused on protecting and preserving it should be listed including: designation of the Pine Barrens Maritime Reserve; inclusion in the National Estuary Program study area, the state's Wild, Scenic and Recreational Rivers Act and county acquisition programs including the 1986 Open Space program and the Clean Drinking Water Protection Program. Further, the D.E.I.S. should discuss the proposed county acquisition of Canoe Lake. Water quality in the wetlands should be determined and the possibility of nutrients entering the wetlands from both sewage and runoff should be discussed and controls described. A complete wetlands inventory should be completed by a qualified consultant. It should be determined if, in addition to areas just to the south, the Endangered Eastern Tiger Salamander also uses these wetlands for breeding and, therefore may also utilize upland areas on this

site.

WILDLIFE - List local and migratory species that may utilize this site. Describe their breeding and habitat requirements. Discuss potential permanent and short-term displacement.

AGRICULTURAL RESOURCES - The D.E.I.S. should fully discuss Riverhead's Plan for the Preservation of Farmland and its recommendations for this site. Soil types found on the site and recommendations regarding soil conservation should be discussed. Current use as agricultural land should be discussed.

ARCHEOLOGICAL RESOURCES - A complete archeological review of this site should be undertaken considering its proximity to freshwater wetlands and the Peconic River.

1973 MASTER PLAN - The D.E.I.S. should discuss the identification in the 1973 Master Plan of the swale on the west end of the site as an "Environmental Protection Area". Protection for this portion of the site should be discussed.

TRAFFIC - A complete traffic analysis should be completed for Edwards Avenue, River Road, Riley Avenue and Route 25. The D.E.I.S. should include a discussion on the cumulative impacts of traffic projected for other development projects including residential subdivisions, Splish Splash and Omni Technical Services. Widening Edwards Avenue should be discussed.

NOISE AND ODORS - Noise and odors that may be associated with the project should be discussed in detail. The D.E.I.S. should describe how they will be controlled.

ALTERNATIVES - The D.E.I.S. should discuss alternative locations for this project. The NO ACTION alternative should also be discussed.

Mr. Schulman was up here earlier and he indicated that your advice carries great weight. The N.F.E.C. would urge you that if you do have strong feelings on the propriety of a site of this locating here that you would make them known to this applicant before he goes forward and as Mr. Schulman complained expends large sums of money needlessly. Thank you."

Supervisor Janoski: "Sherry I just have to say that in an early, early conversation with the representative of this applicant I did express exactly those thoughts. But the application goes ahead anyhow. And we must go through this process."

Sherry Johnson: "I realize that. Thank you very much."

Supervisor Janoski: "Thank you Sherry. If you could think of something else that has to be addressed, Mr. Benedict."

Dick Benedict, Fanning Blvd., Riverhead: "Maybe I can suggest one thing that hasn't been mentioned. This project will be boarded on the east by farms, north by farms and still some farms to the south of this I believe. What I wanted to discuss is the fumes from the truck wanting to get into that place. What effect that has on farmland or the Canoe Lake or the river on foggy mornings when these fumes are drifting around putting oil

slicks on top of the waters. If they are going to be bringing them in there at the rate of one every four minutes, they are going to be loitering for awhile. There are diesel fumes, there are gas fumes. They are going to go somewhere. I know there is not much vegetation going along the Expressways, there is not much Upstate at the Thruway toll tunnels. So maybe the river and the two lakes that are very near could get oil on top of them. Thank you."

Supervisor Janoski: "Thank you. Allen."

Allen Smith, Esq.: "Gentlemen, I represent two clients this evening. Mr. Leonard DeLalio who has spoken and Splish and Adventureland. Both have authorized me to appear and raise issues on their behalf. I presented to the Clerk for distribution to you a letter outlining about what I am to say. I call it to your attention there.

A Position Paper that was published by Richard T. McGuire, Commissioner of the Department of Agriculture and Markets and relates to the siting of facilities such as that which is proposed and before you. And this Position Paper is directed specifically to Town Boards such as yours. It considers such projects. The issue identified, by Mr. McGuire's paper is the siting of such facilities in an agricultural area and the effect that such facilities may have upon agriculture in the area.

On behalf of my clients I ask that the draft environmental impact statement address the issue of the effect of the facility on the agricultural industry as outlined by the Commissioners position.

