

Minutes of a Public Hearing of the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York, on Tuesday, July 30, 1985 at 7:30 p.m.

Present: Joseph F. Janoski, Supervisor
John Lombardi, Councilman
Victor Prusinowski, Councilman
Vincent Artale, Councilman
Louis Boschetti, Councilman

Also Present: Richard Ehlers, Town Attorney

Supervisor Janoski called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited.

Supervisor Janoski, "Let the record show that the hour of 7:36 has arrived. The Town Clerk will please read a notice of public hearing."

PUBLIC HEARING - 7:30 p.m.

I have affidavits of publishing and posting of a public notice for a public hearing to be held on Tuesday, July 30, 1985 at 7:30 p.m. at Riverhead Town Hall, to hear all interested persons regarding: The Proposal that the Town of Riverhead Community Development Agency acquire the Property of the Long Island Lighting Company located at Sound Avenue, Riverhead, comprising approximately 520 acres for the development of a Town Park and Recreation Facilities by Private Investors.

CORRESPONDENCE

1. Robert and Alice Graff, 807 Parkway St., Riverhead.
"Vehemently opposed" to the purchase of LILCO property--- the extreme expense not only entails purchase price, but legal fees.
2. Cheryl Nelson, Manor Lane, Riverhead
"in total agreement with current proposal to purchase the LILCO property". Is willing to shoulder her share of tax burden and it would be a great asset.
3. Robert Nelson, Manor Lane, Riverhead
"Complete support of the proposed purchase of the LILCO property". It will be a terrific asset to the town for generations to come.

Supervisor Janoski, "Thank you. I think it would be wise that I take a few moments to explain how it is that we got here this evening. Several years ago a study was undertaken of the deep recharge areas on Long Island as far as our source of water and the threats to that ground water. Last year a bill was passed by the New York State Legislature and signed into law by the governor which has come to be known as the landfill bill. It prohibits

PUBLIC HEARING ContinuedSupervisor Janoski, Continued

the municipalities of Long Island from disposing of solid waste (garbage) through the landfill method which we presently use. This has necessitated that the various municipalities look for other ways to dispose of solid waste. The direction taken by most of the municipalities on Long Island has been something called resource recovery plants. They are glorified incinerators. Of course, if you incinerate solid waste, you do have a residue which is the ash. There also is another problem that is called by-pass. By-pass is that solid waste (that garbage) which has got to be disposed of when such resource recovery plant might be shut down for one reason or another. The state has not undertaken the problem of solving the by-pass disposal. However, the Supervisors of Suffolk County along with Supervisors from Nassau County did go to see the governor some time ago to try to get some direction with this ash disposal problem. The governor directed that the D.E.C. identify various tracts of land on Long Island that could be used for the disposal of this ash residue. One of those sites is the LILCO piece in Jamesport. 517 acres of beautiful property on the Sound. There has been much discussion about this proposal and of course it is my opinion that it was unanimously disapproved by the people of the town. And the government of the township has taken that position in opposing the siting of the landfill here in the Town of Riverhead at Jamesport. At a Town Board meeting a citizen of the community raised the question of town acquisition of the parcel for two reasons. One; to combat the siting of the ash landfill here in Riverhead. And secondly; because it represents something that is rapidly diminishing in the community and that is land for recreational use by the public. The Town Board considered that recommendation by this citizen and did order an appraisal of the property to be done. That appraisal was done and the appraised value of the property was 7¼ million dollars. Now, what you have to understand is part of that property (I believe about 17 acres) is in the Town of Southold. Having received that appraisal, it was the Town Board's wish to present that figure to the public as a top figure and to hear from the taxpayers who would shoulder the burden of such acquisition what their ideas would be on acquisition or any of the other possibilities that presently exist. And we are looking at them. There is a whole gambit of possibilities as far as acquisition but there are other tactics that may be used to oppose the siting of the ash landfill. The question of public recreational land is another question. And of course there is only one way to obtain that and that is for the town to acquire it. Their would also be a loss of tax revenue to the town. Whether New York State acquires it or whether the town acquires it of 162 thousand dollars. The governor signed into law about a week and a half ago, a bill creating a site selection board. This board is empowered to look at various sites on Long Island and to recommend such a site for use as an ash disposal landfill. They have not (however) been authorized to expend any monies. Simply to make that selection and recommendation by January 1st of 1986. It is our purpose here this evening to hear from the taxpayers of the community as to the idea of acquisition or other ideas that might be generated that would address the two purposes which I have raised. Recreational public land and combating the ash dump landfill in the

PUBLIC HEARING ContinuedSupervisor Janoski, Continued

community. The information that I have on a bond of 7½ million dollars for 20 years at 8.5% interest, indicates that the first year payment (principal and interest) would amount to 987,750 dollars for the first year and would begin to diminish thereafter. Same purchase price over 30 years at the same 8.5% interest rate, would mean a first year payment of 857,916 dollars in the first year and diminish thereafter. That information is in those handouts which you see before you. This represents a great deal of money to the Town of Riverhead. And the Town Board has not taken a pro or con position on such acquisition. It was a subject raised by a citizen of the community. It is our purpose here to find out what the community thinks about the idea or to hear any other suggestions that you may have. With that, is Legislature Blass in the room? That being the case, does anyone else wish to be heard? I would recognize the Town Attorney for some further information."

Richard Ehlers, "We have some maps up here this evening to basically indicate to you where the site is. To my left and your right is a photograph taken from the airplane which shows the site outlined in yellow. It runs all the way down to Sound Avenue. It's basically located in the vicinity of Hallockville if you're familiar with that location on Sound Avenue. The map on your left is a Riverhead Town zoning map. It indicates that the property is currently zoned industrial. That will be the subject of a Town Board hearing later on this month after recommendation from the Planning Board as to whether or not that should be turned into recreational use district property. Again that property goes over into Southold. It's approximately 27 acres in Southold. 500 acres in the Town of Riverhead. The discussions as to the value of the property are basically preliminary. We have not yet prepared an appraisal of the type which we would submit to a court in determining a condemnation case. And the numbers which have been suggested, are for informational purposes only are not intended to bind the town in any way as to any possible future litigation that we may be involved in. The appraiser used a technique on the acre approach. He did not use the linear foot approach and there are other techniques that also could be used if we were to go to court on the appraisal situation."

Supervisor Janoski, "Thank you Mr. Town Attorney. I would recognize anyone who wishes to address the Board on the matter of the Jamesport property. Steve."

Steve Haizlip, "Mr. Janoski and the other Board members. I think it will be 3 years in February when Mr. Sawicki and Mr. Behan was here and you had a hope and you were showing them on map how much land we had lost to tax purposes and you requested that they give us some aid in taxes and it hasn't forth come. Now, on the site of all this land being off the tax roll, I am opposed to buying it because we don't only just buy the land. If we are going to go into construction and so forth on and ground keepers and buildings, we are going to go into a tremendous debt on it. So I'm opposed against it for that reason."

PUBLIC HEARING Continued

Supervisor Janoski, "I would just point out once again that if the State of New York acquires it for the purpose of an ash dump, it would also become tax exempt."

Steve Haizlip, "Well, isn't there (like RCA) a compensating law and rule somewhere? If they take land as existing on a tax roll, then they have to come back with aid to schools for the amount that was lost and so forth."

Supervisor Janoski, "The RCA property is a special arrangement between the State of New York and the Rocky Point school district. As a matter of fact, Governor Carey was in office at that time. And while the promise of such reimbursement was there for a fixed period of time, it took a number of years before it was actually passed and put into place and I believe it was for a 5 year period of time."

Steve Haizlip, "May I pose a question please? If the Riverhead Town municipality acquires this land, now they've got it in their possession. Now if the state comes along and says; this land is already in your municipality so now we'll just go ahead and take it and put the ash dump there. Would that be a lesser rate for them to pay now they have to go out and condemn it and pay L.I.L.C.O. for it?"

Richard Ehlers, "There are 2 sides to that question. The one side is that the current Town Board is obviously moving towards recognizing the ecological features of that location. And it would suffice to say that those features may not have been recognized in the past. And if those features are consented by town activity, that we assist the town in affording a removal of the sand from the site and the filling up of it with ash. So we would be in a better position. The second point is that under the eminent domain procedure law, it appears that if the Town Board acquires the property for a public purpose (a valid public purpose) as preserving open space, providing nature areas and parks and recreation facilities for the people of the Town of Riverhead that that property can not be condemned against by another agency. Obviously the state writes the rules and they can pass any law they please. But I think they would be in a difficult spot to go ahead and rewrite the rules just to take away a park from the people of Riverhead when they've already said they're not going to place it near the park in the western end of the county. So we would in fact be in a better position."

Steve Haizlip, "Well ok. I reserve the right to come back later after all these people speak."

Supervisor Janoski, "Absolutely Steve. Mr. Nohejl."

Bill Nohejl, Wading River, "I'm not afraid to admit that I'm one of the persons who are in favor of acquiring this site. The News-Review, I did not like the way they had the headlines last week about either the beach or the ash dump. They sort of gave the people an opinion that it had to be one or the other."

PUBLIC HEARING ContinuedBill Nohejl, Continued

The 7½ million dollars I'm not in favor of either. I feel as though that's much too much. But I have a suggestion. We hear or a lot of people haven't heard about T.D.R.s; trading development rights. Now I know it's in front of the Planning Board. I also know it's in front of the Town Board. Now the least I say minimum if it were changed to residential, would be 450 to 500 residential plots. Maybe 450. And value at the parcel of 14 thousand dollars, I feel the development rights would be about 10 thousand dollars. I know that some of the developments up on the bluffs (the condominiums) are looking to build more in a smaller space. And I feel as though the town being able not to take development rights from a certain section and leave it here and let them keep paying taxes. I feel as though it could be taken of this site and the property is left to the people of Riverhead. It will be for the purpose of the people of Riverhead to build parkland, to have the beach. Now I'm 63. I'm not fighting for myself. I'm fighting for my children and grandchildren. Because if this site ever goes, they will never be able to replace it in Riverhead. Let's take an estimate of 450 development rights at 10 thousand. It's 4½ million dollars. I can visualize 4½ million dollars coming back there and still the property belongs to the people of Riverhead. And for 3 million dollars or so, it would be a steal. And I definitely ask the Town Board to keep going on this route. And again I say 7½ million, I say this town can't afford it. No way. But looking into that avenue, I think the town can. If, at a point the town acquires it and the town feels it can not hold on to it, I'm quite sure a builder would gladly take it off the town's hands for the price the town bought it for. I'm not saying all of it. I say maybe half of it to private development. Maybe then give them maybe 400/500 feet for their own private beach. The rest remain in the hands of the people of Riverhead. It would be used for any municipality or for parks and you know we have Stotsky Park here. That is much too small. We could put everything in one spot. Have a pavillon which is going to cost money but that is down the road. We could have our fairs there. Everything. Not right now but 10 years, 15, 20 years down the road. I strongly urge that this Town Board proceed in acquiring that property. Thank you."

