

Minutes of a Regular Board Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York on Tuesday, August 16, 1988 at 7:30 p.m.

Present: Monique Gablenz, Deputy Supervisor
John Lombardi, Councilman
Louis Boschetti, Councilman
Robert Pike, Councilman
Denise Civiletti, Councilwoman

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

Absent: Joseph F. Janoski, Supervisor

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

Deputy Supervisor Gablenz, "Christopher Soo if you could come forward please. We're going to have one of the Boy Scouts this evening lead us in the Pledge of Allegiance. Joining us this evening are a number of Boy Scouts who are attending a special Eagle Preparatory Week at Baiting Hollow. One of their requirements for citizenship and the community merit badge is to attend a public gathering in which opposing viewpoints are presented. And so they are with us tonight. We welcome you. Supervisor Janoski is still in the hospital and therefore, I will preside over this meeting as Deputy Town Supervisor. Again, we have several public hearings on this evening. I would ask that all speakers please conform to the five minute limit for speaking. We have passed the time for the first public hearing, so why don't we open that up. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, August 16, 1988 at 7:45 p.m. to hear all interested persons who wish to be heard regarding. The Proposed Amendment to Section 101-8 of the Town Code, "Weight Limits".

Deputy Supervisor Gablenz, "Pat, why don't you give a brief explanation."

Pat Moore, Town Attorney, "We are trying to change the weight limits on two areas; Sound Avenue and Middle Road. The location on Sound Avenue would be from the intersection of Manor Lane and Sound Avenue to the intersection of Osborne Avenue and Sound Avenue. The Middle Road location would be from the intersection of Middle Road with New York State Route 25 to the intersection of Middle Road and Roanoke Avenue."

PUBLIC HEARING, Continued

Deputy Supervisor Gablenz, "Is there anyone who wishes to address the Board on this specific matter? Mr. Gergela."

Joe Gergela, "Good evening. I'm the Executive Secretary of Long Island Farm Bureau. The Long Island Farm Bureau is a membership association of 2,500 farmers, fishermen and agri-businessmen. The Long Island Farm Bureau is opposed to any restrictions pertaining to the weight of vehicles which travel upon the road known as Sound Avenue or Middle Road. We feel that this is an unnecessary encumbrance of free passage on public roads. This right previously held, would be violated without proper justification. We recognize the concern of town officials relating to wear and tear of town highways. However, this problem is of a historic nature. Sound Avenue in particular has a history of poor drainage which is the result of poor design. In many areas, the road has never been properly regraded or resurfaced and has been neglected by poor maintenance of the town. To redirect truck traffic to an already overcrowded highway, Route 25 or 58, would create gridlock on many occasions if not daily. Unfortunately, the only alternative route is Sound Avenue for trucks to bypass the already heavy traffic on 25 and 58. If you redirect trucks to the state highway, this will lead to further safety problems due to impatient drivers following behind slow and heavy trucks. We would also like to know how compliance of this proposal would work without pulling over and weighing each vehicle which would normally be using these roads. Do you propose check points or random checks? Long Island Farm Bureau members think their time, money and energy would be better spent on improving the existing routes of travel rather than interfering with the rights of citizens by an unnecessary regulation. Thank you for your attention."

Deputy Supervisor Gablenz, "Thank you."

Irene Pendzick, "Mr. Gergela, do you have a written statement you could submit?"

Joe Gergela, "Yes."

Deputy Supervisor Gablenz, "Mr. Nohejl."

Bill Nohejl, Aquebogue, "Former farmer. I think this will hinder the operation of a farmer who is caught in between the sections that you wish to put this weight limit on. Now, someone coming up from Florida, Georgia or wherever, with his truck or tractor trailer, they are given a destination to go a certain way to get to a certain farmer's property to get a load of potatoes. Now, the broker tells him, because a lot of them are new to the area, the broker will say go up Osborne, go Sound Avenue to go to Vernon Wells property. Maybe he doesn't know going up Northville Turnpike. He's told to go Sound Avenue or come through that way. And I think it's going to hinder the farmers eventually because these fellows are going to be pulled over and they're going to be discouraged to come to Long Island to buy produce. Thank you."

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

John White, Riverhead, "My residence here is a picture worth a thousand words. I was in the trucking business for 26 years and that's the problem tonight. The problem is Middle Road. I'm representing a group of people here who would like to continue Middle Road from 25A to the west Middle Road passed Manor Road to Route 58. The problem there is the cement company sending trucks down the road at 6:10 in the morning, empty dump trailers slam bang boom of the tailgates. 6:10 in the morning. Also on Manor Road, Riverhead Cement Company has cement tankers coming in at 3, 4, 5 o'clock in the morning. These people I spoke to living in the area are ready to lose their homes. They were told, if you don't like it, move out. The people can't move out because nobody will buy their homes. I spoke to a gentleman who bought a house from Lohr who owns Riverhead Cement Company. But Lohr didn't tell him that they were going to bring in a huge conglomerate pipe plant which will be 20 times larger than Lohr's Ready Mix concrete plant. These pipes will furnish 80% of Suffolk County's sewage piping. We're talking about a multi-millionaire plant being put up at the end of Middle Road. That can't be stopped but I'm not interfering with their business. I think if they could possibly have an opening at the end of West Middle Road going on to Route 58, it's a state road I realize. But for the hardships of people going through here, I figured you people should get a variance from the state, from our Governor. That's his job. Now, I sent letters out to quite a few people here. I dropped them off in the mailbox. I spoke to quite a few people in the Foxwood Village even this afternoon. There's a little short notice that I received that I started this. But I spoke to a few people on the Board and they said please come and give a raise of hands. I'd like you people to see the votes. I'm asking the people to please raise their hands that are interested in opening up West Middle Road on to Route 58 to send all these trucks. Please raise your hands. Show them you're interested. There's votes. That's your job. Thank you."

Deputy Supervisor Gablenz, "Thank you Mr. White. Is there anyone else who wishes to address the Board on this matter?"

Charles Raffe, Town Attorney, "I represent Suffolk Cement Products, Suffolk Cement Precast. And since now it's been brought up, I also represent the pipe factory they're talking about. Your notice pertained only to restricting traffic (as I understand it) on Middle Road going in an easterly direction from Roanoke Avenue to Route 25. I was here tonight for the purpose in case this came up as Mr. White has brought up the issue to you of asking that you restrict traffic going beyond Roanoke Avenue and Middle Road. I'd like to just point out a few things on behalf of my client. My clients do employ, Suffolk Cement Products, in excess of 41 people in Riverhead. Suffolk Cement Precast employs an excess of 30 people and the pipe plant which will eventually open up will probably be employing in the neighborhood of 30 to 40 people. Suffolk Cement Products has been at that site as the original cement plant since 1936 and has been in operation for 52 years. The property south of Middle Road in that area is zoned industrial. That which is north of it is zoned agricultural. Suffolk Cement Products a number of years ago in 1975, lost its access to Route 58. I can understand Mr. White's comments and others. However, we had no control over

PUBLIC HEARING, Continued

Charles Raffe, Continued

that when the New York State came through and condemned it. As a matter of fact, the time the condemnation took place, the law in the State of New York denied Suffolk Cement Products any damages due to this loss of security of access. The fact that they now have to travel around Manor Road when they go in a westerly direction. And when they go in an easterly direction, they have to go out Middle Road and they go to Middle Road and they go south in order to utilize the traffic light that's there. I think that there are the safety factors that have to be taken into consideration and we'd appreciate your consideration to this. Thank you."

Deputy Supervisor Gablenz, "Thank you. Is there anyone who wishes to address the Board?"

Bob Pekar, Middle Road, "I have been at my present address for 23 years. I live on top of the hill just about where Suffolk Cement is located. In that time, Suffolk Cement has been probably the best neighbor anybody can ask for. At least a half of dozen times in those 23 years Riverhead Town was unable or unwilling to plow our roads. We're not too important down here. Suffolk Cement plowed them for us. Sure their trucks come through and make a little noise. But it seems to me in this town we're getting to have a habit. Any time somebody new moves in like Mr. White, the first thing they want to do is change things. We have that factory on West Lane. New people moved in, changed things. And what happens? You people go along with it. We have businesses in Riverhead that try to support some of our tax base. I was just looking at some of the special permits here. Over 1,200 special permits are on this agenda alone are housing. In all likelihood, this Town Board with their past record is going to say sure. One way or another, put a bush here or put bush there and build them. But how many people realize that every home unit that goes in town has one child that does not support the tax base. One child with school taxes, town taxes and county taxes. And if there's one tax that I have never had a problem paying, that's the school tax. They give me something for my money. I don't get much from the town. I get nothing from the county. How is industry in this town going to grow when every time somebody cries wolf, you do something about hindering the industries? The houses are going to support the tax base. You know that. I know that. It's about time the other people knew it. There was mention of a letter left in the mailbox. I'm quite angry about having an illegal letter left in my mailbox. My mailbox is for postage paid mail only. For someone to open my mailbox and deposit a hand written letter is illegal. We've already contacted the postal department on it and the police. There has got to be a happy median someplace in this town. We've got to be able to invite industry. We've got to be able to invite business. And we've got to be able to establish new homes. But there's got to be a happy median. It can't be a one-way ticket for people that move in, that know they're moving into an area that has trucks, that know they're moving into an industrial area zoned industrial. I knew it when I bought my home. I know the cement plant was there when I bought my home. People on both sides of me. In fact, three people out of the five houses where I live, have just moved in there recently. They all knew there were trucks in there. They have nothing to do with resale value. Changing the weight limits and imposing unrealistic

Bob Pekar, Continued

penalties on industry in this town whether it be farming, whether it be cement plants, whether it be anything else, isn't going to help this town. This town has got to do something to help itself. And that's trying somewheres along the line to get a balance. Look at what we have, where we're going. Stop listening to just the homeowners. Listen to everybody. We're just homeowners, we're all going to go under. We're not going to be able to survive the tax base. We need the industry. And it's you people we have to depend on to see that that tax base is broadened. Thank you."

Deputy Supervisor Gablenz, "Thank you."

Steve Haizlip, Calverton, "In the defense of Mr. White, I don't believe he's a newcomer. I think I remember seeing this gentleman around going on 25 years. Now, as far as these roads are cocerned, I know they're all secondary roads and these roads were put into this town back in to (let's say) 1800's or so to help split up these farms. And then they had the main roads and then they put in the secondary roads to divide farms up just like they have sand roads throughout some parts of states and some states have sand roads getting back to the farm and the dwelling. Well, it has come to the time where this town is going industry like that gentleman says. And so the roads are kind of staying secondary and you only have 58 and 25 and Northville Turnpike and probably the Expressway that's got any decent thickness to it that will handle trucks. So if we want industry in the town and they want to be able to locate in some remote area, I don't know how we can very well restrict those people when they're going to bring in a huge operation and some employment and so forth. So I think maybe we have to start looking to try to upgrade these roads somewhat and take them away from the 18th Century when they were really laid out for farming purposes. Thank you."

Deputy Superviso Gablenz, "Thank you. Yes sir."