I call to the Boards attention a particular rule adopted by the Department of Environmental Conservation. This particular rule sited in my memorandum to you prohibits the issuance of a permit for the operation of such facilities where soil groups "1" and "2" are present. There is an exemption in that prohibition for composting facilities. Composting facilities are defined as involving "Organic constituents." The soils on the site that you have under examination are within the protected groups. The proposed facility does not qualify under the exemption in that involves inorganic materials. We ask that the inorganic components of the proposed use be identified and that the applicant demonstrate, if the applicant can, that somehow they can get around this particular prohibition of the rules of the Department of Environmental Conservation. This might be an issue that would be addressed early on in that if it cannot be cleared everything else that has been said this evening is moot.

There are several case law decisions now relative to the State Environmental Quality Review Act process that state that the effects of the proposed use on the neighborhood are appropriate matters to be discussed in the Draft Environmental Impact Statement. We submit that the proposed use is different from the neighborhood as they currently exist and that we ask that the D.E.I.S. address the effect of the proposed use on the existing uses as they exist in the neighborhood.

The site under consideration is within an non-attainment

area as the same relates to air quality defined by the Environmental Protection Agency and the New York State D.E.C. We ask that all elements of air borne pollutants be identified. The means of treatment be identified and the degree of compliance with air quality standards to be maintained will be specified.

My research on this particular topic indicates that there are several codes which require a closure plan for such facilities such as that which is proposed. We ask that the closure plan as it will be proposed to the regulatory agencies be set forth in the Draft Environmental Impact Statement. Further, we ask that any bonds, indemnities, insurance policies guaranteeing performance of the closure plan be set forth.

Mr. DeLalio has stated his reputation and opinion with reference to the compost product that is to be generated here. What he did not say is that he has conducted informal inquiries with other farmers involved with food and nonfood production in the area. He has advised me that many of them are of the same opinion as he relative to the application of such materials on their cropland. My clients asked that the volume and composition of the end line compost be identified. The users of this compost and the location of where the compost will be applied should also be identified. To the degree that volume exceeds volume of production of the end line product exceeds the demand for a compost, the disposition and cost of disposition. Those such end line products should be addressed.

My client Splish Splash is a tourist oriented enterprise and they have invested heavily in a public relations effort to attract people to the area. The focus of that effort has been to identify Riverhead as a tourist area. The Draft Environmental Impact Statement should address the effects of siting the proposed use, a garbage dump, on this advertising campaign and the image of the community as a recreational area. This issue should also be addressed as has been inferred by the people from the restaurant as to the visual aspects, odors, etc. attendant to the trucks transporting the garbage in and out of the facilities.

Implicit in a facility of this size and scope are economic assumptions that make the project viable or not viable. We ask that the Draft Environmental Impact Statement address the following issues: How many tons of waste are required to be delivered to the facility? This is an economics question. It is not a hope. We are not saying we want 400 tons. We may get a hundred. We want to know how many tons are necessary to keep this thing afloat? What is the source of this flow? How can the flow be guaranteed? What will be the tipping fee per ton? What will the sales price per ton for the compost? What will be the cost for disposal of surplus compost not sold? Where will the surplus compost be disposed of? What will be the cost of disposal any diverted waste flow during shut down periods? In other words if you have guaranteed to accept a particular tonnage a day, you have septic, what are you going to do with it for that day? Will the proposed facility be economically feasible if the Omni Technical Service facility is constructed? In other words what I'm saying is that there are certain economic assumptions and I'm not sure if they are justified in this particular instance.

Conversely there are certain biological assumptions that are related to such a facility. It is necessary to have a certain composition of waste. It is necessary to have a certain flow of waste.

All the questions that I addressed to the Board just now with reference to economics also relate to the biology of the project. The biology, the volume, what happens when it shuts down, etc. should be addressed in terms of the biology as well as the economics.

I thank you for the opportunity. I look forward to reading their statement."

Supervisor Janoski: "Thank you Allen. Is there anyone else remaining who would like to address the Town Board on this matter? Yes sir."

Ken Tuthill, Edwards Ave., Calverton: "I would like to address a few issues that have been raised here tonight. First of all I don't know if Calverton Composting Corporation has the technology to run a composting operation. Even Mr. McNulty does not know if Calverton Composting Corporation has the technology to run a composting operation. In his opening statement he has said I think we have the technology necessary for a composting operation. Mr. Desmaris got up and spoke and in his speech he said that in-house they will contain most of the odors. What I would like to know is what happens to the rest of those odors? Do they float over towards Splish Splash? A corporation that has spent over seven million dollars as written up in the paper for their operation to bring it into the town as a recreation purpose? Will it float over to households? These are the other odors which they cannot address in any type of an Environmental Impact Statement.