Supervisor Janoski, "Thank you Bill."

Virginia Wines, Northville, "I'm Virginia Wines. As member of a family which has lived in Northville for more that 250 years and as a member of Hallockville, I'm very concerned with preserving the historic character of our community but planning for the future of our town and community is even more important than preserving our past. And the future of this area is up to you; the members of the Town Board. What do you envision for this property in the next 20, 50 or 100 years? I would like to briefly review the history of the property for the past 20 years. Back in 1963, the "Levon" application came before the Town Board. "Levon" proposed to build a 40 foot deep harbor and a 250 million industrial park on the 520 acre site and I have a picture of that

PUBLIC HEARING ContinuedVirginia Wines, Continued

proposal which appeared in the New York Times back in 1963. It took 5 or 6 years for the citizens to convince the Town Board that this was basically a sand and gravel operation and a horrendous mistake. Then of course, the Jamesport Nuclear Plant was the next mistake proposed for this site and now the state is proposing a third mistake. You can not permit another mistake; an ash dump on this beautiful and valuable property. If the town has to purchase the property to prevent the state from imposing an ash dump, that is what has to be done. The Town Board must stop this proposal immediately. The vision of the future of this site is in your hands."

Supervisor Janoski, "Thank you Virginia. Virginia correctly points out that the Jamesport property is not really located in Jamesport. Paul. No. I said Paul but come on up doctor. You're on your way and I'll get Paul next."

Caryl Grantham, Sound Avenue, "Mr. Janoski and members of the Town Board. I want to add a word or two to what Mrs. Wines just said. I go even back further than that because I did serve (as did Dr. Smith whose sister is here) on the New England Basin Long Island Sound Study. And at that point, and this goes back some years when we first came here, to the fact that the whole area was looked at for a number of reasons. And they determined (I did not have a part in it) this area, this town, was one of the few towns on Long Island that did not have enough property on the Sound for its projected growth. In fact, they went as far (and I had no part of that either) to suggest that property at Roanoke Point be taken. And as Virginia Wines has just pointed out, we've gone on through a sand dump, through the nuclear and disulpherization also. I only tell you this, that when this property goes, there is no more. We happen (a few of us) to hold what private property is left that is in the area between Northville and Centerville where I live. When that goes, there will be no more. When L.I.L.C.O. looked at this property and I know what the price was put on it, at one point it was proposed for a county park. And this town again turned it down because it would take it off the tax rolls. Now I pay as many taxes as anybody in this town. But I do think you have to think of the future and I do think there is another proposal that I would like to put forth. We studied, in the league at one point, something called planned unit development. Mr. Munzel who was the Town Attorney at that time, talked it over and projected it at 100 acres. It was not big enough. 500 acres is more the ideal amount for a planned unit development. And what that means is; the private development of the right kind can be permitted where-in you would cluster what you build and sell that privately and then reserve the rest. Now, the shorefront certainly should be reserved and the pond should be reserved. No moving of that pond the way L.I.L.C.O. proposed to do it. And in the meantime, would also then have some access to paying for the cost of this facility. But I also warn you that sits on top of one of the very very important aquifers. That I know from the long years I was involved

PUBLIC HEARING ContinuedCaryl Grantham, Continued

in Jamesport. Southold should be more concerned than even we are if a dump should come. And further more, I think any development on the bluffs is long gone. We should not permit any more of it. Recent studies are projecting the rising level of the water in the world and certainly all development on bluffs and water fronts is to be very very critically crucial in the years to come. With those provisos, I think the planned unit development suggestion can be looked at and I do commend you for studying it. Thank you."

Supervisor Janoski, "Thank you Dr. Grantham. I'm going to ask Councilman Artale to read (because you raised the issue of coastal zone management) a report that I had done by our planning department concerning coastal zone management."

Councilman Artale, "The Town of Riverhead's Coastal Zone Management Plan completed in April of 1983 recommended that the future land use of the above referenced site (L.I.L.C.O. Site, Jamesport) should be a mixture of open space and low density residential one (1) dwelling unit or less per acre. The open space was proposed for the bluff area and the land surrounding Hallock Pond, while low density residential should make up the balance of the land at the site. The plan recognized that the site cannot come entirely under the public domain, but cited the desirability of setting aside as much environmentally-sensitive waterfront land as possible for open space and recreational purposes. The chief reason for open space on this site is for public access to the coastal area. Previous to the preparation of this plan, the State of New York in its Coastal Zone Management Plan included the Jamesport L.I.L.C.O. site as a geographic area of particular concern (GAPC). These areas are so designated in that they require special attention due to their environmental qualities. NYCRR, Title 19, Part 600 s 600.5 puts forth the coastal policies of the State of New York. These policies include the following: (See following page).

(i) Water dependent and water enhanced recreation shall be encouraged and facilitated and shall be given priority over non-water related uses along the coast....

(ii) Protect, maintain, and increase levels and types of access to public water related recreation resources and facilities so that these resources and facilities may be fully utilized by the public in accordance with reasonably anticipated public recreation needs.

§600.5 Coastal Policies. In evaluating proposed actions against the following policies, state agencies are strongly encouraged to consider the coastal policies, explanations and guidelines contained in the approved Coastal Management Program document.

(a) Development policies.

(1) Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial and industrial, cultural, recreational and other compatible uses.

(2) Facilitate the siting of water dependent uses and facilities on or adjacent to coastal waters.

(3) Encourage the development of the State's existing major ports of Albany, Buffalo, New York, Ogdensburg, and Oswego as centers of commerce and industry, and encourage the siting, in these port areas, including those under the jurisdiction of State public authorities of land use and development which is essential to or in support of waterborne transportation of cargo and people.

(4) Strengthen the economic base of smaller harbor areas by encouraging the development and enhancement of those traditional uses and activities which have provided such areas with their unique maritime identity.

(5) Encourage the location of development in areas where public services and facilities essential to such development are adequate, except when such development has special functional requirements or other characteristics which necessitate its location in other coastal areas.

(b) Fish and wildlife policies.

(1) Significant coastal fish and wildlife habitats, as identified on the coastal area map, shall be protected, preserved, and, where practical, restored so as to maintain their viability as habitats.

(2) Expand recreational use of fish and wildlife resources in coastal areas by increasing access to existing resources, supplementing existing stocks and developing new resources. Such efforts shall be made in a manner which ensures the protection of renewable fish and wildlife resources and considers other activities dependent on them.

(3) Further develop commercial finfish, shellfish and crustacean resources in the coastal area by:

(i) encouraging the construction of new or improvement of existing on-shore commercial fishing facilities;

(ii) increasing marketing of the State's seafood products; and

(iii) maintaining adequate stocks and expanding aquaculture facilities. Such efforts shall be made in a manner which ensures the protection of such renewable fish resources and considers other activities dependent on them.

(4) Ice management practices shall not damage significant fish and wildlife and their habitats, increase shoreline erosion or flooding, or interfere with the production of hydroelectric power.

(c) Agricultural lands policy.

(1) To conserve and protect agricultural lands in the State's coastal area, an action shall not result in a loss, nor impair the productivity, of important agriculture lands, as identified on the coastal area map, if that loss or impairment would adversely affect the viability of agriculture in an agricultural district or if there is no agricultural district, in the area surrounding such lands.

(d) Scenic quality policies.

(1) Prevent impairment of scenic resources of statewide significance, as identified on the coastal area map. Impairment shall include:

(i) the irreversible modification of geological forms, the destruction or removal of vegetation, the destruction or removal of structures, wherever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resource; and

(ii) the addition of structures which because of siting or scale will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified resource.

(2) Protect, restore and enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the scenic quality of the coastal area.

(e) Public access policies.

(1) Protect, maintain and increase the levels and types of access to public water-related recreation resources and facilities so that these resources and facilities may be fully utilized by all the public in accordance with reasonably anticipated public recreation needs and the protection of historic and natural resources. In providing such access, priority shall be given to public beaches, boating facilities, fishing areas and waterfront parks.

(2) Access to the publicly owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly owned shall be provided, and it should be provided in a manner compatible with adjoining uses. Such lands shall be retained in public ownership.

(f) Recreation policies.

(1) Water dependent and water enhanced recreation shall be encouraged and facilitated and shall be given priority over nonwater related uses along the coast, provided it is consistent with the preservation and enhancement of other coastal resources and takes into account demand for such facilities. In facilitating such activities, priority shall be given to areas where access to the recreation opportunities of the coast can be provided by new or existing public transportation services and to those areas where the use of the shore is severely restricted by existing development.

(2) Development, when located adjacent to the shore, shall provide for water-related recreation, as a multiple use, whenever such recreational use is appropriate in light of reasonably anticipated demand for such activities and the primary purpose of the development.

(3) Protect, enhance and restore structures, districts, areas or sites that are of significance in the history, architecture, archeology or culture of the State, its communities or the Nation.

(g) Flooding and erosion hazards policies.

(1) Whenever possible, use nonstructural measures to minimize damage to natural resources and property from flooding and erosion. Such measures shall include:

(i) the set back of buildings and structures;

(ii) the planting of vegetation and the installation of sand fencing and drainage systems;

(iii) the reshaping of bluffs; and

(iv) the flood-proofing of buildings or their elevation above the base flood level.