John White, Jr., "My father spoke a little while ago. I also am in the trucking business as my father was. He started in the 1950's. The whole time that he was in business he was more or less in a remote area where there were not a lot of houses around and he didn't bother anybody. He was in the concrete business. I am in the trucking business. I run 20 trucks of my own. One thing that I have noticed, now I am living on West Middle Road, the trucks do go in front of my house. I do know that the trucks are going that way on many occasions to avoid being stopped by D.O.T. for safety checks. Now, the trucks they're sending that way, by what I've been told, have problems that they don't want to be stopped because they don't want to be taken out of service. So what you're going to have is you're going to have your best trucks going around on Manor Road on to Route 58. And if they're stopped, they might be their new trucks and they don't have any problems. The substandard trucks are coming in front of my house and a lot of other people. Now where the Kobylenski's live, it's a sharp turn in front of their house. Many times I come down that road and it's a truck, not just Suffolk Cement trucks, there's people picking up material from them. There are farmers that are the same situation but no where near the same amount of traffic and usually a farm truck is going

PUBLIC HEARING, Continued

John White, Jr., Continued

much slower. I feel sorry for Mrs. Kobylenski because when the trucks come passed her house there's a couple good bumps there and all she hears all day is bang bang bang. I have a two year old daughter and a twelve year old daughter. I have a hard time getting out of my driveway on many occasions. The traffic there has gotten so much worse that I've seen in the last few years that I don't really think that the road is holding up. You can ride down there on any particular spot and the shoulders are falling apart. Now, if you go down Manor Road, it's a much wider road. You can see much better. Your line of sight. There's no where near the amount of people living there. And you also have the new pipe company that's over there that's fine. Let all the commercial traffic go that way. Why can't they go right out to Route 58? The Expressway is that way for easy access. Why do they have to go in front of our houses? I can look at it from both sides. Safety, I don't think is something that we can really put down. Maybe it is a little bit farther for him to go the other way. I understand that. But I don't really think then we should jeopardize the lives and safety of our kids and ourselves for that. And that road is not going to stand up. The other road is a much better road. It was built basically when they shut the road off there. I was here when it happened. And the housing in the area has grown a lot and it's going to grow more. It's so close to the Expressway and Route 58. Why do they have to come our way? Besides what I can see, they're avoiding a D.O.T. check which to me is safety. I see both sides of it. I run twenty trucks. And all my trucks or 80% of them are 1986's, '87' and '88's. I'll take them in front of any D.O.T. check. I'd like to see him do that. That's about all I have to say. Thank you."

Deputy Supervisor Gablenz, "Thank you."

William Rusch, "I'm with Suffolk Cement Precast. I just want to say; the man owns twenty trucks and is willing to go through D.O.T. In one day with those twenty trucks, he's a loser because they'll keep him there all day long. Another thing what he just brought up about the roads, if the roads are falling apart, he's telling you to fix them. They've got to be fixed for safety purposes. Nobody avoids.... I should say everybody tries to avoid D.O.T. Not for safety purpose but because they hold you up all day long. And he realizes that, we do. And they set up there every month any way. Tell them to set up, they set up right in front of East Coast Mines right in front of the gate at 4 o'clock, 2 o'clock in the morning because they know the trucks leave at 2. They can set up at any place they want. Nobody is afraid to go in front of them. You have to go. They get you, they put a sticker on your truck. You're good for a month. Two weeks ago, I was pulled over five times in three days. Nothing wrong with that. There was nothing wrong with it. Every time you just get out and you're losing time. And how do you make money with that? Fuel use tax, you pay them. D.O.T. permits, over weight permits. You name it. Every time a government is stepping in, they're taking more and more and more. And it's getting to be unfair. Permits just to carry the stuff is unbelievable. I hate to see what he has to pay with twenty trucks and have to carry the legal amount of weight. Thank you."

PUBLIC HEARING, Continued

Deputy Supervisor Gablenz, "Thank you. Mr. White, just remember, we don't want this to become a debate."

John White, Jr., "I just want to make one statement. What he was saying about getting a sticker for the truck, fine. You get a sticker for the truck. It's not good for one month. It's good for three. They will not bother you again. If the man was stopped five different days, he did not get a sticker and you can check this with D.O.T. If he didn't get a sticker, there was something wrong with his truck and I'll guarantee it. I'll take my truck. I get the stickers. Nobody bothers us for three months. They won't do it because they know the truck is safe. If the truck was safe, he would have gotten the sticker and nobody would have bothered him. That's it."

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

Walter Binger, Aquebogue, "I'll try to make it short for a change. Basically, I'm against the weight limitations on Sound Avenue. Middle Road has its access problems which I don't understand why they redesigned that in 1975. But my basic problem lies to the fact of closing down Sound Avenue to heavy truck traffic. I already have more than my share of heavy truck traffic, probably more than Mr. White and the other people have in their homes. Truck traffic over the last ten years has increased tremendously all through the night. Trucks run 3, 4 o'clock in the morning. They do not watch the 30 mile an hour limit. They do not watch the 40 mile an hour limit through Aquebogue. There's a 30 mile an hour at the school. Nobody pays attention to it. There's a 40 mile an hour throughout Aquebogue itself. Nobody pays attention to it. Basically, it's a 50 mile an hour straight through road. My biggest problem is in imposing weight limits on Sound Avenue and through the natural chain of events, trucks have gone up to Sound Avenue because of the increased traffic on 25A. If you put weight restrictions on it, you are going to send more trucks down 25A which is already overcrowded with traffic and trucks throughout the night. And the road conditions on 25 are not up to snuff. It's a state road. The surface is terrible. Now, Sound Avenue was just resurfaced by our own highway department. It is very nice. I was up there the other day. And if that's part of the reason the trucks are diverting, then we better get the state in to straighten out the road. Maybe with the natural chain of events, they'll come back down on to 25A. That's all I've got to say. Thank you."

Deputy Supervisor Gablenz, "Thank you. Is there anyone else who wishes to address the Board on this matter? Nobody else Mr. Haizlip."

Steve Haizlip, "I meant to bring up the part about the notice being put in the mailbox. It slipped my mind. I'd like to be on record with it. Now, in putting a notice or letters in people's mailboxes, I think that was done on Timber Drive when they were trying to get that road improved and they wanted to have meetings. And it was just notifying them of meetings and they just slipped them in the mailboxes. But let me bring out this point. If any prosecution is going to be done on account of that little episode, then you better

PUBLIC HEARING, ContinuedSteve Haizlip, Continued

bring out the postal service and start stopping these people that come by and put sales slips for Caldors or some other event or some car sale that's going to take place. Because they are just as equally guilty."

John White, Sr. "I'll make it short. Thank you. The scenerio of this problem here is Middle Road that I'm talking about, the total length of Middle Road. I failed to say before on Manor Road, Riverhead Ready Mix people are not aware because they're sound asleep. There are four tankers. They send them out 7, 8, 10 o'clock at night and they return at 3, 4, 5 o'clock in the morning coming down Manor Road passed the homes. Now, when this new cement company comes in, the pipe company, they'll have sixteen tankers coming in. That's a lot of tankers passing the houses at 3, 4, 5 o'clock in the morning. Now, this has been told to me by people that live there that want to sell their homes and can't. They have a hardship case. Thank you very much."

Deputy Supervisor Gablenz, "Is there anyone else wishing to address the Board? That being the case and without objection, I declare this hearing closed." Let the record show that the hour of 8:18 has arrived. The Town Clerk will please read the notice of public hearing for the second hearing."

7:45 PUBLIC HEARING CLOSED AT 8:18

PUBLIC HEARING - 7:55 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, August 16, 1988 at 7:55 p.m. to hear all interested persons who wish to be heard regarding: Proposed Local Law entitled "Environmental Safety and Zoning Act of the Town of Riverhead.

Pat Moore, "This local law was proposed in May at which time we had a public hearing and certain comments were made and considered. Based on the commentaries that were made, we've made changes to the law which we hope will clarify and specify what the intent of this law is. It is intended to prevent the construction of a nuclear power plant, the transportation of waste from a nuclear power plant and the disposal of waste from a nuclear power plant."

Deputy Supervisor Gablenz, "Is there anyone else who wishes to address the Board on this matter? Mr. Pfeiffer."

Henry Pfeiffer, Wading River, "Be a little patient with me because only some of us learn by other people's mistakes. The rest us have to be the other people. I have no problem with and I support the thrust and intent of the environmental safety and zoning act for the Town of Riverhead except for part six which has me confused. It says penalties for offenses inso whoever violates the

PUBLIC HEARING, ContinuedHenry Pfeiffer, Continued

provisions of the law shall be punished by a fine of \$1,000 and imprisonment for six months and vehicles and equipment used in connection with the violation, shall be seized. This appears to be in conflict with relevant of parts of amendment five of the United States Constitution to wit; nor by deprived of life liberty or property without due process of law. Nor shall private property be taken for public use without just compensation. Amendment 14 applies these limitations to all states. Part six seems penalty by fiat eliminating presumption of innocence and due process of law. Is this the intent? Is it legal? Please disconfuse me. The ball is in your court."

Deputy Supervisor Gablenz, "Mr. Pfeiffer I would ask that if you have any specific questions with regard to it, perhaps you can speak with the Town Board or the Town Attorney after the meeting. We have your concerns on record and we thank you for them."

Henry Pfeiffer, "Thank you."

Deputy Supervisor Gablenz, "Is there anyone else who wishes to address the Board on this particular matter? That being the case and without objection, I declare this hearing closed. Let the record show that the hour of 8:22 has arrived. The Town Clerk will please read the notice of public hearing for the third hearing."

PUBLIC HEARING - 8:05 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, August 16, 1988 at 8:05 p.m. to hear all interested persons who wish to be heard regarding: The Draft Environmental Impact Statement of Calverton Lifecare Center Project".

Deputy Supervisor Gablenz, "Mr. Moore, did you wish to briefly explain the project?"

Fred Moore, Calverton, "Yes I do. My name is Fred Moore and I'm a resident of the Town of Riverhead and reside in the Hamlet of Calverton. I'm the applicant of the project which is the subject of this hearing this evening. For the past ten years I've been actively engaged in the development of and operation of housing especially designed for our older american citizen. As president of the Peconic United Methodist Housing Development Company which owns and operates John Wesley Village here in Riverhead, I have become acutely aware of the special needs of the fastest growing segment of our population. Two things have become apparent in the more than 6½ years that John Wesley Village has been in operation. The first is that there is a vast unmet need for housing for our older americans that is safe, affordable and decent. The second is that in addition to housing, that particular segment of the population known as the frail elderly, probably 72, 75 and older, need to have available additional services such as the availability of meals, cleaning, assistance with medication or dressing, long term health care and opportunity for companionship. They need a feeling of security and the knowledge that all their

PUBLIC HEARING, Continued

Fred Moore, Continued

needs can be met without being uprooted again. In light of that need, I have located a site in Calverton near Long Island Expressway exit for development as a multi-level lifecare community for our frail elderly. As you are aware from the reading of the draft environmental impact statement, I'm applying for 400 units of housing, community building and eating facilities and the 240 bed nursing home together with other ancillary activities on the almost 90 acres at the site. With me tonight are my attorney, Allen Smith and consultants, Mr. Wilbur Stakes and Mr. Robert Scheiner. On the Board before you is a tentatively layout of the proposed project and we look forward to hearing any comments that anyone may have. Thank you."

Deputy Supervisor Gablenz, "We're going to try and set this up for the public to see. Mr. Haizlip."

Steve Haizlip, "As far as Mr. Fred Moore is concerned, I've got him classified as a front man. Mr. Schulman owns that land and I guess Mr. Schulman has got him and Mr. Smith to develop it. Now, here's what I want to know. Since he's a Reverend so to speak and he's setting up a medical center as he so calls it, is he going for a tax abatement or is he going for a tax exemption? Because it's not fair that that 87 acres of land is going to be developed and made fancy and pretty with all these golf courses and houses and then it have a request to be put in here to get tax exemption or abatement because other residents around is going to have to pick it up and keep this whole town operating with the required revenue that it currently draws on taxes. Thank you."

Deputy Supervisor Gablenz, "Thank you. Is there anyone else who wishes to address the Board on this matter? Mrs. Brown."