I challenge the figures that they gave for the East End towns as far as the tonnage being able to be provided to sustain these composting operations. At the Omni hearing which was held in the Town Hall. Even Omni questioned if the East End towns would be able to provide enough tonnage to keep their operation going and operating.

I think at this time we have a right to ask for a disclosure as to who are the stock owners of this corporation and I think that is important to bring out. I would like to know who the people are behind the corporation. I would also like to know if the petitions we have circulated; how much weight they will carry within the Town and the Town Board itself? You have the citizens speaking out. It is the voice of the people. And you're in place to honor that voice.

Now when you go into a different type of operation you have people in Islip for a different operation crying about a foul smell. At this point this is an outdoor operation entirely different from what this operation is proposed to be. But by the same token it's too late to cry foul after the operation is in place. Now they have mentioned that they have three rotating drum process plants and they are copying this process. I would also like to know where those other plants are and if there are any

similar operations to the one being proposed? They mentioned a Bethmeister Plant which uses the Roiter system. I would like to know where that particular facility is? I think that should be addressed because we can take information from those townships, complaints and problems that they have had with this type of operation.

I think it is time for the people to speak out. I've been through this on Omni. They spend twenty five hundred to three thousand dollars to have a beautiful artist rendition, drawing which "wows" the people and everybody sits here and just looks at that and that is all they see and they come to the Town Board and they ask they to consider questions, consider this and consider that. I think it's time that we say that the voice of the Calverton residents and also the Riverhead community at large are requesting that you deny any special use permit if they should come to your Board, and at that time I think that the voice of the people should be heard and respected. Thank you."

Supervisor Janoski: "Thank you. Gordon."

Gordon Danby, Sound Road, Wading River: "All techniques for garbage are experimental and I guess including the one that we've always had. And I think that one has to start from that premise of you know better than me. The D.E.C. is no help. They've passed laws, but they don't give any technical input. You're going to have a dilemma eventually independent of this process tonight with garbage. I think composting should be tried. It is an experiment. But I'm overwhelmed by the scale of this experiment. It seems to me that perhaps the economics of scale can be looked at. Perhaps part of Riverhead's garbage can be processed at the garbage dump or some site you pick with these people participating if they can disperse this thing. But you don't want this monster thing, because once it gets going, as you are well aware, you'll have all these other towns involved and the State and if we here collectively decide it has a fundamental bug you're going to have one hell of a time stopping it.

So I'm not opposed to composting, but this is not the way to try and untry the process. Even if we have to pay for it ourselves. Times are tough, but this is too much. Thank you."

Supervisor Janoski: "Thank you Gordon. Mr. Cuddy."

Charles Cuddy, Esq.: "I represent both Mr. and Mrs. Schulman and I also represent Karlin Farms which is somewhat to the north of this project.

I would like to make a few comments. I think the speakers have cumulatively sited most things that I would say, but I think I'd like the Board legally to address several issues.

One. You can address need in this circumstance. Where you usually cannot do that in a special permit. I think need is absolutely important, because Mr. McNulty and the other speakers earlier tonight ignored Omni. You can't ignore Omni on the fact the Town has approved the Omni application. Need in this case becomes absolutely and fundamentally important, because it is

really a question where this garbage is going to come from. We now know that they expect to get some 400 tons of garbage. We know the East End doesn't produce 400 tons of garbage. Not at least for Omni and for Calverton Composting. So I submit to you that need is an important thing to address here and I think that need alone may deter this application.

I would also point out to you that there is going to be obviously a traffic problem if the garbage is coming from the west. And not just a traffic problem, but I'm going to site to you what I think is the SEQRA criteria which is impairment of community character. And the reason I say that is if you have trucks continuously running down the Expressway, garbage trucks, Riverhead is going to be thought of as the garbage capital. That's a wrong type of character for Riverhead to have.

I'd like also to address some factual concerns that have come to me tonight. Looking at this building. That building according to the application is three hundred and ninety thousand square feet. That's ten acres of building. I'd like to know what goes on inside. I'd like them to address what goes on outside. I'd like to know where the garbage is stored. I think they should tell us the hours they work and they should tell us the days they work. Seven days a week, six days. Those things are important to the community around. Again we are talking about impairment of community values.