(2) Mining, excavation or dredging in coastal waters shall not significantly interfere with the natural coastal processes which supply beach materials to land adjacent to such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land.

(3) The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs.

(4) Activities or development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs. Primary dunes will be protected from all encroachments that could impair their natural protective capacity.

(5) Activities and development, including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development or at other locations.

(6) Public funds shall only be used for erosion protective structures where necessary to protect human life, and new development which requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the long term monetary and other costs including the potential for increasing erosion and adverse effects on natural protective features.

(h) Water resources policies.

(1) State coastal area policies and purposes of approved local Waterfront Revitalization Programs will be considered while reviewing coastal water classifications and while modifying water quality standards; however, those waters already overburdened with contaminants will be recognized as being a development constraint.

(2) Encourage the use of alternative or innovative sanitary waste systems in small communities where the costs of conventional facilities are unreasonably high given the size of the existing tax base of these communities.

(3) Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters.

(4) Discharge of waste materials from vessels into coastal waters will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply areas.

(5) Best management practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into coastal waters.

(i) To safeguard the vital economic, social, and environmental interests of the State and of its citizens, proposed major actions in the coastal area must give full consideration to those interests, and to the safeguards which the State has established to protect valuable coastal resource areas.

PUBLIC HEARING Continued

Supervisor Janoski, "Thank you councilman. I would direct that this document plus the attachment be made part of the record of this proceeding. I will recognize anyone else who wishes to be heard right now. Paul."

Paul Podlas, Riverhead, "My name is Paul Podlas, I am a life long resident of Riverhead. First question. On a 50 thousand dollar house, how much are taxes going to go up for the next 20 years or for one year? The first year."

Supervisor Janoski, "I also have information prepared for that to address that question. The general town tax rate for 1984 and 1985 stands at 10 dollars and 66 cents per thousand. The general town tax base for 1984/85 stands at 530,809. General town taxes raised in this particular year 1984/1985 was 5,663,203 dollars. The tax rate would have to (at the current tax base) increase to 12.27 a thousand. A 15% tax increase (town tax increase) if the budget increased by 850 thousand dollars with an increase in the tax base. That would represent 1 dollar 67 cents per thousand increase simple for this acquisition. I'm talking about a value."

Paul Podlas, "75 dollars per year."

Supervisor Janoski, "Yes. But it's not at 15% of the tax bill. It's 15% of the town taxes excluding the school district, county and special districts."

Paul Podlas, "Now you have to subtract the tax base that we are going to lose when we purchase it. The 166 thousand I think you said it's still a few thousand dollars."

Supervisor Janoski, "The revenue produced by that parcel is 162 thousand 788 dollars which would be lost if the town acquired it or if New York State acquired it."

Paul Podlas, "Right. I understand if the state does. Dick Ehlers. You said that the town was going to condemn the property. Am I correct?"

Richard Ehlers, "The proposal is for the Community Development Agency. We have agencies of the State of New York to condemn the property."

Paul Podlas, "Right. The appraisal value of the property is 7½ million dollars."

Richard Ehlers, "It was an appraisal that was based on acreage and obtained at 14 thousand dollars per acre."

Paul Podlas, "Right. So the total is 7½ million."

Richard Ehlers, "If you exclude the 27 acres in Southold, you come to about 500 acres and that's about 7 million dollars."

PUBLIC HEARING Continued

Paul Podlas, "Now, am I correct in also saying that the people who own the property (I assume that L.I.L.C.O. owns all of it.) have a right to come back in a year or 2 years and protest what the condemned price is?"

Richard Ehlers, "What we would do is we would order a condemnation appraisal. We may go to several appraisers to determine which one we found to be the most accurate. We have to file that with the court at the time of the condemnation and we have to pay that money into the court, into the county treasurer and they have 3 years to file a notice of claim. Their notice of claim gives them the right to file their own appraisals. And if we can't agree between ourselves as to an appraised value, there is then a trial on the matter and a justice of the supreme court based on the expert testimony, decides which appraisal he will believe or if he'll raise one or lower the other."

Paul Podlas, "Well to quote you, I think in a local newspaper (I may be wrong.) you said that most everybody will usually protest what the condemnation price is."

Richard Ehlers, "I would be shocked if the lighting company didn't protest."

Paul Podlas, "Right. So the point I'm making, that the 7 million dollars is just a figure that you picked out from one appraiser. And the Town Board hasn't went any further to find out if it's a very realistic price and also the town is subject for the next 3 years not to know if that is the price. It could go as high as 14 million then."

Richard Ehlers, "The fellow we went to is a highly qualified recognized appraiser in the appraisal community. Our instructions to him were not to load the appraisal in any way."

TAPE ENDED

Richard Ehlers, "..... to arrive at that price. And I think if you review the parcel, you'll find that his price, if anything, is high and more arrangements would be made to lower it. But as I understand the direction of the Town Board, they did not want the number to appear less to the public for the purpose of this hearing than necessary and that's why I made the comments initially that we did not necessarily accept this as the value of the appraisal for the proceedings but rather it was a bad case. This is what it could possibly cost us in the appraisal."

Paul Podlas, "Well not being in the real estate business, I would say that that my feeling is that it's on the low side from facts and figures that I hear of land being sold in our township right now."

PUBLIC HEARING Continued

Supervisor Janoski, "If I could just.... I would ask you not to add to the arguments that might be made by L.I.L.C.O. or anybody else that the price should be higher. We understand that your opinion is that perhaps it go higher and that we are talking about a figure here of 7¼ million dollars. Now, in my presentation I said it represented a top price. What is your feeling about the acquisition at that price?"

Paul Podlas, "Well, let me ask you something Joe. You are not restricting me for my comments because I would like to say...."

Supervisor Janoski, "No. I am simply trying to protect the township."

Paul Podlas, "I would like to say, as a citizen of the Town of Riverhead, I'd like the information to come out that there is no guarantee that this price is going to hold and I'd like the citizens of Riverhead to know there's a good possibility (if the Town Board purchases it) it can go to 14 or 21 and that's the reason I commented about the fact that land being sold in the Town of Riverhead at 14 thousand dollars an acre, is cheap. And I feel that it's going to be worth a lot more. And if the town does buy it, I think we're going to end up paying a lot more and I'm opposed to the purchase of it. I sympathize with the people of Northville and with the people who are close to it. And personally, I do not want an ash dump in the Town of Riverhead either. But I do not want the Town Board and our town to go out and keep buying everything when there's a problem. We can't afford it. And I've lived here all my life. Slowly, very shortly, I'll be a senior citizen. And like one gentleman said; he's not going to be around that long and I won't either but I have 3 sons. And they're going to be paying taxes and I have a grand daughter that's going to be paying taxes. Parkland is fine. It's on the outskirts of town. It borders on Southold. Riverhead will create a park and I'm sure other residents will use it. And I'll been done in a minute Joe. I see you're looking at the clock. I didn't mean to take up too much time. But I really am opposed to it for all these reasons. I would urge the Town Board to find other methods or other avenues. Maybe strong lobbying methods. Get after our representatives to stop it. But not just going out everytime there is a problem in the Town of Riverhead and buy it up. Because we can only last a few times and after that you can't keep doing it. There's other 500 acres. Suppose they condemn another spot, are we going to keep spending 7 million? So I'm opposed to it."

Supervisor Janoski, "Ok. Paul thank you for your comments tonight. I think you're exactly right that we can't afford to buy up all our problems. This is simply a hearing to hear what people think of the idea. Dick."

Dick Carey, Middle Road, "I think like Paul, I'm not going to get any applause either. I am concerned about this. I agree that we don't want, as somebody said, an ash hole in Riverhead. I'm sure none of us want that. But I do believe that this is an extremely serious problem for the town. There have been some ideas presented here tonight which would provide some relief for this tremendous tax burden. And you know, we're not talking about 7 million dollars to buy this piece of property. We're talking about (I don't know) 25 million to pay for it."

Supervisor Janoski, "Interest and principal?"

Dick Carey, "Yes. 25, 30 million dollars. I heard you town fathers are very much concerned in your budgeting this year about the payments to be made for the new police station. That it was quite a substantial amount of money on your budget. I've heard you talk to us all many times (and you particularly Joe) that we are burdened in this town with a lot of tax exempt property that we have and we also have the land preservation problem as well as the low taxes on our farmland and these are real burdens to us. And we sit here with 100% assessment and come up with a 5 million dollar increase in our assessments. I happen to know that Easthampton came up with 60 or 70 million dollars increase in assessments. So that we do have these problems and we're going to have to pay these bills. We're going to have to pay for that lovely white building over there. It's going to be very nice to have but still we have to pay for it. I think I feel that..... And I'm glad you had the hearing. I think you're going to get a lot of ideas. I am in favor of an approach whereby we could join somehow with some other developers so that we can see some light down the road as to how we get our money out of this property. We don't need, in my opinion, 500 acres more of recreation land. I perceive that probably we need some more land. We saw, for example, Indian Island go off the tax rolls. It turned into a golf course. I'll bet you go down there tomorrow and start counting noses and you'll find maybe 20% of the people that are playing golf down there, live in Riverhead or maybe even less. So this is costing us money because there's people coming from all the other towns. And I feel that you've got to give us some more facts. You've got to give us some more information or plans. Now, Bob Scheiner is a very capable man in developing some alternate proposals such as Bill Nohejl had mentioned and other people have mentioned as to where we can lay off this tremendous risk and not assume it in the town bondage and indebtedness. Thank you."

Supervisor Janoski, "Thank you Dick."

Jack McGloughlin, Northville, "My name is Jack McGloughlin. I'm a resident of Northville Beach. I also speak tonight for the Northville Beach Civic Association. I've been asked to represent them in this matter. Initially, I would like to say that we totally support the Board in the direct acquisition of the property if that is necessary. Before I get into some points I'd like to make here, I'd like to rebutt the arguments of these two gentlemen that just preceded me. And one of the more important arguments that I offer is that they're too short-sited gentlemen. That they have to realize this is high noon. We don't have the luxury

PUBLIC HEARING ContinuedJack McGloughlin, Continued

of looking around at this stage. Mr. Janoski indicated that January 1st it reports back to the governor which undoubtedly is going to be the Riverhead site. Would you gentlemen on the Board agree? I think you will without nodding your heads."