Betty Brown, "North Fork Environmental Council. The North Fork Environmental Council would like to submit comments to be incorporated in the final environmental impact statement regarding the project known as Calverton Lifecare. Four hundred condominium units and a 240 bed nursing facility on 87 acres. To begin, I'd like to state our disappointment in the lack of public involvement in this scoping session for a such a high density project. This is not the usual course of action of other applications and projects that seek changes of zone for extreme density. And I ask why this project has been singled out as an exception. The DEIS states that the project consists of 400 condominium units including 40 studio units, 168 one-bedroom units, 124 one-bedroom with den units, 68 two-bedroom units. The Town Code states; studios, dens or similiar potential bedrooms shall be counted as bedrooms. Therefore, there are actually 192 two-bedroom units. All the figures which used one and two bedroom units for sewage disposal and water usage should be reworked so that systems are constructed to adequately the maximum potential need. The FEIS should also include information on how the yield density figure of 400 condominium units were determined. The section on water supply discusses the extension of public water. The FEIS should state how far away in miles public water is from the site and should include all recently approved or pending applications for connection to the same extension. The DEIS states that there is a

PUBLIC HEARING, ContinuedBetty Brown, Continued

need for affordable senior citizen housing in Riverhead. However, fees for recreational facilities, security service and garbage collection will be collected in a monthly maintenance fee. The DEIS fails to demonstrate that any of these units will be affordable. The draft makes reference to the Sound Avenue corridor on page 8. It states; the beneficial, social aspects of the open space reserve are targeted for the preservation of a rural historic quality along Sound Avenue. And again on page 75 it states; in order to assess the existing motor vehicle traffic volumes along Sound Avenue in the vicinity of the project site, these statements do not pertain to the project and should be omitted. According to the section on archeological resources, no actual on site field work has taken place at all. As Canoe Lake is the largest body of water in the area, it provides a source of drinking water, food and travel as there was a historic direct connection to the Peconic River which was broken with the construction of the railroad. Further research should be conducted here. Thank you."

Deputy Supervisor Gablenz, "Thank you. Is there anyone else who wishes to address the Board on this matter? Mrs. Johnson."

Sherry Johnson, Manorville, "Good evening. I currently serve as the vice president of the Long Island Pine Barrens Society which is an organization formed ten years ago to promote an understanding and awareness and to encourage governmental decisions which reflect preservation of the unique ecosystem known as the Pine Barrens. I was somewhat disappointed that the potential environmental impacts listed in the notice of acceptance of the DEIS which was published for this project was inadequate. It omits many important aspects of our environment which may be significantly impacted by this action. The proposed list contained; vegetation, wildlife, soils, traffic and visual changes. The complete list should have also included impacts to groundwater, wetlands, the water quality of Canoe Lake and the Peconic River, land use, open space, neighborhood character and public services. I was somewhat disappointed in this DEIS. I felt there were an awful lot of typographical errors as well as a lot of incorrect information. Also, it left out a lot of information which would have been beneficial. I'll read some of the findings that I have. I have provided each of you with a copy of my statement so that you can go through it yourself at your leisure. The first section of was a description of the proposed action. It is stated in this section that six permit approvals are necessary. These six permits should be listed in compliance with the criterion necessary to obtain them and should be demonstrated. It states that there are 11 mobile home parks within the town. That figure is incorrect. This section states that 50% of the site is proposed to be reserved as open space for agricultural and aesthetic uses. It is stated on page 43 that there are approximately 44 acres of active farmland. It is further stated that the proposed action will result in the loss of about 44 acres of active agricultural lands on page 212. No agricultural land will be preserved under this proposal. The section on surface water should be corrected as all the wetlands on the project site are mapped according to the DEC. Additionally, the DEC would regulate the two wetlands adjacent to Canoe Lake even if they were not mapped as they are within 100 feet of Canoe Lake. The four acre

Sherry Johnson, Continued

wetland is mapped separately from the Canoe Lake system. One of the other sections was the section on open space, parks and recreational facilities. The Robert Cushman Murphy County Park is incorrectly identified as a Peconic River County Park and its acreage to be 2,800 acres. Section 5.2.2.1 surface waters says that the impacts to surface water will be mitigated by buffers that are greater than or equal to DEC fresh water wetland setbacks. The fresh water wetland act does not determine specific setbacks. It allows the DEC to regulate actions up to 100 feet from the outermost limits of fresh water wetlands vegetation. Disturbance for any purpose within the 100 feet will require a fresh water wetland permit. It should be noted that the buffer around the four acre of facidious of wetland woodland area is significantly impeached upon by the pitch and putt golf course. Another section was section 5.2.2.3; fertilizer impacts. The draft states that in this section that 82.5 acres were in cultivation. However, it is previously stated that there is 44 acres of farmland on site. The 8.2 acre golf course and 28.3 acres of lawn equals 36.5 acres to be fertilized or approximately 83% not 44.2% of the area which will continue to receive applications of fertilizer. This section also discusses hydrogeological zone three but does not include the recommendations for sites in that zone. The 208 Study has recommended that this zone be developed at a density of two acres per dwelling unit. Additionally, this section states that lakes and ponds surrounding the project site are not recharged by the area of the project site but by ground water. The section on surface water states; that in the area of the project site, storm water runoff may contribute to the surface water as much as 3% of the yearly rainfall. It should be noted that ground water itself is recharged by rainfall. The section 5.4.7, wild, scenic and recreational river zone, the draft incorrectly indentifies the project site throughout this section as being in the area of the Peconic River which was designated as being scenic. This should be corrected. Section 5.9.1.4, waste disposal. I think they put these in here to trip you up. Solid waste amounts expected to be generated from the project should be broken down to identify any red bag wastes that will be generated from the nursing home. As disposal method should be described, this section should also include impacts to flora and flaua resulting from the release of treated water to the ground. If water is brought to the site and then discharged, it will effect the water level in the adjacent and on site wetlands as they are hydrologically connected to the water table. The other section which was on migratory route mitigation for the tiger salamanders which are present on this site, the mitigation measures which will be taken to preserve the migratory route and breeding ponds for the tiger salamander are not adequate. The annual migration to the breeding ponds takes place in February and March. If the proposed culverts are blocked by snow or ice, the insurmountable curbs described will prevent the salamanders from reaching the ponds. The DEIS states that a 100 foot boundary will be left around the wetland areas. That is not sufficient. As you will recall, the DEC required that a preserved area equalling half the total acreage within 500 feet, be set aside when tiger salamanders were identified on the DiMartino site on Route 58. The DEIS should also have discussed timing construction so that it does not interfere with the breeding season. And the DEIS should have discussed methods to prevent erosion and runoff from

PUBLIC HEARING ContinuedSherry Johnson, Continued

entering the wetlands during construction. The DEIS fails to discuss Article VII and to demonstrate compliance. The DEIS also fails, and I think perhaps this is the most important point here, the DEIS also fails to demonstrate how the Residence RC District Overlay can be transfixed onto this site. The Town Code clearly states it is the purpose of this article to implement the recommendations of the Master Plan to permit the construction of high density living accommodations and intended services within the hamlet area. This site is not in the hamlet. Additionally, I have concluded with this statement a copy of a resolution which was or will be laid on the table at today's meeting of the Suffolk County Legislature. The resolution sponsored by Legislator Steve Englebright, calls for the authorization to begin planning steps to acquire Canoe Lake. As Canoe Lake is immediately adjacent to the project site, the FEIS should discuss the possible county acquisition here. The Long Island Pine Barrens Society feels that the alternative two acre plan should be given serious consideration for this site. This action would result in the least impact to the environment and conforms to all density recommendations including the farmland preservation plan, the 208 Water Study, The Wild, Scenic and Recreational River Regulations. We also feel that any open space created by development of any portion of this site is of a sensitive nature and should be preserved for conservation purposes, not recreational use. We also ask that the FEIS include information on all other projects that are located within the central pine barrens zone in the Town of Riverhead and accumulative estimations of their impacts be made. Thank you."

Deputy Supervisor Gablenz, "Is there anyone else who wishes to address the Board on this matter? Yes ma'am."

Nora Dirska, Riverhead "This is the project Reverend Moore is proposing that you're speaking of? Ok. I realize that you younger people here don't ever expect to grow old but believe me, it does come. The project Reverend Moore is proposing is one of the most acute necessities of this area. Believe me, Reverend Moore is an excellent administrator. Any undertaking he engages in will be an asset to the community. And believe it folks, it is a very very necessary project. Please give it your deep consideration. And for god's sakes, forget all about this environment and the whole business and look out for the elderly people that need this place so very very urgently. Thank you."

Deputy Supervisor Gablenz, "Thank you. Mr. Haizlip, did you wish to make a statement?"

Steve Haizlip, "Is it out of order if I speak for Mr. Joe Jermusyk and Mr. Kenny Tuthill? They promised me they would be here but they're not here. So I would like to speak for them on the record. Yes or no?"

Deputy Supervisor Gablenz, "Why don't you just make it as a statement from yourself and we'll accept it on the record."

Steve Haizlip, "All right. Let me phrase it this way then. Mr. Jermusyk has asked me to speak for him and Mr. Kenny Tuthill has asked me to speak for him. Neither one of us is opposed to putting any buildings up there or any golf courses or what have you. Like the hostages said when they come home, thank god for Ollie North. Well, thank god for Sherry Johnson and Mrs. Brown to take care of the environmental and the impacts and so forth of what it's going to do and what it's not going to do as far as future wastes and so forth. But the only thing I'm objecting to and Mr. Jermusyk and Mr. Tuthill is we don't want to see this land go for tax free. Now, if the government is demanding this and they say it's got to be done, then let the government come and give a grant to this town in place of those taxes. Thank you."

Deputy Supervisor Gablenz, "Is there anyone else who wishes to address the Board on this matter? Mr. Schmelzer."

George Schmelzer, Calverton, "If people are concerned with taxes, I don't blame them. But maybe if you address the question to the attorney, maybe he could answer it. That's all. Let the attorney answer it what the intents are."

Allen Smith, Attorney, "Yes the project pays taxes."

Deputy Supervisor Gablenz, "Thank you Mr. Smith. Is there anyone else who wishes to address the Board on this matter? Mrs. Graff."

Alice Graff, Riverhead, "Being a senior citizen myself and knowing the expenses that it costs by living in this town these days but will the people that we're talking about the need for housing, but will these people primarily be from Riverhead or will they be coming in from all over as so many of the nursing homes come in from New Jersey."

Deputy Supervisor Gablenz, "Thank you. Is there anyone else who wishes to address the Board on this matter? Mrs. Dirska."

Nora Dirska, "It is not necessarily that the people come in from New Jersey from nursing homes, is the people from here that go to New Jersey because these nursing homes and adult homes are so necessary right here. Thank you."

Deputy Supervisor Gablenz, "Thank you. Is there anyone else? Yes sir."

Dick Benedict, Riverhead, "I work for Grumman and I'm concerned about senior citizens, that many of them going in one section. Maybe after they built it they'll want to close Grumman because there's too much noise. Thank you."

Deputy Supervisor Gablenz, "Mr. Pfeiffer."