I would point out to you and I'm somewhat suspicious of the divergence in the applications. These people, the Calverton people, say that for their processing initially are going to use thirteen people. Omni which is just a little bit more of a facility is using 70 people. That doesn't make sense. It talked about 13 per hour trips as a maximum. Omni with virtually the same type of facility is talking 30 trips. So I'm suspicious about the statistics they give to us.

I believe and I think that this Board should be aware, the last speaker also has addressed this, that this is somewhat experimental. As far as I know there are two, they say three sites, that have this particular digester. I think they should be able to tell the Board where. I think that if they are really going to invest in it somebody on the Board should have the opportunity to see it in action. I think that's an economic concern they have to address.

For Mr. Schulman, for Karlin Farms and others I believe and I think environmentally this says it - that one is enough and it really is. Thank you."

Supervisor Janoski: "Thank you. George."

George Chester, Wading River: "The problem I foresee is the loading where the garbage is going to come in. The garbagemen aren't going to come in 24 hours a day. You're not going to load 400 tons steadily. You're going to have an accumulation of trucks, garbage, all picking up whatever the time be it from ten o'clock on or say the further distant ones coming at four so therefore the plant is going to be running all kinds of hours to produce this kind of tonnage that they are talking about. In

other words it can produce 400 tons, but that's a continuous flow. When they are going to jam the flow, when will the hours be? Thank you."

Supervisor Janoski: "Thank you George. Way in the back there."

John Sendlewski, River Road, Calverton: "I just wanted to point out that this building is decomposing material all the time which produces flammable gas. What kind of a fire hazard would that be? Also what would happen to the building if it were abandoned? Who would clean it up? Who would be responsible? What would happen to the building afterwards? It would just be open space. Then we could put a school in there. Thank you."

Supervisor Janoski: "Thank you. Steve."

Steve Haizlip, Calverton: "I want to go back to the year of 1963. I think young Kenny Tuthill here was about 13 years old at the time. There was a neighbor to the north who owned this land at the time. The gentleman is long gone. But he was dabbling in some fish for fertilizer on the garden. When the guys from River Road were downwind, that downwind emitted the odors of the fish out on the open ground laying there; it was terrible. It was very bad. So I had to go speak to the gentleman. Awhile I spoke to him he did take action to stop the odors and at the same time the family members thanked me for doing it. Of course they were putting up with it too. What I'm leading up to here is if that plant comes in there and starts transmitting odors downwind and emitting pollutants in the air or whatever type they may be I'm going up there and I'm going to ask them the same thing. To stop the odors. If I don't get any action the police are going to be called and you're going to hear from me downtown. Which I don't bother you. I never do because the neighborhood is quiet, it's peaceful, it's green and it's really scenic. It's nice. I just hate to have this come along and spoil it."

I'd like to bring up also if a number of trucks are waiting to get in there and if they are diesel, gasoline or a combination they will be probably idling, because it doesn't make sense to the drivers to cut off, pull up; cut off, pull up, etc. so they just sit there and let it go. And then downwind you'll be getting that. In a sense we will have a mini Los Angeles. Because if they want to do 400 tons, I believe they said or 500, if they want to do that much and as Mr. Cuddy says I don't believe that type of garbage is going to be produced and supply Omni too in these townships. It's going to be coming from somewhere in the west, New York City, upstate Pennsylvania and what have you.

The last thing I worked pretty hard to try to get Edwards Avenue shaped up and after so many years I finally got it shaped up. Well not only myself, but other people too. And it is beautiful now. I don't want to see trucks coming in there and tearing it up after it took so much effort to get it. So I appreciate you're listening to me and thank you."

Supervisor Janoski: "Thank you Steve. Way in the back there. I hope that the members of the audience are starting to realize that we are starting to become repetitive."

Dan (indistinguishable), Calverton: "I moved here in 1984. I grew up in a town in the hamlet of Brookhaven. I don't want to see happen to this area what happened in the Brookhaven hamlet. The water is bad. The air is bad. I am totally against this project. Thank you."

Supervisor Janoski: "Let me reiterate. Awhile I can appreciate your comments as to being opposed to the project. Really saying that in this forum has absolutely no value whatsoever except to have us hear it. We are taking a record so that we will know what you think should be addressed in the environmental impact statement. This gentlemen with the green."

Dave Kratz, Benjamin St., Wading River: "If I don't have anything that you have heard before. I don't speak for the Grumman Corporation. I want to go on record. I'm a test pilot at Calverton. I fly in an out. I make the noise, thank you. Just as maybe the applicants would look as to how this would affect the other industries I don't see towers or anything, but there could be obstructions planned. I envision that this is pretty close to the runway 32 our most active runway to the northeast. These emissions, steam, what have you. It hard enough to try in bring an airplane in there without having to try to avoid anything in the area as nice as it is. Thank you."