Supervisor Janoski, "It's a strong possibility."

Dick Carey, "If that ash dump which is the other alternative comes into play, we will have such a reduction in property values in this town, that it will make 25 million dollars look like a joke. I think that we have no alternative then to take direct action to acquire the property. I agree that if we can do it as Mr. Lombardi and Mr. Boschetti spoke at our association meeting, to attempt to get private industry and private parties to take part of it. We're all for that too. But we can't accept the luxury at this time in saying; let's look into different things. These men are being short-sited. This is the Town of Riverhead. We have to be progressive. And as the doctor indicated earlier, you gentlemen are the men of the future. When you're gone, you may not be recognized by what you did for this town but a certain number of us will and maybe history will tell that. I think it's very essential that you look at this town in a progressive way and pass on to your future leaders of the town this legacy. The speakers tonight have not really addressed what you gentlemen have addressed. That is really the essential thing that the people of this town should address. We have to look at the negative aspects of the ash dump site. I do not know if many people or if the newspaper people here tonight realize that we're going to have Suffolk and (undoubtedly) Nassau garbage trucked in by train by rail and by truck into Riverhead town. There is currently a study going on that has ominous proportions in Staten Island where the particular matter that is spewed out by the petro-chemical industry in New Jersey is now being recognized as creating a monstrous cancer hazard to the people that live in Staten Island. A similiar problem is going to exist here. As I understand it, when the ash is dumped on that site if that takes place, it's going to be hosed down so that the dust particulate will not rise over Riverhead. Obviously for the fact that they don't want us up in arms at that time. But anybody that lives on the north bluff up there, knows what the winter winds are. The fall and winter winds are very strongly northerly winds. They are going to affect the property of all of you people in Riverhead. You're children will be breathing this particulate matter. Now, all incinerators are presently required to have scrubbers. The Town of Hempstead's incinerator (as you gentlemen know also) has been shut for 4 or 5 years. Why? Because the particulate matter that got out of those stacks was PCBs which is a tremendous hazard and they don't know how to handle it. Scrubbers only cause the particulate matter to drop back into the incinerator ash. That ash is what they want to give to Riverhead. That's what we're going to have to live with. The doctor

PUBLIC HEARING ContinuedDick Carey, Continued

also mentioned the ground water. There are studies. There's a study I have here from today's paper talking about the dump sites as Mr. Janoski addressed, that the reason they're not permitting dump sites in the various towns is because of the leeching affect into the aquifer. We know from all of the articles that have been written in the past 5 or 10 years, that this is the most delicate aquifer on Long Island. We depend on that ground water to live. What happens if we lose that ground water? What happens when that site goes in? 25 million dollars. Forget it. It's a drop in the bucket. I had those 3 things. One thing I did address is the property value initially. The ground water and of course this wind blowing particulate. But I can't emphasize the support you get from our association and I think it's of the utmost importance for our economic future as well as our health future for you gentlemen to acquire that property in some way. Thank you."

Supervisor Janoski, "Thank you."

Councilman Lombardi, "Jack. I just have to make one thing clear. I did make those statements to you but I did say that I would rather see us (the Town Board) try to stop the state from putting the ash dump there. I did make that statement. And I am not putting my head in a hole. I think the public hearing is the best thing we're having. But I do feel that we should try to stop the state from sticking that dump there without maybe acquiring that land. But we have to look at everything."

Supervisor Janoski, "Thank you. Mr. Pike."

Robert Pike, Sound Avenue, "Good evening members of the Board. My name is Robert Pike. I live at 155 Sound Avenue, Baiting Hollow in the town. I'm about to break a very small cardinal rule that I was taught along time which is to tell people what they want to hear. Because unfortunately, some of the things that I feel and that I have to say, aren't going to be particularly popular. But I feel in order to make a rational decision on this product, the Town Board ought to know two very important fundamental things. It's my fervent hope that after saying these things, that you will not shoot the messenger. Actually I prefer to be hung. It's more suitable. But I do want to share these things because I think everybody in this room agrees that we have an enormous fundamental threat facing the Town of Riverhead and that is the siting of an ash dump. How we go about solving, how we go about knocking that threat back into the west end where it belongs, is the question. Now, everybody likes parks but that's not the question. The question is; how do we stop the plant from being there. And you've got to realize that the damage from this plant isn't just going to be the impact on the site itself. The impact is going to be on the entire Long Island Railroad transmission route which are going to have to drive a spur through. Destroy hundreds of acres of farmlands at the same time they're trucking ash in from every municipality that has an incinerator or a resource recovery

PUBLIC HEARING ContinuedRobert Pike, Continued

plant in the (town) county of Nassau and Suffolk. It's for all of those people. It will be coming to wherever this site is. The fundamental question is how do you stop the plant. Therein lies the bad news."

Supervisor Janoski, "Are you saying plan or plant?"Robert Pike, "Plant."Supervisor Janoski, "P-l-a-n-t?"Robert Pike, "I'll call it a dump. Ok?"Supervisor Janoski, "You're talking about the ash fill, not the resource recovery plant."

Robert Pike, "Correct. The siting of that plant has got to be stopped. There are two fundamental problems. The guys who wrote the law in Albany that the governor signed on July 19th weren't idiots either. They realize that any municipality that was threatened by this plant would take steps to try to prevent it. They did so in a very clever way. For example; the proposal here is to create a park and in some way have the park, the presence of pre-existing public use, stop the other public use which is this ash dump. When they wrote the law, they said you can't put the dump within a certain distance of a public park. And then they added something clever. They said as long as the public park was dedicated as of the day of enactment of the law. In other words, as long as the park was there as of July 19, 1985,....."

Supervisor Janoski, "If I could interrupt...."Robert Pike, "If I could finish, I would like to."Supervisor Janoski, "...you for a minute. You are not telling the Board anything that it doesn't know. You're making a public speech. This is a public hearing and we'd like to have your opinion of the acquisition at the price."Robert Pike, "I'm giving it to you."Supervisor Janoski, "Ok. You're telling us about a bill that we have read and we know about it."

Robert Pike, "Ok. My point (exactly) is that your technique of dealing with the threat by acquiring the property, simply won't work. It is a hollow promise. This is my opinion. Obviously, there will be other people who will have other opinions. But the law is very specific that if a municipality can create no impediment, can require no permit and require no obstacle whatsoever to putting the plant where they bloody well please. So that even if you bought the property at 7.5 million dollars or if you bought it for 1 million dollars or if you bought it for 25 million dollars, it's not going to do you a heck of a

PUBLIC HEARING ContinuedRobert Pike, Continued

lot of good. Because the law of the State of New York controls. And if they say no, it's over. If they say they wanted to go there, it's going to go there whether you've acquired by public park or not, whether you spent the money or not. If you've spent the money, you've wasted it because it's gone. You might get it back but you've spent money on things that perhaps, could be better utilized in other ways. Now, so it is my opinion, and I have prepared a written submission which I will give to all of you, that the acquisition for public park purposes will do absolutely nothing to stop this facility from going in there. And if the fundamental issue is to stop the facility from going in there, buying it for that reason is a mistake. Secondly, the whole question of price. I appreciate the attempt to minimize or to find an accurate figure of what that price will be. Unfortunately, I know enough about how the law works. That that is not the top price. It's probably not even an average price. It is almost certainly going to be the bottom price. I've had the opportunity to work with a number of county attorneys and I spoke over the last week, to county attorney John Bavona, who the current administration in the county uses as their specialist in taking cases of this sort. He has advised me in the past on certain projects and I asked for his opinion on this. He said that the county attorneys office is aware of two things. First of all, we can go out and get appraisals. You have to offer the highest of the two that you get. So 7.5 is going to be the absolute minimum that you can offer. And two; that he has looked at every one of the cases over the last ten years that have been contested. And if you just take the average piece of property where they have contested the appraisal, the resulting judicial decision has included an increase in the price on average of 66%. So that the price on average for the average case of this sort, would go immediately to 12.5 million dollars. He went on to say; look, you've got a really extraordinary piece of property here. This piece of property not only has waterfront, it's got roadfront. It's got beautiful contours. It's got the bluffs. It's an extraordinary piece of property. His estimate (and you can confirm this with him if you'd like) was 20 million dollars and that's without interest and that's without carrying charges. That's a heck of a lot of money. For the two reasons, it won't work and you're threatened with an enormous waste of money if you try to do it and it doesn't work. I think you're headed in the wrong question. So what's the alternative? To the extent that you guys are talking about stopping this dump. Let's get on with it. Let's talk about getting the fundamental decision of the siting over with. There is now appointments going on in both counties to create a 15 person board. That will make the decision. They have to make a decision as of the four final sites within the next two months. They have to make a final decision before the end of this year. That time is running now. The idea that we can't change that, get Riverhead off the list. That's it. We've got to get Riverhead off the list. There's no alternative to that. Riverhead

PUBLIC HEARING ContinuedRobert Pike, Continued

has got to come off the list. What have we got? We got a great case. You're going to destroy farmland. You're going to run it through a town..... The railroad is going to run through this town. You're going to put a swathe of ash. Turn Riverhead into a modern day Pompey if you allow that plant to go through. You're going to cut it through the farmland. All of which are totally unacceptable. If you look at the law itself, it appreciates the quality of water problems and it values that and won't let the siting be affected by that."

Supervisor Janoski, "Mr. Pike, I will caution you one more time that you are addressing the Board and not making a speech. So please do that. You're not addressing the public. You're supposed to provide information to the Board."

Robert Pike, "Sometimes I think better Joe when I look the other way."

Supervisor Janoski, "Ok. I can understand that Bob."

Robert Pike, "Me too. The important thing is this; and you're missing the point Joe..."

Supervisor Janoski, "I'm not missing the point Bob. Not at all."