Henry Pfeiffer, "I like this place. This is the only night life I've seen in the Town of Riverhead. I have to tell you, those of you that do not know that I am the president of the Suffolk County United East End Seniors Council. Most of the senior groups out here, the organized senior groups are constituent members of that council. And it is such from time to time, they are entitled to and are afforded the representation from the council and I have spoken many many times. I've also spoken on this host program for housing options for seniors today which is sponsored by Cornell University, the Department or presently the Office for the Aging. And as I say, I have spoken on these particular things of different type of housing which may or may be effected throughout the East End of Long Island providing zoning changes are made and so forth and so on. I think Mr. Boschetti is familiar with that. The echo housing where you can put up a little shack along side a principal home to take care of the older folks or the younger folks as the case may be. The accessory apartments where you take a principal home and create a second apartment there or a number of other particular things. And I have spoken on these subjects, showing slides and all the rest of it at least to 8 or 10 senior groups. And at the conclusion of the presentation as is customary, we ask for questions. And a single solitary question that I have heard and repeatedly in all the forums that I've been at is; Mr. Pfeiffer, can you use your influence to get me in to John Wesley Village? Now, John Wesley Village and I think most of you people are familiar with it, is directly to the north of Middle Road and a little bit to the east of Roanoke Avenue. It is a quiet community. It is a community set up specifically for the elderly and has all the appointments that the elderly might wish for their comfort. The Reverend Moore has been managing that for some period of time. Now, let me tell you that the people up there, and I don't live there incidentally, but the people up there are genuinely appreciative of the way things are managed. So I would assume that should this other project be approved and become in fact under the management of the Reverend Moore, that it would be more than acceptable to not only the seniors but acceptable to the people in the community. Now, I appreciate and I believe me I like to go fishing, I like to go hunting, I like to go chasing those little rascals around the woods. And for a long time I have appreciated the efforts of the North Fork Conservation Council, Ms. Johnson and Ms. Brown and some of the others in their efforts to concern themselves with the flora and the fauna and the other little things that run around the woods and so forth. And I appreciate their efforts in preserving the East End and particular Riverhead in its virtually prestined condition. Over the years, I have become quite familiar with some of the little bugs that are precious to us. Copper cockroach, the silver fish, the golden nematode and so forth. But I must upon occasion, try to determine which should be preserved, which should be taken care of foremost and then selecting the less of too weevils. I would be inclined to lean over toward the benefit of the human beings. Even those of us who are now getting a little bit decrepid. And I would like to say that taking consideration of all these other aspects that were brought out so clearly by Ms. Johnson, if it is conceivable to bring about a facility like this, I think that it would be in all ways, an advantage to the Town of Riverhead. Thank you."

PUBLIC HEARING, Continued

Deputy Supervisor Gablenz, "Thank you. Is there anyone else who wishes to address the Board? Mr. Haizlip, we will make this brief, correct?"

Steve Haizlip, "I want to endorse what Mr. Benedict said about the noise of the planes flying. Let Mr. Moore tell all the people that he's going to bring in there that there's an airport over there and it's a military installation and do they make noise when they fly out. Don't let's pull what Mr. Stark did, don't tell them there is a racetrack there for Saturday night. Let's get it out in front now."

Deputy Supervisor Gablenz, "Yes ma'am."

Pat Pekar, Calverton, "I just wanted to not only address you but the gentleman that was talking about the flora and the fauna. My understanding of the Pine Barrens and our natural resource on Long Island of how special it is. The recharge area the water. We're not talking little buggies, we're not talking flowers. All right. The lady that said everybody grows old. We need it here in Riverhead. I agree we need something but not if it's at the expense of raping the land for our children. That's all."

Deputy Supervisor Gablenz, "Thank you. Is there anyone else who wishes to address the Board? Mrs. Sykora."

Florence Sykora, Riverhead, "I have known Reverend Moore for about 20 years and I think I have a little bit of faith in him that what he is trying to do will turn out very well. I have gone down to Wesley Village. I have seen that place. And my god, if we could have somethings a lot more around like that, we'd have some places that we can say the Town of Riverhead could be proud of. We do need for our senior citizens. Believe me. I'm one of them. And we'd be very please to know that I could have a place like this that if I didn't have anybody to take care of me that I could go there and be taken care of. We do need something. Then we don't have to depend on our children to sacrifice their lives for us. Thank you."

Deputy Supervisor Gablenz, "Thank you. Is there anyone else who wishes to address the Board? That being the case and without objection, I declare this hearing closed. Let the record show that the hour of 8:54 has arrived. Will the Town Clerk please read the notice of public hearing for the fourth hearing?"

8:05 PUBLIC HEARING CLOSED AT 8:53

PUBLIC HEARING - 8:10 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, August 16, 1988 at 8:10 p.m. to hear all interested persons who wish to be heard regarding: Amendment to Section 108-97(B)24, "Street Lighting".

PUBLIC HEARING, Continued

Deputy Supervisor Gablenz, "Is there anyone who wishes to address the Board on this matter? Mr. Hagler."

Stanley Hagler, Main Street, "I have a business on Main Street, Riverhead. Could you explain what this is all about? I tried to get information on it yesterday from the Town Hall but apparently the resolution was in the working session and no one was around to give me any information on it."

Deputy Supervisor Gablenz, "This is an amendment to the Town Code that would specifically detail the requirements for street lighting in the Town of Riverhead. This is at the recommendation of the engineer for the Planning Board. It gives some real details to people coming in as to the requirements they will have to meet in supplying the street lighting to a certain area. As to illumination, as to equipment that they must use, as to number of lights that will be required."

Stanley Hagler, "What about on our own business areas? Will it take into account the poor lighting facilities that we have in the downtown area or the hamlet or the business area of Riverhead? And that during the Fall of the year particularly at Christmastime, there are always articles in the local papers complaining that people can not walk the streets in Riverhead at night because the illumination is not adequate. Does it take that into consideration?"

Deputy Supervisor Gablenz, "This is specifically a code amendment on residential street lighting."

Stanley Hagler, "Thank you."

Deputy Supervisor Gablenz, "Thank you. Is there anyone else who wishes to address the Board on this matter? Mr. Schmelzer."

George Schmelzer, "I don't know how to address.... The people should be addressed by you first to explain what it's all about. You said lighting in residential places. Everybody who has a farm house has to put a light up in front do you mean?"

Deputy Supervisor Gablenz, "This is a new proposal Mr. Schmelzer. I don't think the town is about to require people to start installing street lights at their individual homes."

George Schmelzer, "What do they propose?"

Deputy Supervisor Gablenz, "This is for subdivisions that are being proposed to the Planning Board."

George Schmelzer, "You didn't say that. You said nothing. That makes it clearer."

Deputy Supervisor Gablenz, "Well, I'd be glad to do that and I hope that I have now."

George Schmelzer, "Partly anyhow. Thank you."

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PUBLIC HEARING, Continued

Deputy Supervisor Gablenz "Is there anyone else who wishes to address the Board? That being the case and without objection, I declare this hearing closed. Let the record show that the hour of 8:57 has arrived. Will the Town Clerk please read the notice of public hearing of the fifth hearing."

PUBLIC HEARING - 8:20 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, August 16, 1988 at 8:20 p.m. to hear all interested persons who wish to be heard regarding: The Adoption of a Local Law providing for a Sole Appointed Assessor.

Deputy Supervisor Gablenz, "Is there anyone wishing to address the Board? Mr. Barnes."

LeRoy Barnes, "Good evening. I'm the Chairman of the Board of Assessors. I had a friend call the other night. He told me he was reading the local paper and he said that I spent \$110,000 on the election. And I'm hoping and praying that there's going to be a retraction on that and it's really only \$10,000. If I did have the 110, I wouldn't be here. I know that the thinking behind opting for sole assessor or appointed sole assessor might professionalize the Assessors Office. But it should be known that back in 1971, there was a special election held that allowed the public to vote to obtain their elected assessors which they did. And in 1981, there was a public hearing held for the very same issue. In response to public comment and objections, the local law and the referendum were never acted upon. I feel that if this Town Board moves this local law to a mandatory referendum on this November's ballot, it will again be rejected by the voters. It is apparent that this law has been effect since 1971 to allow any municipality to the option to either appoint a sole assessor or to retain their elected assessors. I would like to go back to the word professionalize. It seems that the argument to appoint an assessor would professionalize the Assessors Office. But I think one thing should be considered. Is that when our great state legislatures back in 1984 passed the assessment improvement law, it mandated that elected and appointed assessors must meet the same training and certification requirements to hold the office of assessor. The law also mandated that if either the elected or the appointed assessor failed to meet these requirements, they are subject to removal from office regardless if they are elected or appointed. This law was passed to ensure that each municipality would have trained and certified assessors. Just as a point of information, the State of New York has already removed over 300 elected and appointed assessors for the lack of compliance with this law since 1974. 1984, excuse me. By the way, the three elected assessors that currently sit on this Board of Assessors, are state certified. It is obvious that there is already in place, a mechanism that would guarantee the town or any municipality that they will have professional assessors. There's one more point that I would like to make. This Town Board had the option in the proposal of this local law to set a date as to when the current elected assessors would be terminated.

PUBLIC HEARING, Continued

LeRoy Barnes, Continued

And when I read the proposed law, it stated that it would take effect immediately if it is passed by this public referendum. We as the Board of Assessors, are requesting that this Town Board not move this local law to a mandatory referendum for the aforesaid reasons. In consideration of what ever comments may be presented tonight, we feel that if you do decide to move this local law, it should be an obligation on your part to amend the termination date to allow us time to adjust for our own future and financial plans. In closing, the bottom line comes down to two choices. A sole assessor who is appointed by five people or an elected assessor who is selected by 7,000 people. I believe the public would prefer the later. Thank you."

Deputy Supervisor Gablenz, "Mr. Gergela."

Joseph Gergela, "I'd like to go on record as I'm speaking on behalf of the Farm Bureau and also for Robert Hartman who was unable to attend this evening and I have a very short note from Mr. Hartman. I will read his note to the Town Board first. To Riverhead Town Board; I firmly believe that the assessors' position should continue to be filled in the same manner, elected by the people. To change to an appointed position would only further erode the rights of our citizens. Please do not try to fix something that is not broken. Sincerely, Robert J. Hartman. I will submit that. I'm representing the Local Affairs Committee of the Long Island Farm Bureau which is comprised of approximately 30 farmers. And we are opposed to the concept of sole assessor for Riverhead Town. The Farm Bureau is an organization which believes in the constitutional right for our citizens to have government for the people by the people. This right to elect town officials to hold important positions such as an assessor, should continue as it has in the passed years. We're proposed to the political nature of this concept as it encourages feather bedding of loyal party members. This concept takes away the responsibility of the sole assessor to be accountable to the citizens of Riverhead Town. The agricultural community is confident that voters and property owners are quite capable of electing qualified professionals who can represent their interests as well as that of the town. We are opposed to a move by the Town Board to bring this issue to public referendum as we feel this would not be in the best interest of the property owners of Riverhead Town. Thank you."

Deputy Supervisor Gablenz, "Thank you. Mr. Nohejl."

Bill Nohejl, "I would like to ask a few questions. If it were put appointed assessor, who would be serving under him? Would there be a deputy assessor? Would they be civil service employees? Who would be serving to take the place of, we have three assessors now which I feel is very necessary. Who would be taking the place of the other two? Does anyone know?"

Deputy Supervisor Gablenz, "I do not. Is there another Board member that would?"

Irene Pendzick, Town Clerk, "I know that in other towns there is a sole assessor and they have civil service appointees from the civil service list under that."

Bill Nohejl, "I'm glad you told me that. When we have service employees, there's no way of erradicating if they are not doing their job. A job of a civil service is ten people doing the job of one. I have been... When Mr. Crump came in 1981 soliciting, I said soliciting. He came up here personally and spoke for the position of appointed assessor. I was strongly against it. I still am today. America was born on freedom. Freedom of speech, freedom to vote for whoever you wish. I do not contemplate or I will fight to have five people taking my vote away and appointing someone against my will. I feel as though the assessors, at the present, are doing a beautiful job. Now, if one of those get out of line, we have the option of getting him out of office when his term is up. Civil service we can not budge. They are protected by civil service, CSEA. You know that and I know that. We are on the verge of dudism in this town. In some departments, they're not up to par. Even some on the Town Board are not up to par. I'm not afraid to admit that. And when election time comes, we have the opportunity to get them out. No way in the world should our rights be taken away and given to five people to decide for us. We have given away enough in our lifetime to politicians. I'm definitely against this. Thank you."