Supervisor Janoski: "It is very nice to meet the guy who I see fly around. Mrs. Miloski."

Ann Miloski, Calverton: "I'd like to say that I'm against this project for the same reason that I was against the Omni project. And for the same reason we got 500 petitions against the Omni project and that still was approved by the Town Board. And I think at this time listening to the people in Calverton I feel that maybe this is a good time for you to have a Hamlet Study and have the people of Calverton let you know what we would like to do with our property and the surrounding property. So that we can live in a nice clean environment and not live with garbage. Thank you."

Supervisor Janoski; "Mr. Schulman I will not recognize you until everyone who wants to speak has spoken. George did you get in on this one yet."

George Schmelzer, Calverton: "This trouble all started with the crazy landfill law imposed upon us. So in short time we are trying to get something to solve it. I've heard earlier, I think Mr. McNulty said, it's been in use possibly in Texas somewhere for the last twenty years. So somebody should go down there and check it and see how it works out. We've got to have something and competition is better. What's better than competition if we

have one that's in the works already maybe they can name their price. This one as proposed is a little bit different system. Maybe it's better. We can find out. Let's have both of them competing, if we don't the alternative is you pay a hundred dollars a ton and more to get it hauled away. It's good to be in Riverhead. We have an additional tax base. So what if it comes from other towns. I received a letter a couple of weeks ago that accused this outfit of importing garbage for profit. Well down the road a ways they were selling imported oil for years for profit. Nothing wrong with that. Isn't very comparable. Nobody said, 'Oh the damn oil is going to blow up and burn the whole town'. It's gone now anyhow. But I believe this is a very good idea. It should be approved and I don't think any farmer should object to it. A lot of farmers are getting tax reductions and who is going to make up for it the homeowners? Let some industry like this make up for it. We need it badly. I hope it goes through. It might have some bugs in it, but it will be solved."

Supervisor Janoski: "Thank you George. It is clear to me that this public hearing is turning into a contest and that we are starting to bring up subjects which really have no bearing in the purpose of this public hearing. I know that a T.V. camera to some people is very attractive. I don't know if that is motivating some of the appearances. I know that George likes to watch himself on Channel 25.

Let me just reiterate just one more time. This is a scoping hearing to identify those issues which the applicants in the preparation of the environmental impact statement should address. This is not the hearing in which you express your opposition, your support; it is for that reason only. Petitions are gathered. If the petition says that these things should be addressed, then it is a valid petition. Is there anyone else who wishes to bring up something new to his hearing? Yes, sir."

Lou Williamson: "A couple of points that were addressed. The idea of getting rid of compost was tried by a man named Doug Hulse, Town Supervisor about twenty years ago of Southampton Town. They have one of those fifteen yard buckets working out there through the winter and they had a monstrous pile of compost and there were two takers. One fellow came with a couple of bushel baskets and one of the truck drivers from the Town took a pickup load and I came with a dump truck. I think they gave up on that project. And that was loaded for free. So they should verify their markets otherwise what are you going to do with this stuff?

That's another point that I would like to see addressed. I think a bond for cleaning out this building should the business fail should be established before it is built."

Supervisor Janoski: "That's already been said. It has been brought up as far as being an issue."

Lou Williamson: "How about a bond on the public water supply if needed?"

Supervisor Janoski: "That's already been raised also, interestingly enough."

Lou Williamson: "Bond I said."

Supervisor Janoski: "That has been raised."

Councilman Prusinowski: "North Fork Environmental Council."

Lou Williamson: "I missed it. I'm sorry."

Supervisor Janoski: "No problem. Now Mr. Schulman."

William Schulman: "I'm sorry. This is the first time I ever attended a meeting such as this. You will have to excuse me I have jet lag. My wife and I returned from Salt Lake City last night. I had it in my mind and I forgot about it and I hope you will excuse me.

I want to bring to your attention a little bit of a personal situation. My son-in-law is an oncologist. His name is Dr. Patrick G. Beatty. He is one of the founders of the National Leukemia Registration Organization based in Minneapolis which has 250,000 registrants whose purpose it is to try to receive a match for people, generally youngsters, who have leukemia. My son-in-law was involved in Chernobyl, Russia devaco. As a matter of fact the pilot who came over here, he brought over here unfortunately, he was practically dead when he came.