Robert Pike, "The point is that the only way that this baby is going to get stopped, is that if we, in the middle of what is admittedly a highly political season, forget about all of that and get together. If we all, as citizens, unanimously united, fight the darn thing. Start writing letters to everybody involved. Make sure that the appointees know all of the negatives aspects of putting it here. If we fight this thing now together, and I'm talking about a unified bipartisan attack as opposed to sitting back and doing something defensive about the plant when they site it here. The heck with that. Let's get it off the list. Let's start it now. There are a lot of other places it could go. And I'll agree that there is no site that is perfect. But I can't think of a site that is less appropriate and I think that we ought to focus on the fundamental issue. Let's stop the ash plant."

Supervisor Janoski, "I will recognize Councilman Prusinowski."

Councilman Prusinowski, "I've lived in this town my whole life too. This is not a political issue to the Town Board. There is a meeting coming up on August 8th which we all intend to be there to do exactly what Mr. Pike has said. I remember when they were trying to take the courts out of Riverhead. We heard the same type of scenerio and the Town Board acted. We went down there and fought. This Town Board intends to fight. Several councilmen on this Board started a petition drive as in the press. Obviously, we will do everything within our power politically to influence the state government, the siting board, the D.E.C., whatever it takes to get the Jamesport plant

PUBLIC HEARING ContinuedCouncilman Prusinowski, Continued

or the dump site not approved for the Town of Riverhead. However, one of the ideas that was proposed for the Town Board was the acquisition of this property by some of the citizens of the Town of Riverhead. We're just acting on that request and think we should follow through all the options because you can not just have one option in case something else doesn't work. You know when you deal with the state and local governments, the state government and the county government, you can not take anything for granted. And I know personally, serving on the court complex committee, Councilman Boschetti and Mr. Ehlers will point out and all of us being involved. With that court complex, what they say today is not necessarily what they say tomorrow. And you've got to have options and that's what we're trying to do is have a list of options. We've heard a lot of good ideas tonight and that's the purpose of the public hearing."

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

Bob Skinner, Herod Pt. Road, W.R., "Mr. Janoski you may or may not remember a conversation that we had way back in February of 1982 in front of Arthur's Fish Market on a cold February night when we talked about this very subject. It was the first day that L.I.L.C.O. said we might go bankrupt if you don't open Shoreham. They're still in business. We're still talking about this. This is your last opportunity to insure that there's going to be future recreation in Riverhead town. Obviously people like Mr. Pike, have not been to places like Iron Pier and have not been able to get a parking space on a Sunday. Have not tried to put a boat in the water and found that they can't because of the overflow parking lots in Wading River have been taken up by cars trying to get to the beach. People have not been involved in Brookhaven issues of taking away the landing roads which you have such as Hulse Landing Road, Edwards Avenue, etc., etc. Once you get enough people who come in who put in the condominiums, who put in the high priced houses where they suddenly take away the town access roads. This is your last opportunity. And I think that a lot of people who express this particular type of opinion as to this is just to stop the ash dump, are missing another boat entirely. The hearing, as you say, is to talk about this proposal. This proposal is the last opportunity that you're going to have. There are no other places that you're going to be able to put in recreation facilities that's going to handle the future growth of Riverhead town. Where else are you going to put it? And the people should think about that. If it's going to mean an increase of 75 or 100 dollars a year in my taxes to acquire this piece of property, then as far as I'm concerned as seeing the way that budgets have been run in the past for recreation, if it's going to be 100, make it 125 and include what it's going to cost to develop that for the town. Because if we can't develop it as a recreation facility, if we can only acquire it and not develop it, there's really no sense in taking it either. My opinion here tonight is not so much an effort to fight the ash dump, but to acquire the needed recreation this town is going to need 10, 15, 20 years down the road.

PUBLIC HEARING ContinuedBob Skinner, Continued

People who have been here for that amount of time like Vic, you have seen what's happened to the beaches here. You've seen the growth in this town. Alright. I'm 30 years old. I'm probably going to be here for the other 20 or 25 years. Whatever it's going to take for this. I want to be able to take my kids, somebody else's kids, whatever, to show them that you can still go fishing on Sunday somewhere in Riverhead town and not have it like Brookhaven and Smithtown where you can't go anywhere to fish because all they have has been taken away. Has been converted back to private. Because those are the people who are going to have money and the high power to get it through. The only way that you're going to be able to insure that everybody in this town can go to the beach on Sunday without having to actually own a portion of it outright, is through acquisition. Because nobody is going to give it to you. And that's why I think that this proposal is important and it should go through. I'm for it 100%. Thank you."

Supervisor Janoski, "Thank you. Yes Mr. Stillwagon."

Bill Stillwagon, Aquebogue, "I spoke to a lot of people in this town about this ash dump and I don't know of anybody who wants it here. It seems like we are unanimous in our opposition to this plant. I don't see how we have any choice other than to buy it. There is no other choice really. I have a legal question. Is it possible to acquire only enough acreage to make that site too small for an ash dump?"

Supervisor Janoski, "As I said in my opening statement, there are a whole range of acquisition schemes that could be undertaken. We of course, are here talking about the acquisition to its full extent at an appraised value which we had received. Mr. Town Attorney."

Richard Ehlers, "If you take part of a parcel, you have to pay a severance cost. And we haven't had the appraiser do a severance evaluation. In other words, a large parcel has a particular value. It may have a different value as smaller parcels. And you don't know until you have the appraiser do those whether or not you really save in the long run. But the proposal is technically, the Town Community Development Agency purchase the parcel. Now, the Community Development Agencies were created in large part to eliminate blight in New York City and some of the upstate cities and that condemnation power was very broad and it permits you to do the planned unit type of development that has been discussed earlier as well as possible transfer development right purchases. So there are possibilities of mixing the size of the parcel that's ultimately acquired through those different techniques."

Supervisor Janoski, "Mr. Stillwagon, I want to beg your indulgence. I have to leave. I have to go the little boys room. I'll be right back. Vic is going to chair the meeting. I just can't wait any longer guys."

PUBLIC HEARING Continued

Bill Stillwagon, "What we're talking about here is; if we pay the 7½ million dollars as the Supervisor said, it will cost probably another 75 dollars in taxes per year for a house assessed at 50 thousand dollars. If you're fortunate enough to own a house that is assessed at 100 thousand or unfortunate enough whichever way you look at it, you're talking about 2 dollars and 90 cents per week in increase in taxes to acquire this over 500 acre piece of parcel. At 2 dollars and 90 cents a week, that buys two packs of cigarettes. I think we can afford it. If it goes to the 20 thousand or the 21 million dollar price range, I still think we can afford it. Anybody who can't see paying another 8 dollars a week in taxes to acquire this piece of property, isn't farsighted enough to see 25 years down the line. Because 25 years down the line, we can look back on this and say; we bought that for 20 thousand dollars. It's ridiculously cheap. It's always that way. People 25 years ago, were buying houses for 5 thousand dollars. Not that that seems ridiculously cheap."

Councilman Prusinowski, "One of the key points that you brought up is that there is a lot of ideas floating around of how to finance this project and that's one of the purposes of the public hearing. I was very happy to hear some of those ideas which we have been kicking around. And whether or not we stop the ash dump or not, there's another question facing the town. And that's whether or not we want to pursue this for these purposes that were pointed out tonight. It is a valuable piece of property. It is the last threshold. And I think it comes a time in every town's future where you have to cross that crossroad. And I was walking in tonight with Joe, you know I said; this is one of the few times that an elected official (somebody like myself who had the privilege of being elected to the Town Board) has an opportunity to make an impact that's going to last for 50 60 years down the road. Because 50 years from now when other people are going to be here, they're going to say; hey they made the right or they made the wrong decision. And I'll tell you, I pass that property with my boat and it's a beautiful piece of property. Now, I'm not saying we should preserve the whole 500 acres. Make part of it some type of a scheme and that's the purpose of the public hearing tonight. And of course, we're going to continue to fight the site for the ash dump. There are a lot of reasons why we have a good case to go up there. Just the fact that we have plans and studies that were in place prior to today's date which is July 30th. That these plans were in place. Management studies, coastal zone studies were in place. Not that it's going to make a difference to some of the politicians up west because a lot of guys up west don't want the ash dump in their back yard. So we're going to have to fight and we are willing to do that. And I think that every member of the town and the people of the town should write their representatives which was pointed out tonight. The state representatives who created this law, who voted on it, who passed and enacted it. So thank you for your comments."

PUBLIC HEARING Continued

Bill Stillwagon, "So basically what it is if your house is assessed at 100 thousand dollars, it's going to cost you another 2 dollars and 90 cents per week to acquire this property. The price of two packs of cigarettes."

Councilman Artale, "Bill those figures that you're quoting now, are only if there is no increase in the tax base. Every time there is something built in this town, the tax base increases."

Bill Stillwagon, "Right. I'm talking about acquiring this property at 2 dollars and 90 cents a week if your house is assessed at 100 thousand dollars."

Councilman Artale, "At the present tax base rate."

Bill Stillwagon, "What we're talking about right now. Thank you."

Supervisor Janoski, "Thank you Bill. Is there anyone else who wishes to be recognized to address the Board? Actually, my problem was that I had 3 or 4 tabs while I was waiting for Vic to meet me for dinner and he was an hour late. Any other further comment? Mr. Carey."

Dick Carey, "I don't know about Paul Podlas, but I'm rather annoyed at the gentleman who got up after I did and said that we were shortsighted. I've known Paul a long time. I don't think he's a shortsighted person at all. The gentleman, I don't even know who he is. How long has he been in Riverhead?"

Supervisor Janoski, "Dick. Come on Dick."

Dick Carey, "Well I think you ought to be aware of the fact that there's a lot of people who have been here 60 or 70 years and have done a lot of work for Riverhead. We have been involved with the hospital, the school, the library and everything and I don't like that kind of remark from him."

Supervisor Janoski, "Is there anyone else who wishes to be heard? Yes ma'am."