Deputy Supervisor Gablenz, "Mr. Pekar."

Bob Pekar, "As far as I'm concerned and I think probably the majority of the people, I believe that most people will probably agree with this. We have elected each of you to do a specific job. We did not elect you to take our rights to elect anyone else. Appointees are not what we elected you for. You do your job. Let us vote for who we want and let us throw out of office who we want. Maybe we don't trust you as much as you think."

Deputy Supervisor Gablenz, "Yes ma'am."

Roseanne O'Sullivan, "Chairperson of the Riverhead Town Tax Grievance Board. I have been on the Tax Grievance Board for several years and its chairperson for the last three. I feel that the blend of having elected officials and having and appointed Board is good. It gives us the opportunity, myself, the appointed Board, to listen to the town people of Riverhead. And in turn, I've had the opportunity to discuss, question and have received very professional answers from the assessors of Riverhead Town. This has been my experience for well over eight years. I feel that that blend is necessary. That we need to have elected officials in that regard. My concern is that it should be for a longer term. They don't have the opportunity to get the job done in just four years. So rather than consider appointments, consider possibly a six year term for our assessors. Thank you."

Deputy Supervisor Gablenz, "Thank you. Mr. Cuddy."

Charles Cuddy, Attorney, "I don't think the question before the Board is really one of qualified or unqualified. I submit to you that the real question is one of responsibility. I'll pick up on Mr. Nohejl's theme. I think you're really saying to your electorate that we have confidence in you, we trust you to elect public officials. I wonder if you take away the assessor, where to you go next. Hopefully not to Mrs. Pendzick who should probably have a position for life but she certainly is in a position where you could do that. How about the Highway Superintendent? How about the Tax Receiver? It seems to me that whenever you have an appointed official, he is insulated and he's isolated from the electorate. I think in order to avoid that situation, you must keep as many elected officials as possible. And certainly the Tax Receivers who in this town do an excellent job. I notice tonight there are a number of Boy Scouts who are here. I hope that you can turn at the end of the meeting and say to them that we trust you. We trust your generation. We will leave in position as many elected officials as possible and not conversely. Thank you."

Deputy Supervisor Gablenz, "Thank you. Mr. Schmelzer."

George Schmelzer, "In the past, Riverhead Assessors have done the best job in the county. All of them are elected. There was no land left in Riverhead Town unassessed or botched up for years and the three assessors always answered to the voters. And there was another town in Suffolk County that had an appointed assessor, I'm sure glad they did because I picked up a few pieces of land. I did quite well and that was good. I'm so glad they did it that way. And when I was snooping around picking up these pieces of land, I discovered a scandal internally in one of these towns. I reported it to them and they eventually got to be in three days spread in the Newsday paper. It involved about fifty pieces of land. This crook was picking up with crooked deeds in conspiracy with two civil service employees who worked in the Assessor's Office. They weren't assessors though. They were just other civil service employees see. That's the only way to get rid of them when this was discovered and they resigned. And in exchange for turning evidence on the primary thieves. So the best way always is have the people elected. If the people don't like the job, they'll get turned out next time. I don't know what your purpose is of having an appointed assessor unless it's personal (inaudible). Yes. I can tell the thief what to do. I'm the boss. You have nothing to say. That's the idea? What's the purpose of it? You should... Anyone should explain to us what your purpose is."

Deputy Supervisor Gablenz, "Mr. Schmelzer, this isn't a question and answer period. If you could just make a statement to the Town Board that we will, I'm sure the members of the Town Board will consider in their decision as whether to adopt this."

George Schmelzer, "You mean we're not entitled to know what your purpose is? It's a big secret. If it's a good purpose, say so. If it's bad, we'll decide. You must be ashamed to say."

Deputy Supervisor Gablenz, "Mr. Schmelzer, I am not ashamed to say that I'm not a member of the Town Board. So I don't have the ability to place this...."

George Schmelzer, "There's four others here. Let them say something then. Not a word out of them."

Councilwoman Civiletti, "I will. I said I will. It is a public hearing. We are supposed to sit here and listen to you. But several months ago, the Chairman of the Board of Assessors came to the Town Board and discussed the problems involved with the possibility of doing a re-evaluation which he told us needed to be done. Some of the problems that the elected assessors face are disincentives to do a re-evaluation. Which whether or not it affects a tax increase, is perceived that way. And because it's a political office, because it's an elective office, they expressed, I shouldn't say they, he expressed to us some concern about being able to effectuate re-evaluation and do what he felt needed to be done. This measure would, as some people have pointed out, effectively remove the elected assessors from the chopping block of election. And if you're not happy with the way the assessment job is being done, you can take it out on us. So, people are correct in observing that they would not any longer have the ability to kick somebody out of office if they don't like the way he's doing his assessment job. But that's part of what's attractive about this."

George Schmelzer, "How long you think a reassessment will stand correct? One year. Values change every year and appraisals change. If somebody had appraised a piece of land three years ago, would the appraisal be good today? It wouldn't, not necessarily. Maybe or maybe not. Assessment is just an appraiser. They can't appraise land every year. It's impossible with the expense. So sure it gets lopsided especially when we got values changing fast. It's very difficult. But don't think that it's any different from appraising which what it really is. A bank would not accept an appraisal four years old."

Councilwoman Civiletti, "LeRoy and Joe and Harold can tell you how hard it is to..."

George Schmelzer, "I know it's hard. Would it make it any easier to be appointed? It would be worse. You couldn't get after the S.O.B. maybe and you'd be stuck with him. This way you can get him out of office. Let's get back to this last time here they re-evaluated. The....(inaudible) Those are the experts they hired. CETA workers. That's what you want to bring upon us again that can barely read and write. They don't know if the paper is upside down or upside up half of them and they come around appraising land. For instance, I have about three or four acres next to the expressway, swamp. You can't even walk on it. So these experts they hired from out of town, this is a water front lot and they gave it an evaluation like it was on Peconic Bay Boulevard. The same kind of evaluation. That's some of your appointed experts. At that time about ten years ago, the value of that was 39,000. If you hired them today it would have been 300,000. 100,000 an acre for swamp. Maybe they're saying the mosquitos are valuable or something, the ticks. I don't know what it was. So that's an example."

PUBLIC HEARING, Continued

Councilwoman Civiletti, "But that happened with an elected too."

George Schmelzer, "No, they were appointed. You didn't take that... You weren't here though. You weren't even here. They hired these experts from out of town, out of state. There were plenty of appraisers in town. They wouldn't use them though. They used outsiders and hired these CETA workers to go around. They go in your house and ask if your house is insulated. Anybody who wanted to keep their assessment low said no. If they had any brains they could tell by looking at it but they didn't have any sense. They measured a house around with a big tape. I don't know if they added it up right. That's what they did and that's all I got to say. Thank you."

Deputy Supervisor Gablenz, "Thank you. Yes sir."

Joseph Sykora, Riverhead, "I think it should be kept as an elected official."

Deputy Supervisor Gablenz, "Thank you. Yes."

John Gallo, Riverhead, "I welcome this opportunity to address the Town Council regarding the Assessors Office. And the big question; shall we replace three full-time, highly qualified elected assessors with one equally qualified but appointed assessor. The key words here are obviously elected versus appointed. Another key issue, especially in a town such as ours experiencing growth, can one qualified person really be asked to do the work of three qualified assessors. As Mr. Cuddy mentioned earlier, we have the Boy Scouts in the back of the room. I think it's especially important and I think their leader should be congratulated in bringing them here especially tonight. What we're talking about here is very crux of our democracy. The very foundation of this issue is the very foundation of this republic, this town. This country's foundation is built upon the privileged many who vote. Not the privileged few who can appoint. And just as stone and mortar stands strongly united, just try removing the mortar and see what happens to your stone wall. King George III of England found out about that about 212 years ago and I wish he was here tonight to testify about the power of the american people if you tamper with that privilege of voting. Another analogy comes to mind and politics is on the sick bed. People toss from one side to the other trying to get comfortable. Well ladies and gentlemen of the Board, there's absolutely nothing about the thought of taking away my right to vote that makes me feel comfortable. And a published story in last week's News Review our own Town Attorney, Pat Moore, is quoted as saying; I'd like to read a quote here. Generally with one appointed position, they have more discretion to reassess and do a proper job without fear of getting thrown out of office. The fear of getting thrown out of office. Well, that may sound safe to some, but I certainly feel a lot less safe as a taxpayer of Riverhead if I don't have the ballot box available to me as a final arbitrator. Perhaps there are some in this room too young to remember the Nixon presidency. He was elected, not appointed. And being elected neither added or subtracted from his ultimate fate of getting thrown out of office. For 212 years we, the people, have been very able to vote and govern for ourselves. Thank you. And as history will recall, we have a very long memory of

John Gallo, Continued

those who try to take away our right and privilege to vote. Thinking that you know more than we do. Mr. Pike favors putting it on the November ballot as a referendum question. I favor people voting obviously but what would a referendum vote petition process cost the taxpayers especially after tonight's public hearing for absolutely free? I think you're finding out how the people of Riverhead think. And if Mr. Pike thinks referendum questions are such a great idea, why doesn't Mr. Pike offer to put his name on each November's ballot to see his approval or disapproval. I think he would prefer waiting until his term is up. Is that a fair guess, Bob? I for one, think our assessors are doing a fine job, a professional job. When I think otherwise, I'll vote accordingly. I cross party lines continually. Mr. Crump's name has been mentioned as a possible candidate for an appointed position. He was once a very good assessor in this town. He did an excellent job in Riverhead. He chose to leave his position here on his own. If he seeks to come back, he should come back on his own through the electoral process. I think the actual arguments put forth by Mr. Pike and others on our Town Board and a person otherwise here tonight to appoint rather than elect assessors are nothing more than what patriot Daniel Webster would call a rope of sand. In summation as I previously stated, this republic's very foundation is built upon the privileged many that vote. Not the privileged few who can appoint. Thank you."

Councilman Boschetti, "I'm asking for a relaxation of our normal policy so I can make a statement because something seems to be amiss here. It seems to me that the comments I've heard thus far, there seems to be a general feeling that the Town Board wants to acquire for itself, the privilege of appointing who will assess real property in the town. The only reason I considered this at all and the only reason I voted for it at all, was because it was going to be put before the residents of this town to make that decision. I think the proper question that should be asked tonight and the answers we're seeking is should this simply be put before the residents to decide on or not. We are not asking for this. And I certainly, as one councilperson, and I don't want to start a debate on this on the council, but I think most of us would say the same thing. We're not looking specifically to acquire this authority. But we are asking the residents of the town, do they feel that it would be more expeditious, more efficient? And what I'm hearing, the answer is no. But if that's the way you feel, fine. But if you have the impression that we started this procedure in order to gain authority, that is not true because in the final analysis, it's you who is going to be making that decision because it would be on the referendum for you to decide and tell us what kind of government you want to see. Either you want to continue with the kind of government you want or you don't. And that way all of the residents have an opportunity to say what's on their mind. All of them that can and do both that is. And we have a room full of people here because they are very concerned about this issue and that gratifies me. But I have to think that there would be others who also would like a voice in this as well. From what I'm hearing, you're saying no you don't want to give them that opportunity to express their opinion and I can respect that. But someone at the microphone said that we don't trust the people to make the decision. And

PUBLIC HEARING, ContinuedCouncilman Boschetti, continued

I'm telling you that I think we do trust the people to make that decision because that's exactly what we're asking you tonight. Should we allow the residents of the Town of Riverhead to make this decision, yes or no? And it's interesting that so far we're hearing; no the residents should not make that decision. So based on that point of view, I would like to hear what comments are. Thank you."