When I left Salt Lake City yesterday I explained to my family, my son-in-law, my daughter and my two grandchildren, where I would be tonight. I really forgot and I'm guilty of it. I want you to know this facility is Salt Lake City which has now been established and which he now heads a group of apparently twenty people including six doctors. The incidence of leukemia in the State of Utah is between six and seven times per capita the entire incidence of leukemia in the United States. And one of the explanations, and I'm not claiming that this compost facility is going to do the exact same thing, but the amount of chemicals that were transmitted by air in various of the experiments that took place in the States of Nevada and Arizona and which private industry convinced the United States government that it was just going to disappear into the atmosphere. It took years and years for this affect of this toxic waste borne by the air to arrive in the State of Utah, which is a relatively small state, and it is permeated not in the people who are forty and fifty, but in their children who are youngsters. And instead of sending these children who developed leukemia all over the world including the Fred Hutchinson Center in Seattle where his immediate boss won the Nobel Prize for Medicine, they have now established this: I tell you gentlemen you've got to look at these so called claims. What is going to happen to the fumes? Where will it go? Will it get into the food supply? Will it get into the animal supply? Will it get into the mouths and into the lungs of the people who live here and hundreds of miles from here? Thank you."

Paul Gotimer, Edwards Avenue, Calverton: "My wife's a thirteenth generation. I look out my north window and that's what I'm going to see. Now the question here is; presently I look out my north window and there is 300 to 500 wildlife out there. Migratory geese. I would like a study done on the migratory flyway from the Canadian Geese from the maritime providences to their trip south and back. Because they are in there 300 to 500 everyday. Thank you."

Supervisor Janoski: "You know you have us at a disadvantage. The Town Board has not seen this and we still can't see it. Is there anyone who has not spoken. Yes sir."

Ken Tuthill: "I think it would be nice to know that for the people of the Calverton area and the Riverhead area that we have formed an organization called IT STINKS. And if they want to be on the mailing list as you said the hearings are coming up where they can voice their opinion. More so than what they have done tonight. If they have any inclination to show up for those hearings and wanted to be notified beforehand by postcard we will gladly enter their name into the computers that we have and do a mailing. The P.O. Box number is 95, Calverton, NY 11933. The name of the organization is IT STINKS. Thank you."

Supervisor Janoski: "Thank you. Is there anyone else who wishes to address the Town Board? That being the case and without objection I declare this hearing to be closed. Let the record show that the hour is 9:42 P.M."

The price for being able to testify at these hearings is that you all have to stay until we are finished. We are going to take a short break. We will be back at five minutes of ten."

Meeting now reconvenes

Supervisor Janoski: "Let the record show that it is two minutes past the hour of 10 P.M. and we yet another public hearing and the Town Clerk will please read the notice of public hearing."

P U B L I C H E A R I N G 7:55 P.M.

Irene J. Pendzick, Town Clerk: "I have affidavits of publishing and posting of a public notice for a public hearing to be held at Wading River Elementary School at 7:55 P.M. on Tuesday, June 18, 1991 to hear all interested persons who wish to be heard regarding: A PROPOSED AMENDMENT TO ARTICLE III ENTITLED "TRAFFIC REGULATIONS" OF CHAPTER 101 OF THE TOWN CODE."

Supervisor Janoski: "Thank you. Pat."

Town Attorney, Patricia Moore: "We wish to place a Stop Sign at Middle Road and Doctors Path on the northside."

Supervisor Janoski: "Thank you. Is there anyone present who wishes to discuss with the Town Board the placement of a Stop Sign at the corner of Middle Road and Doctors Path. That being the case and without objection I declare to be closed. We will now take up the resolutions.

Before we wrap up tonights meeting I would like to thank all those who attended and took part in the meeting. This is a tradition which I believe will continue over the years of having the Town Board Meeting here at Wading River. And as I mentioned we have one in Jamesport next month. I'd like to thank the Civic Association who kept a careful eye on us as we conducted our business and awhile I don't think you're going to have very great attendance I am supposed to announce that all members of the Civic Association are requested to stay after we conclude for a meeting of the Civic Association. I wish you a lot of luck with that Cathy Casey.

I will also announce that the Members of the Board had dinner this evening at Phil's. We found it to be outstanding and we liked it so much that we are going to go back down there right now. The hour is now 10:10 P.M. and this meeting is now adjourned."



Irene J. Pendzick
Town Clerk

IJP:ch