Ruth Levine, Sound Avenue, "My name is Ruth Levine. I live at 116 Sound Avenue which is about a mile down the road from the ash dump site. I've only lived here for about 5 years. I'm a relative new comer to Riverhead but I came here because of the beauty of the land. I love being surrounded by nature. I love the quality of the life in Riverhead and we felt that our family would have a better life in Riverhead because it is a beautiful place to live. But since we have come here, it has been a constant battle to preserve the dignity of the land. We've had to fight oil refineries and airports and wood cutting establishments on Sound Avenue, windmill farms and now we are fighting an ash dump site and a railroad track to go right across the road. I am against the ash dump site and I am for Riverhead Town buying the land. I'm willing to support it with my tax dollars. I think we must really consider the fragile quality of our water supply. We must con-

PUBLIC HEARING ContinuedRuth Levine, Continued

sider how our land is going to be devalued because of this and we must consider the quality of our life. We don't want to tell everyone that we don't care what Riverhead looks like. I care what Riverhead looks like. I do not want an ash dump in Riverhead. I think we must think of it as an investment for the town to buy the land and perhaps work on some way of using part of it as a part and part of is as an investment for the town. When you think of positive articles that are written about Riverhead, you think of the Peconic River articles about the Northfork preserve, articles about Hallockville and a recent article in Newsday about the beauty of Sound Avenue. It is one of the last beautiful places that we have left in Riverhead and I think we must really think about preserving it and keeping it for all of our future generations."

Supervisor Janoski, "Thank you."

Tony Uroso, Fairview Drive, "I think that what's an issue here is that somewhere in the state an ash dump site is needed. I believe that two of the other locations that were suggested were in Yaphank and in Farmingville I believe. Whether or not an ash dump site is needed or not is not what I'm contesting. Whether or not an ash dump site on Long Island is necessary or not is not what I'm contesting. Of the 3 sites when you look on Long Island that have been chosen and I don't mean to put this problem in one of our neighbors back doors. If you look at the sensitivity of the proposed ash dump site in Riverhead, you look at Long Island Sound. You look at a beautiful natural resource. Something that you gentlemen, and most of the comments have been addressed at your request and I address these comments also, to all the state officials. You are elected to protect these natural resources. Whether it's the water aquifer, the natural beauty of the Sound, the fish that swim in it, the air that we breath, this area (unlike the other two) is particularly sensitive. I address a thought to the Town Attorney. The environmental impact statement (I believe) on this property would have to be a Type I SEQRA. I believe (unless the State of New York supercedes your town Planning Board) that they are the lead agency in the SEQRA recommendation. I don't know how the State of New York is going to run a SEQRA Type I and have it reviewed by local municipality. It's certainly, when you're looking at avenues to stop and protect what may happen in your community, this may be one direction to look into. Again, I address my comments to keep Riverhead rural. To keep Riverhead beautiful. To protect your community and I address those comments as well, to the State of New York. This ash dump site does not belong in Riverhead. Thank you."

Supervisor Janoski, "Thank you. Paul."

Paul Podlas, "Joe I'm sure you will rule me out of order if I am. But I have a question that Mr. Pike brought up. Do you not know... Is that a true statement what he said about the fact that if it is condemned for a park, that it had to be in existence before the law was signed?"

PUBLIC HEARING Continued

Supervisor Janoski, "Yes."

Paul Podlas, "And if it is, how do we get around it?"

Supervisor Janoski, "The Town Attorney wants to answer."

Richard Ehlers, "What it says, is it says that if a park of 150 acres or more is within 12 hundred feet of a site, it may not be considered by the siting committee. They've added, and this would be an argument of interpretation between attorneys before a judge. What they've done is they've added to the eminent domain procedure law an additional requirement. In this case, what's going to happen here is that the environmental facility corporation which was sent up in 1970, is to be the owner of the ash dump site. They're to sell the bonds. They are to enter into the agreements as to how it will operate. They are only permitted to condemn a site on the approval of the state legislature upon the recommendation of the siting board which can only pick a site which is not within 150 feet of an existing park and subject to all other existing constraints of the eminent domain procedure law. So it is our position that that is an additional requirement. They can not even begin to look at certain sites which are near parks and schools. If they pick a site which is not near a park or a school, 150 acres, in that case 12 hundred feet within it, they still have to follow the eminent domain procedure law which I would argue, would prohibit them from condemning against another public purpose and the public purpose would be a park. So it is very definitely a matter of our interpretation. Our position, we read through this quite carefully and I (for myself) feel that the Board is in a good position to proceed to consider the condemnation."

Paul Podlas, "The reason I'm questioning it is because I would hope that I would make the proceedings a little more knowledgeable for citizens of the Town of Riverhead. Not that I'm trying to get into an argument or anything. My next question would be; I don't think you answered that question about the date that the park is established. And he mentioned...."

Richard Ehlers, "The date..."

Paul Podlas, "...it would have to be pre-existing."

Richard Ehlers, "The 150 acre park has to be existing within 12 hundred feet of the proposed site before the date of the enactment which was about 10 days ago. But it's our position that that is merely an additional requirement. It does not remove all of the other requirements and would still prohibit them from condemning against the public purpose."

Paul Podlas, "Ok."

Richard Ehlers, "I've reviewed cases. There were cases where a lighting company (municipal lighting company) owned a parking lot. It wasn't used for lighting company purposes and the state was able to condemn that land on the argument that it was not being used for lighting company purposes parking lot."

PUBLIC HEARING ContinuedRichard Ehlers, Continued

Obviously, if we condemn this piece of property and don't use it for a municipal purpose, we would be subject to being condemned against. The State of New York can pass a law. They can do anything that the constitution of the United States and the State of New York permits them to do. But the purpose of the hearing tonight is to develop the idea that it should be used for park land. And if it is used for park land, that would certainly put us in a much stronger position. And I do not believe it is correct (though Mr. Pike and I may differ) that we are prohibited from taking this at this time."

Paul Podlas, "Ok. I have a suggestion that I think is the responsibility of the Town Board that you generate more information for the citizens of the Town of Riverhead. And I think it behooves you to put it in the newspaper or some how local radio station or something to give us more information, more options of what's going on. Obviously, you 5 men have time during the day to pursue all the different options. I came here tonight just with the limited knowledge that was in the newspaper. I've learned a lot. I'm sure there's a lot more to be learned. I think it should be brought out into the general public so the citizens of the Town of Riverhead can make an intelligent decision on it. I'll repeat (like I said before) I'm against it. But I think there's other methods that we can pursue as citizens of this Town of Riverhead to stop it and I'm not familiar with all those methods. I asked about the taxes. A low figure was brought out. I pointed out about the assessment or appraised value and so forth. I didn't get into that we're going to have to pay for maintaining it, developing it, so forth. A lot of people in the audience say fine. We don't mind spending 2 dollars and 90 cents a week. Obviously, I am willing to pay my fair share too. But there has to be a point that you 5 gentlemen should give us more information instead of just throwing it out and saying a citizen asked for a public hearing. We are here tonight. We have 150 people, 100 people. We have 12 or 15 thousand in the Town of Riverhead. I think there should be an effort made that more facts and figures and options should be forth coming so we can look at it and read up or hear about it on the radio or some how brought out to the public."

Councilman Artale, "Paul, I am sure that as we do find more information and more developments occur, we will be letting them out. Absolutely."

Paul Podlas, "I think you have to move pretty fast on this. I understand by the first of the year you have to..."

Councilman Artale, "We'll move as quickly as we can."

Supervisor Janoski, "Thank you Paul. I would once again point out that no decision is going to be made based on this public hearing this evening. Actually, it will be upon the information that we receive tonight that we will start to talk about it and decide what further steps should

PUBLIC HEARING ContinuedSupervisor Janoski, Continued

be taken. One of the things which has been raised, is the possibility should we proceed down the road toward acquisition as the possibility of it being placed on the ballot in the form of a referendum so that the people of the town could indeed help in making the decision. Now, the figures that I have used tonight are those which I have had made available to me. I didn't manufacture them. I asked people who deal in numbers and financing in the community to prepare this information so in fact this information can be brought out to you from which you should make an intelligent decision, an informed decision. Whether you agree or disagree with the assessed value or the appraised value, that is your business. It is the only number that I have available to me. Whether you think the tax rate number is too low or too high, that is your opinion. It is the number that was generated at my request for my information or for your information. So that's why we're not taking a position here this evening. We are in fact, responding, being responsive to the community in which some citizens have raised 2 problems. One; the ash landfill and 2; recreational public land."

Charles Cichanowicz, Sound Avenue, "I live across from the property you're speaking about. It's a great idea to purchase that land. But I think the property is a little too big for park purposes. You're right. Riverhead is a beautiful agricultural land. People come out from the cities to see the agricultural land and we don't want to lose that. So I suggest that the north end will go park purposes and agricultural will stay in agricultural. I think it would be a splended idea to make Riverhead beautiful and prosperous for trying to preserve the farmland. I've been here all of my life and I think it would be a great idea."

Supervisor Janoski, "Thank you very much. Is there a hand up? Kenny."

Ken Wells, Sound Avenue, "There's one question that has been floating through my mind here listening to everyone speak this evening. And that is this. The location of this property is right next to the Town of Southold. They are going to be affected as much or more than we are in lots of ways. They're down wind from this thing. We are upwind. Has any contact been made with the Town of Southold in any way to see what assistance they are willing to give to the town if it's going to be a park or anything?"

Councilman Lombardi, "Ken, I would have to say that 3 or 4 months ago when I started that petition, I had gotten in touch with Southold. I got in touch with Easthampton, Southampton and I had told them at that time that the ash dump was the idea that they are coming into Riverhead in Jamesport. And I said it's not just Riverhead's problem. It's the whole east end's problem."

PUBLIC HEARING Continued

Supervisor Janoski, "Well Ken, let me just point out something. This magic line that's been drawn is known as zone 3. It takes in roughly half of the Town of Riverhead but excludes our sound shorefront in the eastern agricultural part of the town. What they are saying is that it's wrong to have a dump site within that zone 3 but it's ok outside of it. The L.I.L.C.O. property happens to be outside of it as does the entire piece of Southold. So they may be thinking that if we don't get it, they might get it."

Ken Wells, "They're going to be affected more by this than we are."