Councilman Pike, "Part of what we do as town councilmen is raise real issues. And we raise them not because we have a particular point of view on it. But there are serious fundamental problems. If you take the assessment rolls of the Town of Riverhead and take all of the sales in the Town of Riverhead and compare the assessments to the actual sales, you will see a wide variance for the actual sale. LeRoy could give you the numbers but I suspect it runs from anywhere from 5% or 10% of actual market to 150% of actual market. So that some people are only paying 5% or 10% of what they should. Some people are paying 50% too much. That's a serious problem. That's not fair. That's something that nobody in here thinks should happen. I think everybody in this room thinks everybody should pay their fair share of taxes. And in the Town of Riverhead today, they don't. Simple. Second thing, because of that variation, those people who are paying too much and have good attorneys and have the money, Northville, bring cases against the Town of Riverhead and they succeed in getting knocked down to a reasonable number. What happens in that case? Everybody else, you, pick up the tab. The fundamental problem that we're dealing with is not a re-evaluation, a reassessment. It is just plain straight forward assessment. We have an obligation to make sure those assessment rolls are fair. And it is my experience that the current operation, even the CETA operation of the 1980's, has not, as of this day, resulted in fair taxation rolls. And every one of you have a right to know that. You have also and I agree with everything that Lou said, have a right to decide which tool is necessary to make the change that gets those taxes back on a fair basis so that you're paying what ought to be paying. This is one of them. Now, as far as wrapping yourself in the flag, it's easy. I understand it John. But the fact is that your position is diametrically opposed to the people having their say. You want this group to decide it and the proposition before you tonight is whether all of the people should decide. And I think it's patently unfair to say that this particular resolution is undemocratic. We have a problem here. We have a problem here. The problem is is that this town tax rolls are not fair and it will take a lot of solutions. And some of LeRoy's are good ones. Some of the things that LeRoy and I and the Town Board have discussed are good ones but there is a clear disincentive for an elected official to raise anybody's taxes even it's fair to raise that individual's taxes because it's very unlikely that he's going to get their vote. We do not in this country suggest, and I haven't heard anybody in here suggest that we elect the IRS. And those are the folks that raise your taxes. If we elected the IRS we wouldn't have any enforcement."

Conversation among members of the audience were undecipherable.

PUBLIC HEARING, Continued

Councilman Pike, "And so do we, right here. And in the final analysis, I think the principle of democracy is that all of these things are democratic. That microphone that we use here is the first line of defense. We sitting here in the final analysis, are the people that have to show up every four years and two years to say whether we did our job. And I would say to you, that I would not have done my job unless I told everybody here that we have a serious problem. And if we don't solve it and consider whether the people should be allowed to decide whether this is a way to solve it, then the little guy in the Town of Riverhead is going to end up paying an unfair share of his taxes while the big guys with the big lawyers, are going to get away scott free. I think the people have the right to make that decision and I think they have the right to enter information about that decision."

Deputy Supervisor Gablenz, "John, just let me say something. This public hearing has been clarified by Councilmen Boschetti. I will recognize the speaker one more time. I will not recognize somebody two more times."

John Gallo, "Alright. I'll be very brief. Just to address one of the questions that Councilman Pike mentioned about being that I would prefer to have the decision made in this room tonight. It would be falling. Obviously not every resident in the Town of Riverhead is here. It would be my hope with the media sitting here, that maybe we could draw a majority of the residents of the great Town of Riverhead to be here for council meeting. I don't know where we'd put them but it would be nice. Then that probably isn't possible. It probably would have to go to a referendum. At such time you would have to put almost everything that comes before the great Town Board on a referendum. You have to make decisions. You are elected on behalf of all the people of Riverhead. But when it comes to the nitty gritty of issues such as this and there's many others before the Town Board, you would probably have to have a referendum for everything that comes before the Town Board in my opinion at least. And it's not too bad to wrap yourself up in the flag every once in a while because this is what it's all about. That's what tonight's meeting is all about."

Councilman Pike, "It obscures the actual fact of what this resolution is about in this case. This resolution says put it before the people. Your position says don't."

John Gallo, "Not necessarily."

Councilman Pike, "Are you in favor of a referendum on this question or not?"

John Gallo, "If the Town Board makes the guidelines tonight or let's say at a subsequent meeting where the people are going to be informed of every aspect of this new law that's coming in or new regulation or new resolution. Number one; I still haven't heard anybody address the issue. And again, my information is out of the local newspaper where we're saying we're replacing three elected assessors with one. And that is even more than a privilege of voting or not voting."

PUBLIC HEARING, Continued

Councilman Boschetti, "I would appreciate an answer to the question of whether you're in favor of putting this in front of the people or whether you aren't."

John Gallo, "If the people of the Town of Riverhead are informed of every aspect of this referendum vote, most definitely."

Councilman Pike, "You just changed your position. Thank you."

John Gallo, "You're an attorney, I'm not. I don't think I changed my position."

Deputy Supervisor Gablenz, "Mr. Barnes."

LeRoy Barnes, "I don't know about the thinking. What we're talking about tonight is sole assessor versus elected assessor. And Rob you did mention that there are inequities in the assessment roll and maybe you're indicating that an appointed assessor would have that kind of incentive to do a reassessment. But I am an elected assessor. I have incentive. I have come to this Town Board and asked for funding and I've done it to the press and I've asked the press. I've made press releases and I've admitted that a reval. needs to be done in this town. I'm the one that will take the political heat for it but this is a professional assessor that says I'm doing something that's right for this town."

Deputy Supervisor Gablenz, "Henry, did you wish to speak?"

Henry Saxtein, Attorney, "I think one of the main issues here is the responsiveness of government to the people. And even if you have an appointed assessor and even if he does your revaluation for you and makes that equitable for the first year and it's in place, you need someone to update that and you need someone to keep doing it equitably. I'm not saying that the appointed assessor is going to do it more equitably than the elected assessor but the elected assessor will be responsible to the electorate. And if he's not doing his job, he can be turned out. Whereas the appointed assessor, if he doesn't do his job, will stay there. And that's not fair either."

Deputy Supervisor Gablenz, "Thank you. Mr. Cuddy."

Charles Cuddy, "So that there's no mistake as to my position Mr. Pike, I am against the referendum. I am against the referendum because I do not think this is government by referendum. And what you suggest to me is that we do not need a Board. We just need voters to vote on every issue. I think that's patently wrong. I think it would be a mistake for Riverhead to go that route tonight or anytime in the future. I do not think after hearing the public tonight, that this Board can escape its responsibility. It's responsibility is not just to raise issues. It's too resolve issues. You bite the bullet and I ask you to do that. Thank you."

Deputy Supervisor Gablenz, "Thank you. Mr. Binger."

Walter Binger, Aquebogue, "I think I should start by saying; since this is a public hearing called for voting on whether the Town Board should put the referendum to a vote to the people. And since I'm for elected officials in the Assessor's Office, therefore, I would have to be against you putting the referendum on the ballot. It makes sense doesn't it Mr. Pike. I'm sorry. I didn't mean to pick you out but that's... I'm answering what you said because you said you're putting it before the people. Well, why are we calling this public hearing? It's being put before the people."

Councilman Pike, "To decide whether we ought to put it before the people."

Walter Binger, "I'm against appointed assessors. Therefore, I have to be against putting it on the ballot. It makes sense to me. Since you brought another cat out of the bag, and I'm going to address you because you spent the time on it and I thank you for that. The assessors have the right to assess at 100% evaluation and that is the problem. I think and I'm not good on these records and you're good at record keeping, you're back in the records. Assessing started in the '50's and basically was an equitable way of charging everybody for town services, whether it be roads, water sewer. Whatever it is. And if the town services for one house is \$500, then that person should be owed \$500. And if a kid has a child in school, if a person has a child in school and that's \$500, then that house has to pay \$1,000. What has happened under 100% market assessment values, is that real estate value has come into play. Therefore, if it overlooks the Sound even though it gets absolutely no more town services, why should I pay if I own soundfront property more than the guy who lives down in the center of town? That's where I think the d--- problem is. Excuse me. Is in the 100% market assessment is not an equitable way of assessing property. I can not afford to purchase my property for what people tell me it's worth but I live there. I can not afford to pay taxes on what you think my property is worth and that's where the problem lies. And let's back up. If the Town Board has the right to appoint this person, they also have taken away the checks and balances of spending. Because if they need more money, they tell the person I need more money. We know who's dishonest. It's politics. And we didn't bring up politics. The town didn't bring up politics. Going back to what Mr. Boschetti said, it was in the papers this week. Because it's a three man majority democratic Board, they're going to expect a democratic assessor. Not necessarily a republican assessor. And that's what's going on. It's in the papers here. They did it. They brought up the democratics and the republicans. They brought it up when Mr. Janoski was in the hospital that we voted through the sewer thing. Well the sewer thing, alright. Let's stop and check back at the sewer problem. Three members voted it through when Mr. Janoski was in office. But whether he was sitting up there in the front seat, three would have gotten it through anyway. It's a majority vote. So that's another political the paper brought up again politics. I hope we're separating politics out of this but I for one, am for the elected officials the way it stays. Therefore, I have to be against the referendum vote. Thank you."

Deputy Supervisor Gablenz, "Mr. Schmelzer."

George Schmelzer, "Maybe the Board better be careful because last Fall, last year in Southampton, a lot of people complained about the assessors being loused up. Who did they throw out of office? Not the assessors, the supervisor. So be careful you might throw yourselves out by messing with this too much. Anyway, what do you think causes these lopsided assessments? I think the Town Board does it itself. They'll go around all year changing zoning and then all of a sudden some land is worth more and some land is worth less. Like this swamp stuff where we're protecting the mosquitoes or something. Mr. Pike brought up I don't know what. Then they passed that thing. Whether they did or not I don't know. How much do you think the land is going to be worth after that. It will be worth less. You're going to tell the assessors to assess it less immediately because of this nonsense on the land. Town Board was in favor of this half mile moratorium because election time they came around and said they weren't but the rest of the year they are. Did they tell the assessors to change the assessment because the land can't be used for two or three years? No. So whose fault is it? A lot of it is your own d--- fault and you know it. You should know it. Maybe you don't. So you expect if somebody pays a good price for a piece of land, he has to have it and he's a user. They choose a particular piece which happens sometimes. Just like somebody might choose a certain barn they must have. I don't mean you though necessarily. I think you qualify though. Does that necessarily apply to the adjacent land? It might be an acre of woods, two acres of woods or so. Then if a guy wants to use that, these environmental nuts can come up and say he shouldn't use it. He should leave it for the salamander or some bug or whatever. Yet he should still pay full assessed valuation on it. You see there's no way to solve this. You can condemn a piece of land, the state, county or town. And the condemning authority will hire an appraiser. He'll appraise it down like this and the owner will come along and have an appraiser appraise it like that. They both get lawyers and they end up in the middle somewhere. The state lawyer and the owner's lawyer will both make out good. And assessing is no easy task. There's many factors and you're never going to get equitable assessment fully. It's impossible. You'll have to hire appraisers to go every year and then you wouldn't get it perfect. The people who had a good argument with a small piece of land, they wouldn't bother. It wouldn't be worth it, you see. It's almost.... I shut myself off. It's almost an impossible task which most people don't realize but that's the way it is and you can do the best you can."

Deputy Supervisor Gablenz, "If you could just conclude your statement Mr. Schmelzer, we'd appreciate it."

George Schmelzer, "I'm using the five minutes that my wife gave me. I got two minutes left from the last hearing which I didn't use. Remember that?"

Deputy Supervisor Gablenz, "Mr. Schmelzer, we take this as a serious matter and I know we're trying to add a little humor to this. But there are some other people who would like to make a statement. So if you conclude this, I would appreciate it."

George Schmelzer, "It's serious. I think maybe you tried to get yourself off the hook by this referendum. I wish you had a referendum in a lot of things not just choose this one to get yourself off the hook. Maybe you've had referendums on most things but most times, the elected authorities like boards and legislative authorities, that's their prerogative. We don't have to give a referendum. The county legislature doesn't like, neither does Albany and neither does Congress. They'll never let go anything in the state constitution or the federal constitution to give people any referendum, allow a referendum. It's almost impossible and most difficult. So, thank you."

Deputy Supervisor Gablenz, "Thank you. Mr. Loughlin."

Joe Loughlin, Assessor, "I'm a member of the Board of Assessors. Unfortunately, I think we're getting away from the issue that's involved here. When you start talking about revaluation, it's like lighting a match in a room of gas fumes. The judgment that is to be made tonight, is whether the current Board of Assessors is doing their job. And I would tell you that the Board of Assessors of the Town of Riverhead have been recognized by the Suffolk County Assessors Association as well as the State of New York as one of the most professional in the state. An assessor nowadays is no longer someone given an opinion of value. He is an individual who is a municipal appraiser. He has to be a part time lawyer. He has to be a part time sociologist. He has to be a part time public relations man. And with all of that, we hope he has a little compassion. I'd like to point out something I would ask the Board to consider. During the term of Mr. Barnes services as Chairman, there are things that I think you may not be conscious of anymore than one department is conscious of what some of the other departments are doing. During the month of May, LeRoy spent every night from 6 o'clock to 10 o'clock offering the farmers of the Town of Riverhead, this was on his own time, the opportunity to discuss the implications of the new effect that the taxes would bring upon as far as the changes go in the farm commitment program. That was done on his own time. He not only explained very adequately what the effects would be, but he gave some very good economic advice in every individual situation. I wonder if a sole assessor would do that. During the term of office, one of the things that always impressed me was that what assessors were up against particularly from the West End attorneys who are high pressure attorneys who can come in with high pressure appraisals and intimidate us to the point of having to accept the kind of settlement they are forcing upon us because they feel we are country boys and we're not able to play poker the way they do. Through a lot of work on a computer, again on his own time, Mr. Barnes has developed a program and a systematic program of every objection that is made on commercial properties. Every telephone conversation, every bit of negotiations we do, so that we're now able to stand toe to toe with these attorneys. And I don't know what the dollars might be. But I will tell you from my observation and I'm sure LeRoy has saved the town many many thousands of dollars in his negotiations. These are some of the things that I would ask you to think about when you're making your judgment on what your decision is tonight. Thank you."

Deputy Supervisor Gablenz, "Thank you. Mr. Haizlip."

Steve Haizlip, Calverton, "If I understood this opening here to start with, Mr. Barnes was kindly asking for, or rather the Board is asking for Mr. Barnes so he could be appointed. But then that would give him leverage to do these reassessments and raise up the tax without fear of having to go out of office by the voters. Now if the process works like that, I want to see that the assessors stay on the elected process. Now in the state equalization and taxation law when it comes to grievance, no elected official can sit on that Board. Now, is there going to be an appointed official able to sit on that Board? Let's think about that. Now he can get in there and put in his two cents. But before, he had to sit in a room, keep his mouth shut and listen to who is grieving in the town so he can put it up here. So I'm in favor of electing the assessors and let's leave it that way."

Deputy Supervisor Gablenz, "Thank you. Mr. Nohejl."

Bill Nohejl, Aquebogue, "I'm against the referendum. I'm against it for this referendum would be put in on a presidential election year which will not have any, the elections here will not have anything to do with town elections. People will be naive and I'm very concerned. And from what I've heard and know, like Mr. Crump originally left because he didn't get the appointed assessment at that time. One of his complaints was that it cost too much money to run for election. I believe in the old Smith/Barney way. That's not good enough, you have got to earn it the hard way and you'll appreciate it. And I think this is politically motivated and I don't want politics involved into electing other officials or appointing other officials. Thank you."

Deputy Supervisor Gablenz, "Mrs. Sykora."

Florence Sykora, "Nobody but nobody and I'm going to say it when the boys aren't here. Sorry they aren't. That nobody is going to take my vote away from me. And as was said before, I don't want to see this referendum on this year's ballot because this is what it would mean. People wouldn't pay attention to it. And as far as my vote is concerned, I've learned by coming down here that it means a 100% to me and I want to keep it. Because I'm going to tell you right now, you know who is the boss. We all are the boss. We come down here and we ask for you to help to do good to our town or for our town and for the people in this town. And if our vote is taken away from us, it won't mean a d--- thing. Our appointment doesn't mean a d--- thing. You don't get anything out of it. But when you are elected, you have to work for us and that's where it counts. So I want my vote and I want to vote for each one that's up there up to the president of the United States and nobody is going to take that away from me."

Deputy Supervisor Gablenz, "Thank you. Yes ma'am."

Alice Hasselbach, Riverhead, "I don't agree with the referendum. I also want to keep my elected officials. But I don't even agree with it being put on the ballot because I think it's a waste of taxpayers money. You should keep your elected officials. I don't

PUBLIC HEARING, Continued

Alice Hasselbach, Continued

see any reason to bring the question up anymore than I would want to see the question raised if should we appoint our Superintendent of Highways. I just don't think it belongs there. Someone on the Board mentioned well, it's just to see if the voters still want that right. But if the Board is saying should we put it on the ballot, that means to me if you vote to put it on the ballot, you want to take that away. You want the power to appoint this person. If you weren't interented in it, you wouldn't even be considering putting a referendum on. So, I don't think it should even come up unless there was something. If it started at a grass roots movement where people felt that this is not the right way to do it, this is not originating as a grass roots movement. This is originating from people on the Board. And if it originates there, I would say that they are interested in getting this as an appointed position. And they're voting to put it on the referendum to me is 90% vote that they want to be able to use this and want to be able to appoint this person and I don't agree with that. Thank you."

Deputy Supervisor Gablenz, "Thank you. Yes sir."

Bill Hanlon, Riverhead, "This evening the whole thing amounts to whether it should be put on the referendum or not. I say absolutely not. The people have voted on it once before and they voted to have the three elected officials and I believe it should stay that way. Thank you."

Deputy Supervisor Gablenz, "Thank you. Is there anyone else? Yes sir. Mr. Kasperovich, I will recognize you after this gentleman."

Jim Breitenbach, Riverhead, "I'd just like to state that I am for the elected officials that the majority of these people put into office. And I'm against the referendum."

Deputy Supervisor Gablenz, "Thank you. Mr. Kasperovich, did you wish to make a statement?"

William Kasperovich, "Yes. I'm going to add my name to the list of people that are against this being put on the referendum. I believe that this is a slur on all the good work that the men have done in the assessor's office. If you people think that you need an added voice from the people, then all you have got to do is listen with more attention. The history of appointed people in the last ten years has not been something all the people of Riverhead are proud of. We have an american way of life and I'm sorry to say that you people have to be reminded on what that american way of life is. The freedoms of speech, the freedoms of expression at the town public hearings have been ignored, have been twisted, have been misrepresented. I've been at public hearings here where everybody who got up said no and the Town Board went ahead and voted yes. And that's the way it's been going for ten years. And now it's come to the low position in our township that you people want to throw it out for the public vote because you can't say to the people that you approve and recognize the good work of that the men that are here did. To take our vote away

William Kasperovich, Continued

and replace it with an appointed individual, can only go to somebody who has contact with the higher ups. Because you're not going to find on this earth better men than we have elected at the assessors office. And to question their good work and what they have done over the past years, is a slur. And if I were in their place, I would be offended by it. I, as a citizen, am offended that you want to take my vote away. People have spoken here more eloquently than I but it's the same thing. You're not doing a very good job up there."

Deputy Supervisor Gablenz, "Is there anyone else who wishes to address the Board?"

Jack Smith, "Chairman, members of the Board, ladies and gentlemen. It's come to a referendum vote. The people that are standing in the back of the room have done a h--- of a job. I had no personal experience with them but several of my friends have. In fact an individual here tonight is a little shy to speak. So I'll speak for him. This friend of mine Bill, came in one day and he had a question on his assessment. He came in and he went to the *assessors office and*he spoke to that gentleman right there. This gentleman took the time, had the patience with my friend that I wish if anything ever happens to me where I have to go through this, that he would do the same for me and I know he will because he's done it already. An appointee, one man appointee, it's no way that one man can do the job of three. And again, I'd like to go on record as being against the referendum vote and I think the elected official is the best official. And I'd like to compliment you people on being cool tonight because it stirred me up a couple of different times things that has happened to the Board and I personally appreciate every last one of you. Thank you."

*Speaker indicated Chairman LeRoy Barnes as the gentleman mentioned.

Deputy Supervisor Gablenz, "Thank you. Is there anyone else who wishes to make a statement? Yes sir."

Bob Pekar, Calverton, "In response to Mr. Pike's clarification. Number one; I'm against the referendum and I'm against the referendum for number one; unless the roots of this is from the people wanting a referendum, it won't work. Because you the Board members, are incapable of getting the information to the people so that they understand. Especially this coming year. It's not.... I'm not putting you down. It's a physical impossibility. You can not get the information across to even make a referendum worth while. As something was said about the inequities of the assessment and I'm sure that is the case, but in this case, I don't think that going to an appointed official versus an elected official is going to change anything. How many people have gone to the Motor Vehicle Department and had to deal with somebody there that wasn't elected? Sometimes it's not too pleasant. There is no quick solutions. I don't think there's a fair way of doing it. On the other hand, you can't use resale values as a yardstick. If I wanted to sell my home and I wanted

Bob Pekar, Continued

to put a high price and I wanted to wait, I'd get my high price. If I wanted to sell my home and I wanted to get out quick, I'll take a lower price. How are you going to equate that? You can't. The only thing that seems to me to be possible is that there has got to be better education of the assessors if that's possible. And whether they're appointed or elected, that doesn't make any difference. So the bottom line is we have a good assessment department. They've been doing their job. You can't get a referendum that's fair to the people, so why bother? Thank you."

Deputy Supervisor Gablenz, "Thank you. Yes sir."

Lincoln Roos, Foxwood Village, "I'd like to ask Mr. LeRoy Barnes to come down."

Deputy Supervisor Gablenz, "If you could just...."

Lincoln Roos, "Alright. Then I'll ask Mr. Barnes, says he doesn't have enough help. Because I for one, and LeRoy Barnes went ring-a-round the rosey. Right? Because I was taxed. I was given a tax bill before I should have been given one. What his problem was that he doesn't have enough help. Anyway, I don't know because he couldn't get around. The deal was over the phone was how much my house cost because he couldn't get up there or any of his other help couldn't get up there. In fact, he has a problem now. Don't you LeRoy?"

Deputy Supervisor Gablenz, "If you could just address your comments to the Town Board sir, we'd appreciate it."