Supervisor Janoski, "I'm not saying this is the case but it could be in their minds that better it be in Riverhead close to us than in Southold. That's a possibility. The other areas that's possible is the eastern part of Southampton and the entirety of Easthampton that is just outside of this zone 3 and can be used for an ash dump site. So it might be self protection."

Ken Wells, "Well thank you. You've answered the question."

Councilman Lombardi, "Another thing (Ken) that I would have to say is that when this was brought up, it was only brought up about Suffolk County. And I did make the statement that if you're just talking Suffolk County, you might as well be talking Nassau County and New York City and that's what's happening. You got a Suffolk County and a Nassau committee being started as of now."

Ken Wells, "Thank you."

Supervisor Janoski, "Let me just check one thing. Does anybody else wish to be heard? I do have to recognize Mr. Kasperovich because he has not spoken yet."

William Kasperovich, Wading River, "I realize the purpose of this hearing is the creation of a park piece of land and I waited to speak last to hear what people would say about the ash dump. Not enough has been said and I think you gentlemen should be impressed that an ash dump is a horror. It is worse (tremendously worse) than any garbage dump you could imagine. It destroys the land irrevocably. An ash dump takes the land out of any use. Sure you could put a couple of feet of top soil on anything and raise grass. But for anything else, absolutely can not be used. We can use a town dump landfill after so many years in many directions. But an ash fill, absolutely no way to use it. This is the severity of having an ash dump brought into Long Island. We do not have any land to give up. Especially a beautiful spot like this. Now the argument we get from people that live outside of the county is; well, why is it zoned industrial if it's such a beautiful spot? I have no answer for that. But if we have no alternative way to stop this, and this seems to be if you gentlemen feel that this is the way to put a stop to it with more certainty than other options,

PUBLIC HEARING Continued

William Kasperovich, Continued

then by all means, put it before the voters in November. Thank you."

Supervisor Janoski, "Bill, could I ask you a question that somebody asked me? Maybe in your background, is there any process or any place in the world that is converting ash to any other purpose? For example; making some useful product out of it. Perhaps in road work or something like that."

William Kasperovich, "You have to give me a more defined definition of the ash. The quality of the ash would have to be known in order to answer that question."

Supervisor Janoski, "Ok. But is there.... Let's say a high grade of ash. It is being recycled into other products?"

William Kasperovich, "It is being retreated to make it something other than ash to use it with (in conjunction) other materials. There are ways.... And of course like everything else, it's an economical feature. When the ash is available, what it cost to make something out of it."

Supervisor Janoski, "I thought that you might be familiar with some recycling."

William Kasperovich, "Not knowing what the ash is, I would not comment on that."

Supervisor Janoski, "Thank you Bill. Neil did you have your hand up?"

Neil Fenton, Sound Avenue, "After being exposed to years of ash, I've kind of grown a few inches here. Several people have made comments that kind of sounds like; should we live on Sound Avenue in the Northville area? Obviously, the idea of having an ash dump is hard to really believe and would happen to the town. Dick Cary's comment about it becoming an ash hole for the whole Island is just.... Dick Ehlers spoke at Rotary last week about this idea of concept. I lived on Shelter Island for about 3 years. I worked there for about 6 years. And every day I used to see ash carted in and the garbage in the landfill. And if the wind was blowing upwind, (Ken said before) you could always smell it. And I think (you know) the town has turned around a lot because the people like the Careys, care. And the idea of having an ash dump here (I mean) certainly would take us back quite a few inches. Now, I'm assuming that the drawings up here and these photos are meant to be photos of the site. I've run all of that property when I was president of Hallockville and L.I.L.C.O. said it was ok for me to walk and run that site. And I haven't seen anything in the town that's comparable to that property. There's a beautiful pond there right by the bluffs. The beaches are spectacular, untouched. Everything is clean. If the costs you quoted are correct in terms of what it would mean for peoples' tax base, doesn't sound like it's a heck of a lot. People in this town aren't

PUBLIC HEARING ContinuedNeil Fenton, Continued

nto parks because we have so much property that is available
o all of us to swim in, to recreation in, so on. And we do
ot go to places like Indian Island because it's a county park.
think the idea of.... I lived right near a park; a block
way in Queens and Flushing. That was my place for recreation.
nd the idea of having a large area like this for people, (as
ill Stillwagon said) would certainly be a tremendous thing
or the town because there's very few towns that have this
ind of property...."

TAPE ENDED

Supervisor Janoski, "Thank you Neil. Is there anyone
lse who has not spoken who wishes to address the Board?"

Jack McGloughlin, "I just have a brief comment about
he proceeding gentleman asking about Southold being repre-
ented here. In anticipation of coming to this meeting to-
ight as a citizen of Riverhead, I thought about the impor-
ance of a good turn out for the officials to see that the
own give their opinion. Whether in support or not. But it
s important that you do have people in this room. And my
aughter and I took a ride and we went down Sound Avenue and
went into the Big E ranch. I figured there's a multi-mil-
ion dollar operation there that's directly affected by this
sh dump. And to my surprise, the secretary wasn't aware of
he meeting tonight. I don't want to embarrass them. I cer-
ainly hope someone is here and I would have preferred that
hey get up to speak as in industry in the Town of Riverhead.
dditionally, I called Virginia Wines and was pleased to hear
er say to me when I addressed myself as a member of the
orthville Beach Civic Association, I know why you're calling
e and I have my speech all prepared. So that was also nice
o hear. I stopped at other merchants on that Street. My
oint to be made here is that I think it really behooves the
own Board in you efforts to mobilize the business people who
eally have the clout and can stand with you and express a
iew of that they also want to continue their industry in the
own and I would suggest that that's perhaps another avenue
or us to take. I called a friend of mine that lives in Mat-
ituck because I didn't want to be deceitful and call Southold
nd say that I was a resident and there's a big meeting in
iverhead. So I asked him to do it for me. And he contacted
r. Murphy's office and was told that Mr. Murphy would get
ack to him. When I left for the meeting, I hadn't heard.
o that's just a point of information to address to Southold
hat interests (as this gentleman pointed out) really should
e here. And perhaps getting the business people in town
s really a heavy impact on the state officials. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else
ho wishes to be heard? Steve."

PUBLIC HEARING Continued

Steve Haizlip, "Mr. Janoski and the other Board members. I'm surprised that the D.E.C. even considered coming in here and dumping ash when they have been so severe in Westhampton in swimming pools and wetland areas and giving people 5 and 10 thousand dollar fines. Now, unless this is just a short cut to Nassau County out here, then I think they should be planning to get transportation and take that stuff upstate to rocky grounds and type of top soil that it don't penetrate as easy. Mrs. Wines brought to knowledge (first time I knew anything about it and I've been around here I guess going on about 35 or 40 years) that "Levon" has made a sand mine out of this thing. Now, if they have made a sand mine and taken all the top soil away, is this why the D.E.C. is looking towards it? And if it has, why is the land so valuable if they went in and sanded it and took the top soil away?"

Supervisor Janoski, "No. That's not the case Steve. The "Levon" project was at the province of folklore in Riverhead. It started off as Virginia Wines as a deep water port and some years later, somebody discovered that really what they were doing was mining the sand and gravel. I think you can see in the photograph there is an area that is gouged out there. That is the site."

Steve Haizlip, "That like the bomb crater?"

Supervisor Janoski, "Yes."

Steve Haizlip, "And that's the rest of it?"

Supervisor Janoski, "The rest of the land is pretty much in its natural state. There is a beautiful one large pond and other little bodies of water. You're right. And I have pointed out that it seems to be contrary to the purposes of the D.E.C. to make such a suggestion."

Steve Haizlip, "They're the ones that are always swooping right down on you the minute you want to build a bigger cellar and so forth and they're yelling about the water. Then in the same terms, they want to come in and contaminate it for you. Now, I would like to go back to what Mr. Nohejl said. He's talking about T.D.R.s and Dr. Grantham's P.U.D.s. Are these type of projects or type of terminology that means that if this land is purchased, then it can be come type of development of construction or an additive that can offset some cost? It sounds very good."

Supervisor Janoski, "The idea that Mr. Nohejl brings up is something that the Town Board is considering at the present time and that is adopting ability for the transfer of development rights (That's a T.D.R.) which would allow for development to take place in one area of town and also additional development from properties located somewhere else. The development rights of this property would be used over here but this property would be kept open and it's a fine idea that Mr. Nohejl. And of course we are working on it at the present time. And it would provide a financing mechanism, so to speak, because it

PUBLIC HEARING Continued

Supervisor Janoski, Continued

would be the developer who pays for this 10 thousand dollars (as he said) for the development rights. It he would actually pay that. And that's why we're here tonight. To hear the ideas, the feeling, and see if somebody comes up with something that we haven't thought about yet."

Steve Haizlip, "So in other words, if I get it, it's trade offs. If you got a piece of property over here and it would be trade off. If Riverhead municipality (that's a tough word) gets the land, then they have no right to go and then sell it to the developments there. In other words, if it's bought for park purposes it has to stay for park purposes."

Supervisor Janoski, "One of the things that has been talking about and that's why we're talking about the Community Development Agency doing the condemnation because through that agency, we could allow for the development of a portion of the land. So that that development would generate tax revenue to pay part of this bill. We will be at the next Town Board meeting having a hearing on a proposal to change the zone of that particular parcel of property. It is presently zoned industrial B and the recommendation has been made that we consider changing it to recreational district which would allow for various resorts uses, marinas, recreational uses, golf courses, tennis courts, hotel, motels."

Steve Haizlip, "It sounds like it's getting better all the time. Now, I would like to go along with what Mr. Carey said. I was the lead off speaker and I said I was opposed and I gave my reasons at that particular time. But again, there is nothing in this world that people haven't changed their mind and even enrollments in parties. Now, in this town I have always noticed that people have been able to speak their peace, give their input, give their opinions and thought and nobody has ever jumped me in the hall later and said you shouldn't have said that and said that and I appreciate that and I respect this town for it. But like Mr. Carey said, I don't think we should be condemned for giving our opinion at a hearing. That is what it's for. This is our American given right and it's our constitution and this is what we fought that World War II about."