Lincoln Roos, "Well the problem he has now because I put in for an assessment. And the problem is that he can not get the figures from the owners of Foxwood Village on what it cost to bring that house up, that trailer which was all added in. A mobile home it is and that is including the sales tax and the foundation and the whole bit which was added into the price. But Mr. Stark says that it's confidential. Is that right? It's confidential. So now does he have the power to go over there and open up his drawer and find out or how do we find out?"

Deputy Supervisor Gablenz, "Sir, I appreciate your comments. I think we're deviating from the matter of this public hearing."

Lincoln Roos, "Well, no. LeRoy Barnes is in because he's getting to be a nice guy now. I won my case. In fact, I was congratulated by Mr. Blass. The first guy to beat Riverhead."

Deputy Supervisor Gablenz, "Thank you. Yes sir."

Nick DiPierro, Wading River, "I get the impression that there was a public hearing on this several years back, eight/ten years ago. The decision was made not to put it on a referendum at that time. I may be wrong like I said. But if I'm not, why are we wasting more than an hour here tonight on the same issue? I want to go on record as being opposed to the referendum tonight. Again, ten years ago, I

Nick DiPierro, Continued

believe the same decision was made not to put it on a referendum. Thank you."

Deputy Supervisor Gablenz, "Thank you. Is there anyone else who wishes to address the Board? That being the case and without objection, I declare this hearing closed. I overlooked the approval of the Minutes of the meeting of August 2, 1988. Do I have a motion to approve those minutes?"

Councilman Pike offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Minutes of the meeting of August 2, 1988 are hereby approved and dispensed with without objection.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

Deputy Supervisor Gablenz, "If we could just have a five minute recess. We just need to complete the resolutions."

TOWN BOARD MEETING RECESSED AT 10:04
TOWN BOARD MEETING RECONVENED AT 10:20

Deputy Supervisor Gablenz, "I will call the meeting back to order. I did not give Mrs. Pendzick an opportunity to read the reports earlier. If we could just go through those."

REPORTS

Agricultural Task Force-Progress report dated 8/16/88.

File

APPLICATIONS & PETITIONS

Change of Zone-Life's Equity Development Corp.-Industrial "A" to Residential "A" (71 acres on Wading River Manor Road).

File

Petition-49 letters of petition from residents of Osborn Avenue opposed to stone crushing facility.

File

Site Plan-Wading River Baptist resubmission to construct church on Wading River Manor Road.

File

Parade Permit-Living Water Full Gospel Church for assembly on 9/10/88.

File

Special Permit-Agway, Inc. renovation of buildings and site at Osborn avenue for non-nuisance industry.

File

Site Plan-Agway, Inc. renovations on Osborn Avenue.

File

CORRESPONDENCE

Wendelin Giebel, 8/15/88-Objects to proposals to expand Wading River Jetty and the construction of a new jetty boat ramp as destructive to the area. Fil

Jerome Rogers-Listing 5 effects of the proposed generating plant, to be examined in detail. Fil

Carol Oditz-Requesting that issue of generating plant be put before people for a vote. Fil

John & Royce Rienzo-Sees no reason to restrict traffic on Middle Road. Fil

Deputy Supervisor Gablenz, "Thank you. We will consider the resolutions. Mr. Kasperovich, we're just going to complete the resolutions and we will open the meeting for anybody that wishes to be heard."

William Kasperovich, "I want to talk on the resolutions."

Deputy Supervisor Gablenz, "You want to speak on the resolutions that are about to be considered. Go ahead Mr. Kasperovich."

William Kasperovich, "This agenda that covers the numerical sequence and a caption of what is involved and on occasions is misleading, but you have three resolutions here that says adopts resolution regarding Local Law number blank blank, 1988 providing for a four year term of office for highway. Now, from what I gathered at the public hearings, this was a concern of putting it on the referendum, on the ballot. And so how can you adopt a resolution?"

Councilman Pike, "All of them are subject to a mandatory referendum. That is the procedure to getting to the referendum in those cases."

William Kasperovich, "Well, it doesn't say that. And at 3:30 this afternoon, there's no way to get to see what the resolution was. At 6 o'clock there's no way to get to see what the resolutions are."

Irene Pendzick, "He didn't come in at six."

William Kasperovich, "Thank you Irene Pendzick. These resolutions are not made known to the public. And I feel that the public should know what these resolutions are. And for the price of a few extra copies, I can not see holding them back from the public. It seems that the press and the few particular special people get a copy but the public nothing. Now, how can anybody see what you're doing? And how can anybody just take anything for granted other than by this nature, it's a matter of concealment? I don't know if you people are ashamed of it or are you just ashamed to show it to the public. But you don't give the public a chance to see what resolutions you're going to work on or vote on that evening. Now this is nothing new. I have asked for this time and time again. But apparently it falls on deaf ears. However, this is not going to silence me because what is right is right. And why you people think I get up here and say that you're not doing a very good job, this is one of the reasons. If I

PERSONAL APPEARANCES, ContinuedWilliam Kasperovich, Continued

may have the privilege to continue to talk on other subjects, I would thank you. If not, I'll wait until your resolutions are completed."

Deputy Supervisor Gablenz, "We would like to complete the resolutions."

William Kasperovich, "All right."

Steve Haizlip, (from audience) "Can I just put a quick in?"

Deputy Supervisor Gablenz, "Sure Mr. Haizlip."

Steve Haizlip, "Mr. Kasperovich just asked a question. Is this going to be final now. And Mr. Pike I think said this is a process of getting it to the ballot. Is that right?"

Deputy Supervisor Gablenz, "Yes."

Steve Haizlip, "Thank you very much Mr. Pike."

Deputy Supervisor Gablenz, "Can we begin the resolutions."

RESOLUTIONS #530-#552 found on pages 959-997 of
1988 Resolution Book.

#534 DEFERS SEQOR DETERMINATION ON RICHARD VISONE CHANGE OF ZONE.

Councilman Pike, "Second. Just to clarify a little bit. Mr. Visone would be held up unless he has full environmental impact statements. The Planning Board's decision will be on the generic environmental impact statement which proposes what these folks want to do and it will simplify the process for these folks to have this hold until the findings statement on the generic environmental impact statement is issued."

Councilman Pike, "I have a short add on. I think people that were here for the beginning of the meeting realize we were late due to a sad occasion and that is the passing of Robert Tomlinson. Not only was he a great american but he happened also to be a democratic leader. And one of the nice things about Bob was that whether you were with him or against him, you ended up liking him and trusting him to do what he said and to mean what he said. What I would like to do is suggest to the Board is that we, by acclamation, pass a resolution expressing our condolences to the family and I would make that motion. I'll draw up a more formal resolution tomorrow."

Councilman Boschetti, "I don't mind seconding that but if one of you would rather, I will defer."

07/10/88

PERSONAL APPEARANCES

Deputy Supervisor Gablenz, "Mr. Kasperovich, did you want to make one last statement to the Board?"

William Kasperovich, "Yes. I would first like to ask Councilman Pike, since I've contacted all the agencies that I could think of that were the outline of critical areas in the township of Riverhead were made and I couldn't find anything that equaled what was distributed and presented to the public as to where these outlines came from."

Councilman Pike, "You've seen two sets of drawings and let me explain both sets."

William Kasperovich, "Well, I'm referring to..."

Councilman Pike, "Let me explain. The first sets of drawings, the official publication in the official newspaper of the Town of Riverhead were the actually boundaries of the critical environmental areas."

William Kasperovich, "Where did these actual boundaries come from? I haven't found any place or any agencies that determined these outlines on this map in Suffolk County. Now, I'm asking where did they come from."

Councilman Pike, "In fact, you're correct. We are the agency that will, when we're satisfied with the boundaries, be the first to adopt these. They are not official anywhere yet. I might continue?"

William Kasperovich, "No, no. I got the floor here. You interrupted me the last time."

Councilman Pike, "I thought you asked a question and I'd get a chance to answer it."

William Kasperovich, "Well you told me there is no place you copied these outlines from."

Councilman Pike, "We are creating these outlines."

William Kasperovich, "You created them? From what?"

Councilman Pike, "Actually mother nature created the critical environmental areas. We're just pointing them out."

William Kasperovich, "To the rest of the Town Board, the DEC took aerial photos and interpreted the vegetation on these aerial photos as boundary areas. Now this to me, was the only specific actual designation of boundaries. Our recognition of certain shades on certain aerial photos that DEC took or engaged other people to take for them. Now, in Stony Brook there are different maps and different outlines with different outlines and different scales. But nothing like what was presented to the people of Riverhead. Now, did you have aerial photos. Did you have a crew go out and outline the vegetation or did you take surveys or did you just dream them up because I can find them no place else that you reproduce. So I first

PERSONAL APPEARANCES, Continued

William Kasperovich, Continued

ask the question, where did you get these outlines from?"

Deputy Supervisor Gablenz, "Mr. Kasperovich, this is a period for public comment. If you'd like to make a statement, go right ahead."

William Kasperovich, "Ok. Whereas no notations of origin of sections of maps used to indicate these critical areas, whereas no notation of source of information used to overlay the section of maps used, where no imposed notation as to who established the areas and by what means, whereas no notice or exhibit. Now that goes..... (undecipherable). It is therefore assumed that A; by landmarks on the map scale it as one to twenty-four thousand or one inch equals two thousand feet. And B; the width of the pencil lines or whatever marking device was used, measured approximately 50 feet wide. It is the conclusion of this citizen that the designation made was without concern or intent to enlargement or refinement to make more specific designation of said area. The omission of the source of information and giving credit to what reproduction was used or what was copied from, is therefore brought to your attention that this meeting was improper if not illegal. The introduction to the people at a public hearing of marked up tax maps that were never presented to the public before are not valid submissions to a public hearing. Now, this business of bringing something in at the last minute at a public hearing, I've objected to time and time again. But again, it apparently falls on deaf ears. Now, you people seem to think I have nothing else to do in my life but to bring these things to your attention. It so happens that on the morning of this day that this public hearing came to be, I was at the Northport Veteran Hospital distributing personal items to victims of the great war. These people have suffered for 40 years and will suffer to their death and they gave this up for the freedoms that we enjoy and it sticks with me. And for anybody to take or violate that freedom upon my person, I object to and will object to in the strongest possible way I can. And there are people and there are learned attorneys that are willing to help stamp out this sort of thing. You have a public hearing, the public is entitled to speak. If they speak too slow for you or they don't speak to your liking, that is your hard luck, not the speaker's. And you come up here and you talk about democracy and the flag and the american way of life. Apparently you people don't know the definition of these terms. Thank you."

Deputy Supervisor Gablenz, "Thank you. Is there anyone else who wishes to address the Board? Mr. Haizlip."

Steve Haizlip, "At the last meeting I protested what appeared in the paper about Western Suffolk on the DMV trials of there. And Judd Jason made a report as to what was going on there. To my surprise, I never expected and I didn't think it was going to happen, Cuomo answered my letter through a Mr. Freestone of the DMV. What it all boils down to is, yes we know about it and we're not going to comment farther. And unless the legislature does otherwise, we're going to keep on doing right what we're doing. So I'm still protesting what Jackson said that we've got to convict 95% of the people

PERSONAL APPEARANCES, ContinuedSteve Haizlip, Continued

that come through the door and I have inputted this to Mr. LaValle that since he's a legislator to see what he's going to do and..... (undecipherable). And in closing I'd just like to add to what Mr. Kasperovich. It is a freedom and a freedom of right to get up here and speak and express your feelings and this is the way I feel about it and I want to thank you for giving me the time."

Deputy Supervisor Gablenz, "I want to thank everybody and close the meeting at 10:50. Thank you."

There being no further business on motion or vote, the meeting adjourned at 10:50 p.m.



Irene J. Pendzick
Town Clerk

IJP:nm