Supervisor Janoski, "Thank you. Alright, you spoke and I'm going to recognize the woman in the rear first and then I'll get you."

C.C. Bookout, Sound Avenue, "I live across from the L.I.L.C.O. so called property and I just had a quick question. I was on the original Board of Hallockville and I was wondering although it was not a park of that acreage that's required, it would be in the minds of the people to have a park that large. And I wondered if they could use that and the idea of the historic corridor as part of the argument against the dump."

PUBLIC HEARING Continued

Supervisor Janoski, Absolutely. Let me tell you two things. When we got a copy of the law and we read it and saw that provision for the park having to be in existence at the time of the enactment of the law. I immediately called the attorney of Mr. Robert Entemann who owns the Big E farms directly across the street with the idea of Mr. Entemann donating to the town 150 acres of park land so that it would exist across the street. Unfortunately, the government signed it before we could really do anything. But that avenue (of course) was explored. We are... One of the other things that I suggested was that we have this little school house down behind the Eastern Suffolk School of Music that perhaps we could pick it up. Bring it up to Hallockville and have the school district acknowledge that it is a functioning school building within the district and there are classes that go on there. There are tourists, children coming in and maybe that's a loophole in the law that we could use. But we're looking at just about anything to fight it."

C.C. Bookout, "You know when I first moved here, it was "Levon". I'm so tired of trying to decide the fate of that land. It's beautiful land. It should be... I would ideally like to have it open to the people as it is. It's beautiful."

Supervisor Janoski, "Thank you."

Bob Skinner, Herod Pt. Rd., "Your question before Mr. Janoski about them doing anything with the ash; there are people who I will contact (if you wish) at Stony Brook who can give you a little more information on turning it into carbonates using it for reefs, etc., etc. And also, one thing that my wife wanted to convey which I forgot about before, is that if the state is so h--- bent on acquiring L.I.L.C.O. property for an ash dump, let them put it in Shoreham."

Supervisor Janoski, "I have to Dr. Grantham because it is a public....."

Caryl Grantham, Spoke from audience, INAUDIBLE.

Supervisor Janoski, "Come on up and put it on the record. You have to identify yourself once again also."

Caryl Grantham, "Dr. Grantham and I was a formal intervener in the Jamesport proceeding. L.I.L.C.O. went into that because in 1975 the question of scrubbers was introduced as the possibility if they were there coal plants there or even scrubbers in two nuclear plants. And they had already investigated sites on the Hudson River which were in deep ravines. So L.I.L.C.O. should be a prime source of information if you need sites for dumps."

PUBLIC HEARING Continued

Supervisor Janoski, "There's also another method and it's electro-static percipatators. I'd like to say that so I thought I'd bring that in. Mr. Schmelzer."

George Schmelzer, Calverton, "Sorry I couldn't make it before. Maybe you're glad. But if I had known it's this cool, I would have made sure to come before. Have you ever considered T.A.R.?" Transfer of Ash Rights. If they're zeroing on this L.I.L.C.O. land as they do other things with, what's to stop them from going right next door? Nothing is there?"

Supervisor Janoski, "Well, what they see here is 517 acres of a parcel of land which is owned by a single entity and that's what I think made it appear as a possibility to them. There is actually no reason that they couldn't look anywhere else on the east end. It became painfully clear to me in many of the meetings at the D.E.C. that the east end seems to have most of their attention."

George Schmelzer, "Yes. I don't think it serves any absolute purpose for the town to do anything with it. They can go right next door. And if they have to work on several pieces, their lawyers would love it. They get more out of it. The lawyers would. Isn't that right? So this land is only one lawyer's job. That's too easy. They can't get that much out of it. And as far as the ash is concerned, I (last week, Friday I guess it was) went down to Brookhaven Lab to see if I could find out if they had done anything experimental work on ashes resulting from complete burning of the garbage. Of course I couldn't get pass the gate. I telephoned in and they said they would get back to me by letter or telephone. By the time I got home, my wife said there was a phone call. Didn't say from what source in the lab. They said they are not doing any experimental work on that period. So that's all. I figured I got the brush off. So maybe you, in your position, can get more. I think someone else said something in Stony Brook. There must be some use for this ash somewhere as you and I discussed last week about maybe using it in asphalt, road beds, possibly fertilizer, possibly in cement blocks. And somebody somewhere should have looked in to it or is looking or has done so. See if you can find him. I don't know where to look. I'm just a common citizen off the street. They wouldn't tell me. They would tell me to get out the door. But you, in your position, is a little different. As far as using L.I.L.C.O..... Wherever you have a generating plant, there's always a tremendous amount of heat loss in the condensor. Maybe there's some heat process we can do with ash to create... You can make it alkaline which it would be I believe it is when it comes out of the burner. Maybe make it neutral, carbonated. If it's potassium carbonate whatever (calcium).... I know that wood ashes are good for fertilizer because it gives pot ash. So maybe this does have pot ash in it too. Burnt wooden paper. Paper comes from wood then it must have pot ash in it also. I believe we could look into this and find out a good use for this stuff. Maybe there wouldn't be any ash dumps around. They would be grabbing it up for industrial uses. I think we should look in that direction very carefully and purposely and quickly. Then we wouldn't have any trouble because what's to

PUBLIC HEARING ContinuedGeorge Schmelzer, Continued

stop them from going near by if they want to? You can't zone them out can you?"

Supervisor Janoski, "One of our arguements would be that the jurisdiction (authority) over land use and zoning is the province of the local government. And the adjoining properties are zoned residential, agricultural."

George Schmelzer, "Well, when it comes to matters of health, they say they have priority. Would they say that?"

Supervisor Janoski, "Well George, we're going to make every argument that we can."

George Schmelzer, "Yes. To me personally, I don't think it's practical for the town to take that over. I think it would not stop anything if they determined. There's plenty of land for the town to do otherwise. That's a good piece of land. Even show them some alternatives next to Grumman in Calverton. It's zoned industrial. Nobody would want to live there anyway because of the noise. You talk about the race track. That's only 20 nights a year. That thing down there is every day of the year possibly. So maybe land south of the river or north of the river. All this stuff. I'd say the town should save its 7 million and look for other methods. That's my idea. That's all I can tell you. Thanks very much."

Supervisor Janoski, "Thank you George."

Councilman Boschetti, "Mr. chairman."

Supervisor Janoski, "Yes."

Councilman Boschetti, "A number of speakers have brought up the possiblity of using the ash in some other way rather than dumping it. And one fellow even mentioned (I believe it was Mr. Skinner said) something about it being used as a reef and it's currently being studied at Stony Brook in an experiment that they have been conducting for such years. And I know they've been tracking it and it has been showing itself to be quite useful in that regard through whatever process they use to get it into these bricks. And it seems to be doing quite the job without harming anything. Mr. Schmelzer also brings up the fact that can't it be used in road beds. Well, it is in fact, used in other states. The D.O.T. has been examining its use for some time. But for some unexplained reason, has not given its ok for the use of ash in road beds or certain other road applications. So because that would be a very extensive of ash, it might in fact eliminate the problem of burying ash all together. But it won't happen until the D.O.T. approves it and we are awaiting some decision from them now. So we have been looking into those areas to see if there is an alternative use for ash. But thus far, we haven't met with much success unfortunately. Thank you."

PUBLIC HEARING Continued

Supervisor Janoski, "Thank you. Is there anyone else who wishes to address the Board on this matter? Yes sir."

Charles Cichanowicz, "I live just south of that ash pit that you call it. And if that ever goes in there, we will all have to move out of there. We had the sand and gravel operation there. Everytime the bulldozer went in there, we couldn't go outside. Our clothes were all dirty. Our homes inside were all dusty. Even when we get that wind now, all you got to do is go out there and you could taste the salt coming through there. You see a wind blowing anything with a bulldozer working there, the sand is still coming up. So the ash dump is out completely. Not only my place. It will go over Jamesport. It will go all the way to the Bay all the dust. You'll hit it in Riverhead too."

Supervisor Janoski, "Thank you."

Charles Cichanowicz, "You consider that. All the farm land will go to waste because in a years time they will build up on there. You're thinking for the future. Well there will be no future in agricultural. The ash will take over."

Supervisor Janoski, "Thank you."

Robert Pike, "Since there are two distinct issues here, I just wanted to address briefly the other one of park land in the Town of Riverhead because it's obviously it's something that those of us who do use it, enjoy it very much and a very major concern here. The fundamental problem with acquiring park land by eminent domain is that when the time comes that people have to make a decision and this includes the Town Board and if it went to referendum, the citizens; the fundamental problem is the question is shall buy this piece of property for I don't know how many dollars? And that is the pervasive problem with eminent domain. So the simple suggestion then is; anybody made a serious inquiry into the Long Island Lighting Company as to whether a contract of sale could be negotiated to buy the property for a reasonable price. So then when it came up for a referendum, the answer would be no. And if those gentlemen could answer that question, I would be delighted to hear it. But I think that's essential and this is borne out of experience. The very reason that Robin's Island was never acquired by eminent domain is because of that problem. That island sits preserved but not acquired simply because you don't know what the number is when you have to make a decision to buy or not. And it's a fundamental problem. And I'm greatly concerned that in the process of getting land, that we find the best land, that we negotiate a reasonable price for it. That we not put the voters or the budget out on a limb and ask people the question; are you willing to buy this land for I don't know how many dollars. It's crazy and it could hurt very seriously. Those thoughts."

PUBLIC HEARING Continued

Supervisor Janoski, "Is there anyone else who wishes to address the Board on the matter of the Jamesport piece which is located in Northville? I want to thank you very much on behalf of the Board for taking the time to be here this evening. The purpose of this hearing was to gain further information from the citizens and taxpayers of the community of an idea that was raised by a citizen of the community. If I at times run a tight meeting, I apologize but that's the way I try to do things in order to make sure there is order in an orderly proceeding. I thank you very very much for being here with us and the Town Board will consider the information and make some decisions as to what should next be done. Thank you."

There being no further information on motion or vote, the meeting adjourned at 9:32 p.m.

JP:nm


Irene J. Pendzick
Town Clerk